



**MEMORANDUM**

DATE: June 29, 2022

TO: Rosanna Russell, Real Estate Services Director

FROM: Kimberly Stern Liddell, Acting Manager *KSL*

SUBJECT: Responsible Agency Findings for Use and Sale of SFPUC Right-of-Way for the Alameda Creek Bridge Replacement Project

The California Department of Transportation (Caltrans) proposes the to replace the Alameda Creek Bridge and realign the bridge approaches on State Route 84 from postmile 13.0 to 13.6, in southern Alameda County (proposed action). Completion of the Project would require use of portions of SFPUC’s right-of-way (ROW). None of the structural and safety improvements proposed by the project would impede SFPUC operations.

Acting as Lead Agency under the California Environmental Quality Act (CEQA), Caltrans prepared the Alameda Creek Bridge Replacement Project Environmental Impact Report (EIR)/Environmental Assessment (EA) for the proposed action pursuant to the provision of CEQA and the National Environmental Policy Act. Caltrans certified the EIR/EA and the mitigation measures set forth in the EIR/EA on August 16, 2017 (State Clearinghouse Number 2010082001). Caltrans prepared a NEPA/CEQA Re-Validation Form for the EIR/EA to address the need for additional temporary construction easement and purchase of additional land in fee. Caltrans studied and permitted the additional area prior and concluded that this change in scope would not result in any new environmental impacts not addressed by the EIR/EA (Caltrans, June 27, 2022).

The SFPUC is a Responsible Agency for the proposed action under CEQA because the proposed action requires SFPUC consent for Caltrans temporary

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use of and purchase of SFPUC ROW to implement the proposed action. Issuance of the agreement for sale of real estate and temporary construction easements (Sale Agreement) is a discretionary action by the SFPUC that is subject to compliance with the CEQA. These Findings address SFPUC's action in issuing the easement amendment for the proposed action.

As a Responsible Agency, the SFPUC has reviewed the EIR/EA and related material and finds that:

- 1) SFPUC's issuance of the Sale Agreement is within the scope of the proposed action's CEQA approval and that this document is adequate for SFPUC's use in issuing the Sale Agreement for the proposed action. Caltrans' approval of the action, the EIR/EA, and other materials related to the proposed action are part of the record of this approval and are available for public review at the SFPUC offices, Real Estate Services Division, 525 Golden Gate Avenue, 10th Floor, San Francisco, CA.
- 2) Since Caltrans approved the proposed action, there have been no substantial changes to the proposed action or changes in circumstances related to the proposed action that would result in new significant environmental effects or an increase in the severity of previously identified significant impacts, and there is no new information of substantial importance that would change the conclusions set forth in the EIR/EA.
- 3) Caltrans has adopted the mitigation measures included in the EIR/EA and has assumed responsibility for their implementation. The SFPUC has no direct authority or responsibility with respect to the proposed action other than to enable the Project Sponsor through issuance of the Sale Agreement to carry out the proposed action.