

COASTAL CONSERVANCY

Staff Recommendation
October 27, 2005

SAN FRANCISCO BAY TRAIL ACCESS PROJECT APPROVAL

File No. 04-053-1
Project Manager: Joan Cardellino

RECOMMENDED ACTION: Authorization for the Association of Bay Area Governments (ABAG) to disburse previously authorized Conservancy funds for the Illinois Street Bridge and the Bay Marshes Trail.

LOCATION: Illinois Street Bridge in San Francisco and City of San Mateo's bay shoreline, between Seal Point Park and Tidelands Park.

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: City of San Mateo Shoreline Parks Master Plan and CEQA Mitigated Negative Declaration
- Exhibit 2: Port of San Francisco CEQA Final Supplemental Environmental Impact Report for the San Francisco Southern Waterfront Project, Addendum to Supplemental Environmental Impact Report, and Mitigation-Measure Monitoring Program
- Exhibit 3: Project Location and Site Map—Illinois Street Bridge
- Exhibit 4: Project Location and Site Map—Bay Marshes Trail

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31000 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the Association of Bay Area Governments (ABAG) to disburse an amount not to exceed three hundred ninety-two thousand eight hundred thirty-seven dollars (\$392,837) of the total Conservancy funds authorized on September 15, 2004, for two San Francisco Bay Trail projects, as follows:

\$250,000 to the Port of San Francisco for construction of pedestrian and bicycle improvements on the Illinois Street Bridge.

\$142,837 to the City of San Mateo for construction of a boardwalk spur trail located between Seal Point and Tidelands Park.

This authorization is subject to the following conditions:

1. Prior to the disbursement of funds for each project, ABAG shall submit for the review and approval of the Executive Officer of the Conservancy a final work program, schedule and budget, and an agreement between ABAG and the project proponent.
2. Posted signs resulting from these projects shall, where deemed appropriate by the Executive Officer, recognize the contribution of the Conservancy and display its logo.
3. ABAG shall require the City of San Mateo to assure implementation of the relevant mitigation measures and the relevant portion of the mitigation monitoring and reporting program contained in the Mitigated Negative Declaration (attached as Exhibit 1 to the accompanying staff recommendation) for the Bay Marshes Trail, adopted by the City of San Mateo on November 20, 2000 pursuant to the California Environmental Quality Act (“CEQA”).”

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 San Francisco Bay Trail project authorizations are consistent with the purposes and objectives of Public Resources Code Section 31400-31409, regarding public access to the coast.
2. The proposed authorizations are consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.
3. Each of the proposed authorizations will serve greater than local needs for public access to the shoreline.
4. The Conservancy has independently reviewed the Final Supplemental EIR for the Southern Waterfront (including the Illinois Street Bridge), adopted by the City and County of San Francisco on February 15, 2001; and the Addendum to the Final Supplemental EIR adopted on December 10, 2002 by the Planning Department of the City and County of San Francisco; collectively attached to the accompanying staff recommendation as Exhibit 2; and finds that there is no substantial evidence that the Conservancy-funded public bicycle and pedestrian access project will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.
5. The Conservancy has independently reviewed the Shoreline Parks Master Plan and Mitigated Negative Declaration adopted on November 20, 2000 by the City of San Mateo, attached to the accompanying staff recommendation as Exhibit 1, and finds that there is no substantial evidence that the project, as mitigated, will have a significant effect on the environment, as defined in 14 California Code of Regulations Section 15382.”

PROJECT SUMMARY:

ABAG and the Bay Trail Project are requesting authorization to fund two projects using funds previously designated for San Francisco Bay Trail projects. The Port of San Francisco needs \$250,000 to construct bicycle and pedestrian improvements on the Illinois Street Bridge. Specific improvements include a 4-foot-wide bicycle lane on the western side of the bridge and a shared 10-foot-wide bicycle and pedestrian sidewalk on the eastern side. The bridge will be multi-modal and include vehicle, train, bicycle and pedestrian use. It will extend over Islais Creek, and will bridge a gap in the San Francisco Bay Trail between the Southeastern neighborhoods of Bayview and Hunters Point and the rest of the city north of Pier 70.

The City of San Mateo needs \$142,837 to construct a 335-foot long boardwalk extending from the Bay Trail spine into and along a degraded wetland area. The City is undertaking a wetland restoration project at the site, and the boardwalk will control pedestrian access in the area. An interpretive observation platform at the end will provide excellent views over the wetland. Combining wetland restoration and controlled public access provides benefits for both wildlife and visitors and offers a great opportunity for a spur trail off the main alignment of the Bay Trail.

Site Description: The proposed Illinois Street Bridge is located in the Bayview Hunters Point Community within the southeastern area of San Francisco. The bridge will be constructed to extend Illinois Street from Marin Street on the north to Cargo Way on the south, over Islais Creek. It is a heavily urbanized and industrial waterfront area. (See Exhibit 3, project and location map.) In contrast, the Bay Marshes Trail Project is a wetland extending along the bay in the City of San Mateo. (See Exhibit 4, project and location map.) The wetland is degraded and will be enhanced through restoration activities proposed for the site.

Project History: In September 2004 the Conservancy approved a block grant of \$3.8 million to ABAG for San Francisco Bay Trail Projects. Prior to that authorization, the Conservancy had approved two other block grants in 1999 and 2000, amounting to a total of \$10 million. Funds from those two previous block grants have now been completely expended, and these two proposed projects would be funded from the block grant approved last year.

PROJECT FINANCING:

Coastal Conservancy (previously authorized)	\$392,837
Other sources – Illinois Street Bridge	\$22,000,000
Bay Marshes Trail	<u>\$200,000</u>
Total Cost (2 Projects)	\$22,592,837

The anticipated source of Conservancy funds is the “California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002” (Proposition 40.) These funds are available for all the purposes of the Conservancy, including the San Francisco Bay Conservancy Program.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed authorization is consistent with Chapter 9 (regarding public access) of the Conservancy's enabling legislation, Division 21 of the Public Resources Code. In Public Resources Code Section 31400, the Legislature charged the Conservancy with a principal role in implementing a system of coastal public accessways to and along the California coast, including San Francisco Bay. In working with ABAG to fund construction of new elements of the San Francisco Bay Trail the Conservancy is fulfilling its responsibility to implement a regional trail system around the bay.

Section 31400.1 of the Public Resources Code allows the Conservancy to award grants to any local agency or for accessways that serve more than local public needs. The proposed projects, both of which are sponsored by local agencies, will serve more than local needs because the Bay Trail is intended to serve members of the public from all over the Bay Area and beyond.

Section 31400.2 states that the Conservancy may provide up to the total cost of the initial development of public accessways by any public agency or nonprofit organization. By this authorization, Conservancy funds would be matched with over \$20 million from the local public agencies.

Under Section 31400.3, the Conservancy may provide such assistance as is required to aid public agencies and nonprofit organizations in establishing a system of public coastal accessways and related functions. These funds will be used for construction of trail segments.

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

Consistent with **Goal 11, Objectives A and B**, the proposed projects will provide important recreational facilities and increase public access to the Bay shoreline.

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 of the public:** Both of these projects have extensive community support, including the San Francisco Bicycle Coalition, county supervisors, Save The Bay, and Coyote Point Museum.

4. **Location:** Both proposed projects are part of the alignment for spine and spur connections to the Bay Trail.
5. **Need:** Both of these proposed projects constitute specific Bay Trail amenities to larger, complex projects. Without funding assistance, the Bay Trail elements of these larger projects would not be completed.
6. **Greater-than-local interest:** The San Francisco Bay Trail is a regional trail system that will encompass San Francisco Bay when it is complete.

Additional Criteria

7. **Urgency:** The Illinois Street Bridge is already under construction, so Bay Trail funding for pedestrian and bicycle use needs to be committed now or the improvements will not be included. The Bay Marshes Trail project needs to be constructed during the winter months when the clapper rails are not nesting and the salt marsh harvest mouse is not breeding.
9. **Leverage:** See the “Project Financing” section above.
10. **Readiness:** As mentioned above, the Illinois Street Bridge project is already under construction.
13. **Realization of prior Conservancy goals:** See “Project History” above.

Consistency with Conservancy’s Access Program Standards: The Bay Marshes Trail is consistent with Access Standard 5. It will be designed to ensure that no adverse impacts to native wildlife and habitat will occur. The Illinois Street Bridge is consistent with Standard 10 in that the bike path will be a Class II bike lane on the bridge.

CONSISTENCY WITH SAN FRANCISCO BAY PLAN:

Promoting public access opportunities along the Bay shoreline is consistent with San Francisco Bay Plan policies. Bay Plan Public Access Policy Number 8 states “Access to and along the waterfront should be provided by walkways, trails, or other appropriate means and connect to the nearest public thoroughfare...” (San Francisco Bay Plan, Part IV: Development of the Bay and Shoreline: Findings and Policies—Public Access, Policy No. 8.) Both of these proposed projects will provide important Bay Trail connections to regional destination points.

COMPLIANCE WITH CEQA:

The California Environmental Quality Act (CEQA), Public Resources Code Sections 21000 *et seq.*, requires consideration of potential environmental effects of agency actions and approvals, unless exempt. In this case, the Conservancy, as a CEQA responsible agency, is funding small, distinct portions of two construction projects. A CEQA responsible agency considers potential environmental effects of project activities that the agency will approve. 14 California Code of Regulations section 15096(d).

Access components, Illinois Street Bridge, Port of San Francisco

On January 9, 1997, the City and County of San Francisco, acting as the lead agency for purposes of CEQA, certified an Environmental Impact Report (EIR) for a Waterfront Land Use Plan. On February 15, 2001, San Francisco certified a Final Supplemental Environmental Impact Report (SEIR) for the San Francisco Southern Waterfront Project, adding information and analysis pertaining to Port of San Francisco property in the southern part of the city. Among other things, the SEIR analyzes possible environmental effects of the Port's proposal to construct the Illinois Street Bridge over Islais Creek. On December 10, 2002, city planning staff determined that several development-project details and additional proposals, including design modifications for the bridge, did not require more supplemental environmental review, but issued an Addendum to Supplemental Environmental Impact Report (Addendum) in order to respond to community concerns and new regulatory requirements.

The Illinois Street Bridge is a component of a larger Port project. The primary function of the bridge will be to improve rail and truck passage across Islais Creek and between the Port of San Francisco's maritime terminals. The Conservancy, as a CEQA responsible agency, would contribute funds through ABAG towards construction of pedestrian and bicycle access over the truck and rail bridge. Thus, the Conservancy's responsibility is to analyze the potential environmental effects of the pedestrian and bicycle components of the bridge project.

Conservancy staff have reviewed the Port's SEIR, Addendum, and Illinois Street Bridge Mitigation Measure Monitoring Program (collectively, Exhibit 2). Construction of the bridge could have had a number of environmental effects, and the Port addresses these through its proposed mitigation measures and mitigation monitoring. The bridge was slated to be built before the bicycle and pedestrian amenities were separately proposed (and would have been built without these amenities). While these later-proposed amenities will require a different configuration on the surface of the bridge, their addition will not result in enlargement or structural changes to bridge, or otherwise adversely change or increase the environmental effects of building or using the bridge. (Indeed, to a limited extent, the enhanced bicycle and pedestrian access will reduce traffic, pollution, and noise effects.) In other words, staff believes that the Conservancy-funded portion of the project, the bicycle and pedestrian amenities, will not have a significant, adverse effect on the environment.

Access improvements, Bay Marshes Trail Project, City of San Mateo

The City of San Mateo, acting as the lead agency for purposes of CEQA, approved the Shoreline Parks Master Plan and adopted a Mitigated Negative Declaration (“MND”) and a mitigation-monitoring and -reporting program (Exhibit 1) on November 20, 2000, finding that the proposed project, the Master Plan, as mitigated, would not have a significant effect on the environment. The City filed a Notice of Determination on November 28, 2000.

The Master Plan provides a detailed overview of intended resource enhancement, public use, facility development, and management for the San Mateo shoreline. The Conservancy proposes to contribute funds through its grantee, ABAG, toward construction of a portion of the project on one of the project sites, and therefore serves as a CEQA responsible agency. In particular, the Conservancy will help to fund construction of a boardwalk, a segment of the San Francisco Bay Trail, at the Bay Marshes, a 54-acre site. The design objective for the site is to “minimize impacts on the existing tidal marsh community while allowing a reasonable level of controlled public access,” guided by low fences and the boardwalk. Master Plan, at p. 2-39.

The MND, Chapter 3 of the Master Plan, addresses in depth potential environmental effects of the entire project, and correspondingly necessary mitigations, but only occasionally segregates discussion of site conditions at the Bay Marshes. The Initial Study for the MND relies on baseline data documented in a Research and Analysis Report, which contains detailed studies of land and recreational uses and natural resources; field meetings and workshops with a variety of public agencies including the U.S. Fish and Wildlife Service; and on other listed sources. (Master Plan, at p. 4-2.) Overall, the MND finds that the project would have less than significant environmental effects if mitigated in the areas of air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, and noise. (Master Plan at pp. 3-2, 4-4 to 4-5.)

Air Quality

With respect to air quality, the MND finds that dust and emissions will occur during construction, but that the effects will be short-lived. To mitigate these effects, the MND requires that standard construction conditions of approval from the City of San Mateo shall be followed, and that Best Management Practices to reduce windblown dust shall be employed.

Biological Resources

With respect to biological resources, to avoid impacts on Pt. Reyes bird’s beak, an endangered plant species, the MND requires a predisturbance survey by a qualified botanist; if the plant is found, the botanist, in consultation with the Department of Fish and Game, will determine the extent of a construction-free buffer zone to be established or suitable methods to avoid or relocate plants as appropriate. All construction is required to be done between September 1 through January 31, outside of the breeding period of the California clapper rail. The MND also requires predisturbance surveys for the Cooper’s hawk, White-tailed kite, and Northern harrier, prior to any construction. If active nests are found to be close by, the biologist is required to consult with the Department of Fish and Game to determine a construction-free buffer area.

Cultural Resources

With respect to cultural and archaeological resources, the MND reports that there is moderate potential for disturbance to such resources in the project area. Construction personnel will be required to look out for any archaeological resources and to halt activities and call in a qualified archaeologist to determine the proper course of action if any such resources are found.

Geology and Soils

With respect to geology, the MND found that the shoreline is subject to ground shaking, and that imported construction soils could contain hazardous substances. The MND mitigates for these effects by requiring that engineering and grading plans be submitted to the city for review prior to initiating construction.

Hydrology and Water Quality

With respect to hydrology and water quality, the mitigations proposed in the MND do not pertain to the proposed Bay Marshes project, but address other projects included in the master plan.

Noise

With respect to noise, the MND requires all construction noise to be controlled with the proper equipment.

The City also adopted a Mitigation-Monitoring and –Reporting Program (“MMRP”). See Master Plan, Chapter 5, and Table 5.3-1. The MMRP outlines procedures and schedules for implementation of the mitigation measures, and requires compliance by the city and its contractors. The city will monitor and verify compliance.

Conservancy staff has reviewed the MND and the MMRP adopted by the City of San Mateo, and believes that there is no substantial evidence that the Conservancy’s project, as mitigated, may result in any significant environmental effects. Under the Conservancy’s resolution, ABAG will require the City of San Mateo to assure implementation of the relevant mitigation measures and the relevant portion of the mitigation monitoring and reporting program.