

COASTAL CONSERVANCY

Staff Recommendation
October 23, 2003

ARROYO VIEJO RESTORATION PROJECT

File No. 03-111
Project Manager: Amy Hutzel

RECOMMENDED ACTION: Authorization to disburse up to \$400,000 to the City of Oakland to restore a portion of the Arroyo Viejo Creek and construct five educational classrooms along the creek.

LOCATION: Knowland Park, Oakland, Alameda County (Exhibit 1)

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

Exhibit 1: Project Map

Exhibit 2: Letters of Support

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following Resolution pursuant to Sections 31160-31164 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed four hundred thousand dollars (\$400,000) to the City of Oakland to restore a portion of Arroyo Viejo Creek and to construct five outdoor classrooms along the creek, subject to the condition that no Conservancy funds shall be disbursed until the Executive Officer of the Conservancy has reviewed and approved in writing:

1. A final work plan, including a final budget and schedule, for the project;
2. Any contractors or subcontractors to be used;
3. A signing plan for the project acknowledging Conservancy participation; and
4. Written evidence that all permits and approvals necessary for the implementation and completion of the project under applicable local, state and federal laws and regulations have been obtained.”

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 project is consistent with the purposes and criteria set forth in Chapter 4.5 of Division 21 of the California Public Resources Code (Sections 31160-31164) regarding the Conservancy’s mandate to address the resource and recreation goals of the San Francisco Bay area.
 2. The proposed project is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”
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PROJECT SUMMARY:

This authorization would grant up to \$400,000 to the City of Oakland to restore a 1,000-linear-foot section of Arroyo Viejo Creek and improve public access, recreation, and education along the creek. This authorization would expeditiously move the habitat restoration and public access project from the outreach, design, and permit stages into the construction, monitoring, and maintenance phases.

Proposed restoration work on the creek involves removal of eroding creek walls and regrading banks to increase water-holding capacity and to open up views and access to the creek. The banks will be revegetated with native riparian plants to improve habitat, protect water quality, and stabilize banks.

The project will include construction of permeable pathways that will facilitate safe access to the creek. These access points will have interpretive signage informing the public about creek ecology issues.

An additional project goal is the creation of five outdoor interpretive classrooms equipped with seating and interpretive signage. Each classroom will focus on a specific watershed topic like watershed overview, structural elements of the creek, water quality, riparian plant life, and wild-life. The classrooms will be natural areas along the creek side equipped with tree logs used for sitting and educational signage.

Educational programs will involve children at Bishop O’Dowd and Castlemont High School students, Creek Crew members (a City of Oakland summer employment program for at-risk youth), and members of the newly formed Friends of Two Creeks (Arroyo Viejo and Lion Creeks) in the restoration and monitoring work. Projects such as planting and maintaining the native plants will provide children and volunteers with a hands-on way to be involved, which in turn strengthens their sense of ownership.

The project is a collaboration between the City of Oakland (City), the Oakland Zoo, and the Urban Creeks Council. The City and Alameda County Flood Control District funded the development of a restoration design; the Urban Creeks Council will complete the permitting and develop construction plans; while the Zoo will provide post implementation maintenance.

Site Description: Arroyo Viejo Creek watershed runs from the East Oakland hills through the flat areas and out to Damon Slough, behind the Oakland/Alameda County Coliseum. The creek outfalls into San Leandro Bay at Martin Luther King Jr. Regional Shoreline and Arrowhead Marsh, both of which are heavily used for recreational purposes. Arroyo Viejo Creek is a year-round freshwater stream. Although primarily aboveground east of Highway 580, once Arroyo

Viejo Creek leaves the hills it flows through the flats of Oakland in underground culverts and engineered channels. The section at Arroyo Viejo Creek at Knowland Park is the only soft-bottomed, aboveground section of the creek between the hills and the San Francisco Bay.

Approximately 1,000 feet of the creek flows through Knowland Park, which contains the Oakland Zoo—one of few open spaces in the East Oakland flats area, attracting hundreds of users on daily basis. The creek serves both neighborhood residents and a broader Oakland community who use the park and creek for recreational and educational activities.

Project History: The City of Oakland initiated a Watershed Improvement Program in 1995, and partnered with the County to create a Collaborative Creek Improvement Project, which identified the restoration of the aboveground section of Arroyo Viejo Creek.

The Conservancy has previously funded a 780-linear-foot restoration of the Arroyo Viejo Creek at the Arroyo Viejo Park, and this new proposed restoration effort will add to that and further improve the water quality, public access, and overall health of the watershed. The Conservancy funded various environmental education projects in the past because they promote appropriate public access to natural resources, involve and inform community members about environmental restoration, and build a constituency for stewardship of natural resources. Past projects have included grants for planning, construction, and programming at environmental education and visitor centers along the coast and San Francisco Bay.

PROJECT FINANCING:

Coastal Conservancy	\$400,000
City of Oakland Park Bond	400,000
In-kind contributions:	
City of Oakland	\$ 25,000
Alameda County	67,500
Oakland Zoo	48,000
Friends of Two Creeks	<u>24,000</u>
Total Project Cost	\$964,500

It is anticipated that the Conservancy’s funding will come from the Conservancy’s FY 03/04 appropriation from the “Water Security, Clean Drinking Water, Coastal and Beach Protection Fund of 2002” (Proposition 50). Proposition 50 authorizes the use of these funds for the purpose of protecting coastal watersheds through projects to restore land and water resources. Funds may be used, as here, for watershed restoration activities. (Water Code Section 79570) Eligible projects under Proposition 50 also include nature centers, like the proposed project, that are in or adjacent to watersheds and wetlands and provide wildlife viewing, outdoor experiences, and conservation education programs (California Water Code, Section 79571).

As required by Proposition 50, the proposed project is consistent with local and regional watershed plans. Water Code Section 79507. The Alameda County Clean Water Program (“Program”) is a multi-jurisdictional planning document adopted by Oakland, Berkeley and other East Bay cities to provide guidance for watershed protection activities in Alameda County. The Program provides for a five-year plan that includes and emphasizes creek maintenance, restoration, and pollution prevention. The proposed project will help the County to meet these Program goals.

The project is also consistent with the San Francisco Bay Regional Water Quality Control Board's goal to protect beneficial resources, as described in the Water Quality Control Board Plan (Basin Plan) for the San Francisco Bay Basin (1995).

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

This project is consistent with the Provisions of Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31164. Section 31162(a) authorizes the Conservancy to award grants to improve public access to and around the Bay, coast, ridgetops, and urban open spaces through the completion and operation of regional bay, coast, and ridge trail systems and local trails connecting to population centers and public facilities. The local trails proposed by this project will serve to connect the Arroyo Viejo neighborhood and the greater Oakland community with the Arroyo Viejo Creek and Oakland Zoo.

Under §31162(b), the Conservancy may also provide grants to projects to protect, restore, and enhance natural habitats and connecting corridors, watersheds, scenic areas, and other open-space resources of regional significance. Removal of eroding walls along the creek and revegetation with native plants will restore natural habitats in this stretch of Arroyo Viejo Creek and enhance one of Oakland's seven watersheds.

Under §31162(d), the Conservancy may act to promote, assist, and enhance projects that provide open space and natural areas that are accessible to urban populations for recreational and educational purposes. Arroyo Viejo Creek at the Knowland Park near the Oakland's Zoo, is one of very few open spaces in the East Oakland flats area and is heavily used by community members for recreation and environmental education.

Finally, the project satisfies the criteria for priority under §31163(d), as follows: 1) the project serves a multi-jurisdictional constituency, since it will preserve open space and natural areas for the enjoyment of both local residents and visitors who come from across the region to the area in which the project is located; 2) the project can be implemented in a timely fashion: once funded the restoration should start within six months; 3) in the event the project is not implemented promptly the original seed money might be lost; 4) the Conservancy funding for the project is matched with City of Oakland Park Bond funds and in-kind contributions by City of Oakland, Oakland Zoo, Alameda County, and Friends of Two Creeks; and 5) as noted in the "Consistency with Other Applicable Plans" section below, the project is fully consistent with and supported by adopted local plans.

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

Consistent with **Goal 10, Objective A** of the Conservancy Strategic Plan, the proposed project will serve to restore and enhance natural creek habitat along 1,000 feet of Arroyo Viejo Creek.

Consistent with **Goal 11, Objective C**, the project will result in the development and implementation of an educational and interpretive program associated with creek restoration accessible to urban populations.

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

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines adopted January 24, 2001, 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. **Support from the public:** This project has support from the City of Oakland, the Urban Creeks Council, Oakland Zoo, the Friends of Two Creeks (Arroyo Viejo and Lion Creeks), East Bay Watershed Center, Oakland City Council Member for District 7, Larry Reid, and the Castlemont High School Academy. See Exhibit 2 for letters of support.
4. **Location:** City of Oakland, Alameda County, within the jurisdiction of the San Francisco Bay Area Conservancy Program.
5. **Need:** Without the participation of the Coastal Conservancy the opportunity to restore the habitat and improve public access at Arroyo Viejo Creek will be delayed. Timely implementation is key to deepening community involvement and building ongoing volunteer stewardship.
6. **Greater-than-local interest:** The City of Oakland's commitment to their creeks through the Watershed Improvement Program, and this restoration project in particular, serves as a model for other communities in the Bay Area. This project will help implement the San Francisco Bay Area Conservancy Program's goals of providing natural areas for urban populations, and protecting, restoring, and enhancing natural habitats as well as providing educational opportunities. The creek at this location serves both Oakland residents and the broader Bay Area community that visits the zoo and uses the park and creek.

Additional Criteria

9. **Leverage:** Bay Area Conservancy Program funds (\$400,000) will leverage at a 1:1 ratio funds from the City of Oakland Park Bond. Additionally, \$164,500 of in-kind contributions will come from the City of Oakland, the Oakland Zoo, Alameda County, and The Friends of Two Creeks.
12. **Readiness:** The project is immediately ready to proceed.
15. **Cooperation:** City of Oakland, the Oakland Zoo, the Urban Creeks Council, Alameda County, and the Friends of Two Creeks are all cooperating in this project and provide funding and staff assistance.

CONSISTENCY WITH OTHER APPLICABLE PLANS:

The Arroyo Viejo Creek Restoration Project at Knowland Park is supported by local and regional plans including the Oakland's General Plan, the Alameda Countywide Clean Water Program

(Clean Water Program), and the City's Creek Protection and Stormwater Discharge Control Ordinance.

The element of the City's General Plan known as OSCAR (the Open Space, Conservation, and Recreation Element) serves as a "blueprint" for change in Oakland's parks and open space over the next two decades, and specifically calls for the protection and enhancement of Oakland's creeks. This project is supported by the specific goals, objectives, and actions delineated in OSCAR that call for the protection and enhancement of Oakland's creeks.

The project is also consistent with the goals and objectives of the Alameda County Clean Water Program. The Clean Water Program operates under the direction of a five-year plan that includes and emphasizes creek maintenance and restoration. The Arroyo Viejo Creek Restoration Project will help the City meet the goals of the Clean Water Program, by improving water quality and watershed awareness.

The project is also in accordance with the Collaborative Creek Improvement Program (CCIP), a partnership between the City of Oakland and the County of Alameda established in 1996. The CCIP works to protect, maintain, and restore Oakland's creeks by removing and preventing illegal dumping, and through alternative erosion control measures and restoration projects in selected creek areas. Both the Oakland City Council and the Alameda County Board of Supervisors have passed resolutions supporting the goals of the CCIP.

COMPLIANCE WITH CEQA:

The proposed project is exempt from the California Environmental Quality Act (CEQA) under 14 Cal. Code of Regulations Section 15304, which applies generally to projects limited to minor alterations to land, water, and vegetation. Creation of small permeable paths is a minor alteration to the existing site. The Arroyo Viejo Creek restoration involves invasive species removal and planting of native plants and the associated, limited removal and regrading of eroding creek walls, all small in scale. Finally, the creation of the educational component (signage and outdoor classrooms), likewise consists of limited disturbance of land and vegetation that otherwise maintains the existing setting. Staff will file a Notice of Exemption on behalf of the Conservancy following project authorization.