

# COASTAL CONSERVANCY

Staff Recommendation

June 25, 2015

## LOWER WILDCAT AND SAN PABLO CREEKS RESTORATION PLAN

Project No. 15-013-01

Project Manager: Melanie Denninger

**RECOMMENDED ACTION:** Authorization to disburse up to \$145,000 to Urban Tilth for preparation of plans and environmental review for restoring creek habitat and water quality on Wildcat and San Pablo Creeks between Interstate 80 and San Pablo Bay wetlands in the City of San Pablo and the community of North Richmond in Contra Costa County.

**LOCATION:** City of San Pablo and the unincorporated community of North Richmond in Contra Costa County

**PROGRAM CATEGORY:** San Francisco Bay Area Conservancy Program

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### EXHIBITS

Exhibit 1: [Project Location](#)

Exhibit 2: [Project Vicinity](#)

Exhibit 3: [Community Maps](#)

Exhibit 4: [Project Letters](#)

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### **RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of up to \$145,000 (one hundred forty-five thousand dollars) to Urban Tilth for preparation of plans and environmental review for restoring creek habitat and water quality on Wildcat and San Pablo Creeks between Interstate 80 and San Pablo Bay wetlands in the City of San Pablo and the community of North Richmond in Contra Costa County. This authorization is subject to the condition that, prior to the disbursement of funds, Urban Tilth shall submit for review and approval by the Executive Officer of the Conservancy:

1. A work program including a schedule and budget for the project.
2. The names and qualifications of all contractors to be retained for the project.”

Staff further recommends that the Conservancy adopt the following findings:

“Based on the accompanying staff report and attached exhibits, the State Coastal Conservancy hereby finds that:

1. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. Urban Tilth is a nonprofit organization existing under section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.”

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**PROJECT SUMMARY:**

Staff recommends that the Conservancy authorize disbursement of up to \$145,000 to Urban Tilth for preparation of plans and environmental review for restoring creek habitat and water quality on Wildcat and San Pablo Creeks between Interstate 80 and San Pablo Bay wetlands in the City of San Pablo and the community of North Richmond in Contra Costa County (Exhibit 1).

More specifically, the Conservancy grant will fund planning and design of site-specific water quality improvement measures, such as bio-swales, and of riparian restoration along a total of approximately six miles of Wildcat and San Pablo Creeks between Interstate 80 and wetlands on San Pablo Bay near the mouths of the creeks (Exhibit 2). In addition, the Conservancy-funded planning and design, and the completed water quality improvement measures and riparian restoration, will provide opportunities for community involvement, employment, and more attractive streets and creek-side trails. Any Conservancy assistance beyond the recommended planning grant would be subject to future authorization and environmental review.

The proposed grantee, Urban Tilth, envisions the planning project as the first phase of a multi-year effort to improve disturbed riparian and in-stream habitat on the two creeks, utilize watershed restoration technicians being trained and employed by Urban Tilth to construct these projects (some work may require contracting other workers for such tasks as operating heavy equipment), and possibly to construct a riparian plant nursery. The future potential restoration of the riparian corridors along both creeks will improve the connectivity of Bay and stream habitats and the supply of nutrients to the Bay. Improvement of the quality of water reaching the creeks will improve Bay water quality.

Urban Tilth is a 501(c)(3) non-profit organization qualified to receive Conservancy grant funding. It was created in 2005 to help build a more sustainable, healthy, and just local food system in Richmond and now operates some 12 school and community gardens and small urban farms. Urban Tilth’s founder and executive director, Doria Robinson, previously worked for The Watershed Project and the Urban Creeks Council and now seeks to expand Urban Tilth’s focus to include restoring riparian and stream water quality in and near Richmond, preparing local residents for employment as watershed restoration technicians, and forging relationships with entities such as flood management agencies and park districts which may employ the watershed restoration technicians after their educational and employment experience at Urban Tilth.

**Site Description:** The project site consists of the approximately three-mile reaches of both Wildcat and San Pablo Creeks which lie mostly above ground in earthen channels between Interstate 80 and wetlands bordering San Pablo Bay (Exhibit 2). The creeks share a floodplain and were the site of a joint U.S. Army Corps of Engineers/Contra Costa County flood management project in the early 1990s. As is typical of urban creeks, the riparian corridors along Wildcat and San Pablo Creeks are patchy and dominated by non-native species, leaving the streams impaired by high water temperature and by reduced beneficial nutrients and benthic habitat. Much of the water flowing in the creeks and ultimately to the Bay originates as untreated runoff from streets and parking lots.

Where they flow through the unincorporated community of North Richmond, the two creek corridors are mostly owned and managed by the County Flood Control and Water Conservation District, with adjacent property in a variety of public and private ownerships. Where they flow through the City of San Pablo, the creek corridors and adjacent property are in a variety of public and private ownerships. As shown in Exhibit 3, these communities are low-income, with much of the area home to populations identified as having less than 80% of the State's median household income and disproportionately burdened by multiple sources of pollution.

**Project History:** The proposed project is the first in a collaboration entitled Wellness through Connecting Communities being undertaken in cooperation with The California Endowment (Cal Endow), a Statewide, community-health oriented foundation. Cal Endow's Building Healthy Communities Program is focused on investing in 14 places in California, ten of which are within the Conservancy's jurisdiction, to effect long-term changes in health. This collaboration recognizes that access to outdoor space has impacts on the health of a community. Cal Endow and Conservancy staff developed a set of elements to focus on, namely infrastructure improvements, such as trails and public open space, and program development, such as workforce development opportunities in habitat restoration or trail building and field trips to the coast or other regional open spaces. Staff reported on the program with Cal Endow at the Conservancy's March 26, 2015 meeting.

Richmond was selected as the first place to implement this collaboration. Cal Endow has already committed funding to Urban Tilth for training and employing watershed restoration technicians recruited from the local community and for planning, building and operating a training facility and urban farm—known as “Roots and Restoration Farm”—on 3.1 acres adjacent to Lower San Pablo Creek (Exhibit 3). Urban Tilth has the property for the training facility and farm under a 30-year lease from Contra Costa County. This authorization would be the Conservancy's first contribution towards this collaboration with Cal Endow. Conservancy staff anticipates recommending additional funding authorizations for projects in Richmond and in some of the other ten Cal Endow places, as projects are developed and environmental review is conducted.

**PROJECT FINANCING**

<b>Coastal Conservancy</b>	\$145,000
<b>Project Total</b>	<b>\$145,000</b>

The anticipated source of Conservancy funds is an appropriation to the Conservancy from the California Clean Water, Clean Air, Safe Neighborhood Parks, and Coastal Protection Act of 2002 (“Proposition 40,” Public Resources Code Section 5096.600 *et seq.*). Consistent with Section 5096.650 (b), the project will entail use of funds for the purposes of Division 21 of the Public Resources Code (the Conservancy’s enabling legislation) and, more specifically, will result in completion of a necessary step toward the restoration of land and water resources. The County is expected to provide in-kind services with an estimated value of \$10,000.

**CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:**

The project would be undertaken pursuant to Chapter 4.5 of the Conservancy’s enabling legislation, Public Resources Code Sections 31160-31165, to address resource goals in the San Francisco Bay Area.

The project is within the nine-county Bay Area, as required under Section 31162 of the Public Resources Code.

Under Section 31162(b), the Conservancy may act to protect, restore, and enhance natural habitats and connecting corridors, watersheds, scenic areas, and other open-space resources of regional significance. The proposed preparation of plans and site-specific designs for water quality improvement measures and riparian restoration are necessary steps toward protecting, restoring, and enhancing water quality and riparian and stream habitat on lower Wildcat and San Pablo Creeks.

Under Section 31162(d), the Conservancy may act to promote, assist, and enhance projects that provide natural areas that are accessible to urban populations for recreational and educational purposes. The proposed project would plan for enhancement of the natural conditions in and along the lower Wildcat and San Pablo Creek stream corridors, which flow through the urban communities of San Pablo and North Richmond, including along the existing Wildcat Creek Trail which runs by Verde Elementary School and connects to the San Francisco Bay Trail. In addition, Urban Tilth intends to use the implementation of restoration measures identified in the proposed project for training watershed technicians for future employment opportunities.

Consistent with Section 31163(c), the planning project is a necessary step toward restoration of water quality and habitat on lower Wildcat and San Pablo Creeks, objectives which meet the following criteria: (1) support by adopted regional plans (*San Francisco Bay Plan (March 2012)*, *San Francisco Baylands Ecosystem Habitat Goals Report (1999)*, and the *San Francisco Basin (Region 2) Water Quality Control Plan (June 2013)*), (2) spans the City of San Pablo and unincorporated North Richmond and serves a regional constituency by providing regionally significant habitat and improvement of water quality, (3) and can be implemented in a timely way by Urban Tilth and with the cooperation of the County.

This project would also be undertaken pursuant to Section 31111 of the Public Resources Code, under which the Conservancy may fund and undertake plans and feasibility studies, and may

award grants to public agencies and nonprofit organizations for these purposes. Consistent with Section 31111, the project would fund plans for water-quality improvement and riparian restoration along the lower reaches of Wildcat and San Pablo Creeks under a grant to Urban Tilth, a nonprofit organization.

**CONSISTENCY WITH CONSERVANCY'S 2013  
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 11, Objective E** of the Conservancy's 2013-2018 Strategic Plan, the proposed project will result in a plan for enhancement of riparian and riverine habitat along the lower reaches of Wildcat and San Pablo Creeks for the benefit of wildlife and water quality.

**CONSISTENCY WITH CONSERVANCY'S  
PROJECT SELECTION CRITERIA & GUIDELINES:**

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on October 2, 2014, in the following respects:

**Required Criteria**

1. **Promotion of the Conservancy's statutory programs and purposes:** See the "Consistency with Conservancy's Enabling Legislation" section above.
2. **Consistency with purposes of the funding source:** See the "Project Financing" section above.
3. **Promotion and implementation of state plans and policies:** In taking the planning steps necessary to restore riparian and stream habitat and improve water quality on lower Wildcat and San Pablo Creeks, the project will promote and implement many state plans and policies. The following are several examples:
  - *California Wildlife: Conservation Challenges: (California's Wildlife Action Plan)*, Department of Fish and Wildlife (2007). Chapter 4: Statewide Conservation Actions, g. "Federal, state, and local agencies and nongovernmental conservation organizations, working with private landowners and public land managers, should expend efforts to restore and conserve riparian communities." Chapter 14: Conservation Actions to Restore and Conserve Wildlife in the Central Valley and Bay-Delta-Region, "Public agencies and private organizations should conserve and restore water-dependent habitats (including wetland, riparian, and estuarine) throughout the region..."
  - *California @ 50 Million: The Environmental Goals and Policy Report*, Office of Planning and Research (2013 Draft). Chapter 4: Goals for California's Future: Preserve and Steward State Lands and Natural Resources "Work to increase ecosystem services and biodiversity" and "Promoting the use of "green infrastructure" to lessen environmental impacts of development and to provide protection from natural disturbances."
  - *San Francisco Bay Plan*—See "Consistency with San Francisco Bay Plan" below.

4. **Support of the public:** The project has broad community support. Exhibit 4 includes letters of support from State Senator Loni Hancock, Contra Costa County Supervisor John Gioia, Contra Costa County Flood Control and Water Conservation District Assistant Chief Engineer Mike Carlson, City of San Pablo City Engineer Barbara Hawkins, the Wildcat-San Pablo Creeks Watershed Council, and the Citizens for a Greener El Sobrante.
5. **Location:** The project is located in along lower Wildcat and San Pablo Creeks, between Interstate 80 and San Pablo Bay in Contra Costa County, which is within the nine-county Bay Area and the jurisdiction of the Conservancy.
6. **Need:** While Urban Tilth has obtained funding for planning and developing its watershed technician training site and for a basic training program, it has no source other than the Conservancy for planning and design of the water quality improvement measures and riparian restoration which are to be carried out in large part by the watershed technicians following the initial training.
7. **Greater-than-local interest:** The riparian restoration and improvement of water quality on Wildcat and San Pablo Creeks are of Statewide and regional significance because they will contribute to reversing the extensive loss of riparian habitat, disturbance of stream habitat, and degradation of water quality suffered by Bay Area urban streams and San Pablo and San Francisco Bays.
8. **Sea level rise vulnerability:** With rising sea level, the lowest reaches of Wildcat and San Pablo Creek are likely to be vulnerable to increased water surface elevations due to retention of flood flows during high tide events. Consistent with Executive Order S-13-08, for new projects located in areas vulnerable to future sea level rise, the proposed planning project will consider a range of sea level rise scenarios for the years 2050 and 2100 in order to assess project vulnerability and, to the extent feasible, reduce expected risks and increase resiliency to sea level rise.

#### **Additional Criteria**

10. **Resolution of more than one issue:** Once it is implemented, the project will result in both improvement of natural resources and of the availability of natural areas to the urban community.
11. **Leverage:** See the “Project Financing” section above.
14. **Readiness:** Urban Tilth expects to start work during Summer 2015 and complete the planning project within one year. It has set the stage by consulting with the Contra Costa County Public Works Department, the City of San Pablo and community groups and intends to engage qualified consultants.
15. **Realization of prior Conservancy goals:** The Conservancy has been providing assistance with fish and wildlife habitat restoration, multi-benefit flood management, public access facilities and urban waterfront restoration in the North Richmond vicinity since the mid-1980s. Recently, the Conservancy provided substantial funding for restoration and public access at Breuner Marsh, which is approximately ½-mile north of the mouth of San Pablo Creek, and also for planning and construction of segments of the Bay Trail in Richmond.

17. **Cooperation:** The principal co-operating entity is the Contra Costa County Flood Control and Water conservation District has provided a letter of support demonstrating its intention to work closely with Urban Tilth on this project.
18. **Vulnerability from climate change impacts other than sea level rise:** Climate change impacts such as both extended periods drought and heavier than the historic peak rain events could affect the sustainability of riparian restoration and the capacity of bio-swales and other water quality improvement measures and will be considered during the design and planning process.
19. **Minimization of greenhouse gas emissions:** The planning project has little potential to generate greenhouse gas emissions. The project design and methods proposed for construction will include measures to avoid or minimize greenhouse gas emissions to the extent feasible and consistent with the project objectives.

#### **CONSISTENCY WITH SAN FRANCISCO BAY PLAN:**

While the project area is outside the jurisdiction of the San Francisco Bay Conservation and Development Commission, planning for measures to improve the quality of the water in Wildcat and San Pablo Creeks and discharged to the Bay is consistent with Bay Plan Water Quality Policy #1, which states in part, “Bay water pollution should be prevented to the greatest extent feasible...” (Bay Plan, Part III – The Bay as Resource: Findings and Policies, Water Quality.) Consistent with this policy, the project entails identifying suitable locations and designs for measures such as bio-swales to intercept and treat polluted urban runoff that currently runs directly into Wildcat and San Pablo Creeks and thence to the Bay.

#### **COMPLIANCE WITH CEQA:**

The proposed project is statutorily and categorically exempt from the California Environmental Quality Act. Title 14 California Code of Regulations (CCR) Section 15262 sets forth a statutory exemption from the requirement to prepare an environmental impact report or negative declaration for the preparation of feasibility and planning documents for future actions that have not yet been approved or funded, provided that environmental factors are considered. 14 CCR Section 15306 exempts basic data collection and resource evaluation activities that do not result in serious or major disturbance to an environmental resource. The proposed riparian and stream restoration plan entails the preparation of feasibility and planning documents as well as data collection and resource evaluation activities. These activities will enable future actions on and near the two creeks that have not yet been approved or funded. The proposed project will not have an impact on environmental resources, and environmental factors will be considered during implementation of the proposed project. Accordingly, the proposed project is exempt from CEQA. Upon approval, staff will file a Notice of Exemption for the project.