



# CITY OF OAKLAND

Department of Planning and Building • Planning & Zoning Division  
250 Frank H. Ogawa Plaza, Suite 3315 • Oakland, California, 94612

## NOTICE OF CREEK PROTECTION PERMIT APPLICATION AND NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION FOR THE LEONA HEIGHTS SULFUR MINE REMEDIATION PROJECT

**PROJECT TITLE:** Leona Heights Sulfur Mine Remediation Project  
**CASE NO.** CP13186; ER130016  
**PROJECT SPONSOR:** Dr. Collin Mbanugo  
**PROJECT LOCATION:** Eastern terminus of McDonnell Avenue (APN 037A-3151-002-06)  
**DATE OF PUBLIC NOTICE:** April 2, 2014

**Project Description:** The project site is located in the City of Oakland in Alameda County, California. The approximately 2.0-acre project site is located one-half mile northeast of the intersection of I-580 and State Route 13, and southeast of the eastern terminus of McDonnell Avenue which provides roadway access to the site. It is generally bounded by undeveloped land to the north and south, Merritt College approximately one-quarter mile to the east, and McDonnell Avenue and single-family homes to the west. The project site is not included on a list of hazardous waste sites compiled pursuant to Government Code Section 65962.5 (“Cortese List”).

The purpose of the proposed project is to remediate the steeply sloping piles of leftover mining waste rock, or tailings, and stabilize the Leona Creek channel to improve water quality at the abandoned Leona Heights Sulfur Mine in the Oakland Hills. The water quality on the site is impaired due to contact between the mining waste and surface water run-off. The California Regional Water Quality Control Board, San Francisco Bay Region, issued a Cleanup and Abatement Order in May 2013 and this project implements the Order.

**Creek Protection Permit Application:** An application for a Creek Protection Permit (Category IV) has been filed with the City of Oakland for the above project. The Zoning Manager will make a decision on the Creek Protection Permit application following the end of the public review and comment period (described below). The Zoning Manger’s decision on the Creek Protection Permit is appealable within ten (10) calendar days from the date of the decision.

**Environmental Review:** An Initial Study (IS) has been prepared under the requirements of the California Environmental Quality Act (CEQA) for review and action by the City. The Initial Study evaluates the potential environmental impacts of the proposed project. Based on the results of the Initial Study, it has been determined that the project will not have a significant effect on the environment. Therefore, an Environmental Impact Report (EIR) is not required, and a proposed Mitigated Negative Declaration (MND) has been prepared. The project has been modified to incorporate mitigation measures that will reduce any potential environmental impact to a less-than-significant level. The City of Oakland, Department of Planning and Building, is hereby releasing this IS/MND, finding it to be accurate and complete and ready for public review.

**Public Review and Comment:** The Creek Protection Permit application materials and proposed IS/MND are available for review at the Department of Planning and Building, Planning and Zoning Division, 250 Frank H. Ogawa Plaza, Suite 3315, Oakland, California, 94612, 8:30 a.m. to 4:30 p.m. The proposed IS/MND may also be reviewed on the City’s website: <http://www2.oaklandnet.com/Government/o/PBN/OurServices/Application/DOWD009157>

Any interested party may comment on the project or the proposed IS/MND. There is no fee for commenting and all comments received will be considered by the City prior to finalizing the IS/MND and making a decision on the project. Comments should focus on the sufficiency of the proposed IS/MND in discussing possible impacts on the physical environment and ways in which potential adverse effects might be minimized in light of the IS/MND's purpose to provide useful and accurate information about such factors. Comments must be received no later than **4:00 p.m. on May 2, 2014**, and should be sent in writing to the following address:

**Darin Ranelletti, Deputy Director**  
**City of Oakland**  
**Department of Planning and Building**  
**250 Frank H. Ogawa Plaza, Suite 3315**  
**Oakland, CA 94612**  
**Fax: (510) 238-6538**  
**Email: [dranelletti@oaklandnet.com](mailto:dranelletti@oaklandnet.com)**

If you wish to be notified of the decision of this case, please indicate the **case number and submit a self-addressed stamped envelope** to the above address. If you challenge the environmental document or project in court you may be limited to raising only those issues raised in written correspondence received by the Department of Planning and Building during the public review and comment period listed above. For further information, please contact **Darin Ranelletti** at **(510) 238-3663** or **[dranelletti@oaklandnet.com](mailto:dranelletti@oaklandnet.com)**.