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RESOLUTION NO. 2016-44

**A RESOLUTION OF THE ALBANY CITY COUNCIL ACCEPTING THE
ALBANY NECK AND BULB TRANSITION STUDY PERTAINING TO
INCORPORATION OF CITY-OWNED PORTIONS OF THE WATERFRONT
INTO MCLAUGHLIN EASTSHORE STATE PARK**

WHEREAS, the publicly owned portion of the Albany waterfront, including the Bulb, has been designated to be included as part of McLaughlin Eastshore State Park; and

WHEREAS, implementation of this vision will provide an opportunity to achieve the goal of “Maximizing Park and Open Space,” as identified in the City Council Strategic Plan; and

WHEREAS, the City of Albany received a grant of \$168,000 from the California Coastal Conservancy in 2014 to develop a plan for improving the City-owned Neck and Bulb portion of the Albany waterfront so it can ultimately become a part of the McLaughlin Eastshore State Park, operated by East Bay Regional Park District (EBRPD); and

WHEREAS, the City contracted with Wallace Roberts & Todd (WRT) to research site conditions, conduct outreach with community stakeholders and regulatory agencies, and prepare the Transition Study (Study); and

WHEREAS, site enhancement strategies identified in the Study are consistent with the Eastshore State Park General Plan and have been reviewed by EBRPD staff, and the City received a letter of support from the Park District regarding the Study on May 16, 2016; and

1 **WHEREAS**, the enhancement strategies identify ways to maintain the character
2 of the site while enhancing access, safety, and habitat through minor changes to existing
3 trails, removal of hazards along trails, enhanced vegetation management, and shoreline
4 improvements to protect the integrity of the landfill from sea level rise; and
5

6 **WHEREAS**, this Transition Study is a critical step toward the incorporation of
7 the Albany Neck and Bulb into the McLaughlin Eastshore State Park, as it will facilitate
8 budgeting and applications for grant funding to conduct environmental analysis under
9 CEQA, eliminate hazards, protect the integrity of the landfill, and undertake other
10 activities necessary to facilitate incorporation of these lands into the McLaughlin
11 Eastshore State Park; and
12

13 **WHEREAS**, California Environmental Quality Act Guidelines Section
14 15004(b)(2)(B) states that a public agency does not have to undertake CEQA analysis
15 before taking an action which does not commit the agency to a definite course of action
16 or foreclose future consideration of project alternatives or mitigation measures. The
17 Transition Study does not constitute an amendment to, or a commitment to a future
18 amendment, to the McLaughlin Eastshore State Park General Plan, the City of Albany
19 General Plan, the City of Albany Municipal Code, or plans and policies adopted by other
20 state and regional agencies with jurisdiction over the study area; and
21


22 **WHEREAS**, the Transition Study is a planning tool which will have no legally
23 binding effect on future activities in the study area. California Environmental Quality Act
24 Guidelines Section 15262 provides an exemption for planning or feasibility studies for
25 possible future actions which have not yet been approved or funded, provided that the
26 studies include consideration of environmental factors. The Transition Plan includes
27 discussion of a number of environmental factors including aesthetics, biological
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resources, land use, cultural resources, hazards and hazardous materials, public services, geology and soils, hydrology and water quality, and recreation.

NOW, THEREFORE, BE IT RESOLVED, that the Albany City Council hereby accepts the Albany Neck & Bulb Transition Study.

BE IT FURTHER RESOLVED, that the City of Albany intends to continue working collaboratively with EBRPD to seek funding for conducting necessary environmental analysis under CEQA and implementing enhancement strategies identified in the Transition Study, to the extent determined feasible and appropriate.



PETER MAASS, MAYOR



City of Albany

1000 San Pablo Avenue • Albany, California 94706
(510) 528-5710 • www.albanyca.org

RESOLUTION NO. 2016-44

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

the 6th day of June, 2016, by the following votes:

AYES: Council Members Barnes, McQuaid, Pilch and Mayor Maass

NOES: Council Member Nason

ABSENT: none

ABSTAINED: none

RECUSED: none

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this

7th day of June, 2016.

Eileen Harrington
DEPUTY CITY CLERK

The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of a diverse community, and providing a safe, healthy and sustainable community.