



September 4, 2015

NOTICE OF DECISION

Approval of Development Permit for EBMUD Arrowhead Marsh Boardwalk Repairs

PLEASE TAKE NOTICE: The Port of Oakland (Port) Permit Coordinator has reviewed and evaluated all of the evidence in the record and, based on substantial evidence in the record, the Permit Coordinator has exercised his independent judgment to **approve the development permit for Port Property** located at 75 Swan Way, Oakland, CA on September 4, 2015. This Notice of Decision, providing public notice of the Permit Coordinator's decision, has been posted on the Port's web site.

Project Description

The Port of Oakland is the local land use authority for the Oakland Airport Business Park, a 400-acre business park located in proximity to Oakland International Airport. The project site is located in the southwestern portion of the City of Oakland (City), in the vicinity of Oakland International Airport and Doolittle Drive. The address of the proposed project is 75 Swan Way, within the Martin Luther King Regional Shoreline Park.

The existing boardwalk structure provides a viewing area for the public to observe the Arrowhead Marsh area of the park. The structure is currently closed to public access because of its unsafe condition.

The project applicant, East Bay Regional Park District, proposes to repair the structure. Project improvements include:

1. Encapsulate existing timber piles supporting the structure;
2. Modify existing connections to level the deck;
3. Retrofit existing guardrails;
4. Replace miscellaneous wood members as necessary.

Environmental Review

The Port is the Lead Agency under CEQA, having land use jurisdiction over the Oakland Airport Business Park. The project is to repair an existing, duly approved structure located in an existing developed park adjacent to the San Leandro Bay. The Port finds that this project is categorically exempt pursuant to CEQA Guidelines Section 15301, which exempts repairs to existing complying structures.

Appeal of Permit Coordinator's Decision

Any person excepting to the Permit Coordinator's decision may appeal to the Permit Hearing Officer by filing with the Secretary of the Board a written notice of such appeal setting forth the specific grounds thereof, and by paying to John Betterton, Secretary of the Board (530 Water Street, Oakland, CA 94607 or jbetterton@portoakland.com), the \$750 administrative appeal fee. A Notice of Appeal must be filed within fourteen (14) days after issuance of the Notice of Decision (by January 27, 2015). Absent an administrative appeal, the Permit Coordinator's decision becomes final fifteen (15) days after issuance of this Notice of Decision (January 28, 2015). Any failure to file an administrative appeal will be a complete bar to judicial review.

Port Contact Information

Please contact Colleen Liang, Port Associate Environmental Scientist, at (510) 627-1198 or cliang@portoakland.com with any questions regarding the approval of this development permit.