

COASTAL CONSERVANCY

Staff Recommendation
September 15, 2004

**BERKELEY BAY TRAIL EXTENSION:
BIKE BRIDGE TO EAST LAWN SEGMENT**

File No. 04-065
Project Manager: Brenda Buxton

RECOMMENDED ACTION: Authorization to grant \$80,000 to the City of Berkeley for the preparation of construction bid documents for an approximately 2700 foot Bay Trail extension from the existing Bay Trail and Bike Bridge to the East Lawn, one of the City's shoreline parks.

LOCATION: City of Berkeley, Alameda County (Exhibit 1).

PROGRAM CATEGORY: San Francisco Bay Conservancy

EXHIBITS

- Exhibit 1: Project Location
 - Exhibit 2: Adopted Berkeley Bay Trail Extension to the Berkeley Marina Design Plan and Final Initial Study/Mitigated Negative Declaration
 - Exhibit 3: Proposed Trail Layout
 - Exhibit 4: Photos of Existing Conditions
 - Exhibit 5: Letters of Support
 - Exhibit 6: Adopted Mitigation and Monitoring Program
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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 up to eighty thousand dollars (\$80,000) to the City of Berkeley to prepare construction drawings and bid documents for a Bay Trail extension from the existing Bike Bridge and Bay Trail on Frontage Road to the East Lawn, including site amenities and a water accessway in the Marina, 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. Any contractors to be used;

*BERKELEY BAY TRAIL EXTENSION:
BIKE BRIDGE TO EAST LAWN SEGMENT*

2. A final work plan, including a final budget and schedule; and
3. An agreement between the California Department of Parks and Recreation and the City of Berkeley regarding terms and conditions of use for the portion of the trail in Eastshore State Park.”

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 Conservancy has reviewed the Berkeley Bay Trail Extension to the Berkeley Marina Design Plan and Final Initial Study/Mitigated Negative Declaration (attached as Exhibit 2 to the accompanying staff recommendation) for the Berkeley Bay Trail Extension project, adopted by the City of Berkeley of January 27, 2004 to comply with the California Environmental Quality Act, and finds that, with the mitigations and monitoring proposed, there is no substantial evidence that the proposed Conservancy project may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382; and
2. The Berkeley Bay Trail Extension project is consistent with Public Resources Code Sections 31160-31164, and with the Project Selection Criteria and Guidelines adopted by the Conservancy on January 24, 2001.”

PROJECT SUMMARY:

This authorization would grant the City of Berkeley up to eighty thousand dollars (\$80,000) to complete the construction drawings and bid documents necessary for the development of an approximately 2,700 foot Bay Trail extension from the existing Bay Trail and I-80 Bicycle/Pedestrian/Wheelchair Bridge (Bike Bridge) to the East Lawn, one of the City’s shoreline parks. (See Exhibit 1 for location map and Exhibit 3 for proposed trail layout.) Once all segments of the trail extension project are completed, this “spur” off of the main Bay Trail will continue along the entire Berkeley waterfront in a 1.3-mile loop that connects back to the main Bay Trail.

Conservancy staff has identified construction of the Bike Bridge to East Lawn segment of the Bay Trail extension as a high priority project because there is no safe or convenient access from the existing Bay Trail to the Berkeley shoreline. Recent completion of the Bay Trail and the Bike Bridge has increased use of the waterfront but access remains particularly unsafe and confusing in this area (see Exhibit 4 for photos of existing conditions). To reach the Berkeley waterfront from the Bike Bridge or Bay Trail, visitors have to dodge cars and earthmoving equipment in a popular deli’s unstriped, dirt parking lot and use a heavily traveled road with no sidewalks or shoulders. Creating bid documents is the first step toward constructing a trail segment that would correct these problems. Once built, this trail segment will include a 12-foot-wide path that includes 2-foot-wide graded shoulders and a pedestrian bridge over Strawberry Creek as well as

*BERKELEY BAY TRAIL EXTENSION:
BIKE BRIDGE TO EAST LAWN SEGMENT*

other amenities such as lighting, benches, and interpretive signing. Project construction will also include a new water access for windsurfers and kayakers in the Marina.

Some of the Bike Bridge to East Lawn trail segment passes through Eastshore State Park, which is owned by the California Department of Parks and Recreation (DPR) and managed with East Bay Regional Park District (EBRPD). Both of these agencies agree that this trail segment is a high priority but DPR must complete a more detailed site plan for the area before constructing any access improvements. This site plan is at least a few years away from completion.

Since this segment of the Bay Trail extension provides such a critical link between the City of Berkeley and its shoreline, the City has taken the lead in designing the trail and finding funds for construction. In January 2004, the City adopted the Berkeley Bay Trail Extension to the Berkeley Marina Design Plan and Final Initial Study/Mitigated Negative Declaration, funded in part by the Conservancy and the Bay Trail Project. This study re-designs and aligns trails, paths, landscaping and infrastructure throughout the City's Marina and Waterfront in order to enhance pedestrian, bike, and wheelchair use and decrease conflicts with automobiles. The City is eager to complete the Bike Bridge to East Lawn segment first since the most serious safety problems to be addressed are in this area.

Site Description: For decades the Berkeley shoreline was cut off from East Bay communities by the I-80 Freeway. Poor pedestrian access and lack of bicycle and wheelchair access meant that most visitors could only reach the regional shoreline facilities by car. In 2002 the City constructed a pedestrian/bicycle/wheelchair bridge over I-80 that has enable people to reach the waterfront area without using a car. Access was further improved by the construction of the Bay Trial. However, since the Bay Trail in this area is inland, along the Frontage Road running parallel with I-80, visitors seeking the shoreline have to negotiate hazards: a busy dirt parking lot, a dirt broker's operations with earthmoving equipment, and the narrow, shoulderless University Avenue. See photos of existing conditions in Exhibit 4.

Project History: The design of this trail was initially selected for Conservancy funding because it would connect regional recreational facilities -- heavily used despite the current safety hazards. In addition, this project would increase the amount of Bay Trail miles by creating an alignment for a spur. In April 2001, the Bay Trail Project and the Coastal Conservancy each contributed \$100,000 towards the \$450,000 Berkeley Bay Trail Extension study and its environmental documentation. The City contributed the remaining \$250,000. The City worked with staff of the California Department of Parks and Recreation, East Bay Regional Park District, Bay Trail, and Coastal Conservancy to design the trail connection to correct current safety problems but also to allow for development of future facilities in Eastshore State Park. The design process, which included extensive public input, was completed and the City Council adopted the study and mitigated negative declaration on January 29, 2004. Not all of the Conservancy's funds were needed to complete the design phase of the project. The remaining funds can be applied towards this second phase of the project, construction documents (see Project Financing).

PROJECT FINANCING:

Coastal Conservancy	\$80,000
City of Berkeley	\$50,000
Project Cost (this authorization)	\$130,000

*BERKELEY BAY TRAIL EXTENSION:
BIKE BRIDGE TO EAST LAWN SEGMENT*

Coastal Conservancy (previous authorization)	\$40,000*
Total Project Costs	\$170,000

The anticipated source of the \$80,000 in Conservancy funds is the 02/03 Fiscal Year appropriation from the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Fund (Proposition 40) for the San Francisco Bay Area Conservancy Program.

*Approximately \$40,000 remains from the Conservancy's previous authorization for design of the Bay Trail Extension. Conservancy staff recommends using these funds to complete construction documents which is consistent with the original authorization. This authorization requests additional funds from the Conservancy to complete the construction documents.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

These projects will be undertaken pursuant to Chapter 4.5 of the Conservancy's enabling legislation, Public Resources Code Sections 31160-31164, to address the recreational goals in the San Francisco Bay Area Conservancy Program.

Under Section 31162(a), the Conservancy may act "... to improve public access to and around the bay . . . through completion and operation of regional bay, coast, and ridge trail systems, and local trails connecting to population centers and public facilities, which are part of a regional trail system and are consistent with locally and regionally adopted master plans and general plans...". Once constructed, the project will help complete a designated spur of the San Francisco Bay Trail, providing a growing population in the East Bay with expanded opportunities to access a regional recreational facility.

Section 31162(c) states that the Conservancy may "assist in the implementation of... the San Francisco Bay Plan, and the adopted plans of local government and special districts." These projects are consistent with the San Francisco Bay Plan (see section on Consistency with the San Francisco Bay Plan), with the policies of the Bay Trail Plan, developed by the Association of Bay Area Governments, the California Department of Parks and Recreation's Eastshore State Park General Plan, and with the City of Berkeley's General Plan, Bicycle Plan and Marina Master Plan.

Section 31162(d) allows the Conservancy to undertake projects which "... promote, assist, and enhance projects that provide open space and natural areas that are accessible to urban populations for recreational and educational purposes." These projects are consistent with this provision because they will improve access to open space along the Bay shoreline and assist the City of Berkeley's efforts to make the Berkeley Marina, Shorebird Park, and other amenities easily and safely accessible to urban residents.

Finally, Section 31163(c) directs the Conservancy to "utilize the criteria specified in this subdivision to develop project priorities for the San Francisco Bay Conservancy Program that provide for ...open-space and outdoor recreational projects." This project meets the specified criteria because it 1) is supported by adopted local and regional plans as described above, 2)

*BERKELEY BAY TRAIL EXTENSION:
BIKE BRIDGE TO EAST LAWN SEGMENT*

involves multiple jurisdictions (City, EBRPD, DPR) and serves a regional constituency since the Berkeley Marina and the Eastshore State Park draw from inland visitors from the East Bay and the greater Bay Area, 3) will be implemented immediately, 4) contains the benefit of correcting serious safety problems that will be lost if this project is not quickly implemented, and 5) includes \$50,000 in matching funds from the City as well as staff time.

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

This project is consistent with Goal 11, Objectives A and B. Once constructed, this project will be one of the 20 projects that increase the amount of land that provides recreational facilities, such as trails, for urban populations (Objective A) and complete a portion of Bay Trail spur trail (Objective B).

**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:** Many community groups support the development and construction of this trail link including Citizens for Eastshore State Park, Bicycle Friendly Berkeley Coalition, and the City's Commission on Disability. In addition, the project enjoys the support of the California Department of Parks and Recreation, the East Bay Regional Park District and the Bay Trail Project. Support letters are in Exhibit 5.
4. **Location:** The project is in the City of Berkeley in Alameda County, one of the nine Bay Area counties. The project will connect inland areas of eastern San Francisco Bay with the regional attractions on the Berkeley shoreline.
5. **Need:** The City of Berkeley, like many cities, is experiencing decreased revenues and consequently is cutting back park services and recreational programs. Although this project is an extremely high priority for the City, without additional funding from the Conservancy, the City will not be able to complete construction documents.
6. **Greater-than-local interest:** Once built, this trail segment will provide a safe and convenient connection between the Bike Bridge and Bay Trail and the City of Berkeley's heavily-visited facilities which include Shorebird Park and Nature Center, Adventure Playground, Marina, Pier, restaurants, yacht and sailing clubs and hotels.

Additional Criteria

7. **Urgency:** Without the Conservancy's support, trail construction will be delayed, leaving

*BERKELEY BAY TRAIL EXTENSION:
BIKE BRIDGE TO EAST LAWN SEGMENT*

a hazardous trail gap between East Bay cities and the Berkeley shoreline. This project will provide the necessary construction documents to correct this problem.

8. **Readiness:** The City has completed a portion of the construction documents. This authorization will enable the City to finish them quickly.
9. **Realization of prior Conservancy goals:** This authorization will enable a Conservancy and Bay Trail funded project to continue to the next step: construction documents and a bid package.
10. **Cooperation:** In creating the trail design and alignment, City of Berkeley worked cooperatively with the San Francisco Bay Trail, the Conservancy, East Bay Regional Parks District and the California Department of Parks and Recreation as well as local community groups concerned about the Berkeley shoreline including Citizens for an Eastshore State Park (CESP).

CONSISTENCY WITH SAN FRANCISCO BAY PLAN:

The proposed trail will promote public access opportunities along the bay shoreline, and will help implement the policies and recommendations outlined in the San Francisco Bay Conservation and Development Commission's San Francisco Bay Plan.

This project is consistent with the Bay Plan that states, "highest priority should be given to recreational development in these areas, as an important means of helping immediately to relieve urban tensions." (Major Plan Proposals, Section 4. Develop Waterfront Parks and Facilities)

This authorization would also help to implement the Bay Plan's recommendation that "federal, state, regional, and local jurisdictions, special districts, and the Commission should cooperate to provide new public access, especially to link the entire series of shoreline parks and existing public access areas to the extent feasible without additional Bay filling or adversely affecting natural resources." This trail segment will link parks and shoreline recreational facilities without affecting natural resources. (Findings and Policies Concerning Public Access to the Bay, Policy 10)

The Bay Plan points out to park landowners that "to capitalize on the attractiveness of their bayfront location, parks should emphasize hiking, bicycling, riding trails..." as City of Berkeley will do by constructing the Bay Trail Extension. (Findings and Policies Concerning Public Access to the Bay, Policy 5 (a)(2).)

And finally, the Bay Plan also states that "trails that can be used as components of the San Francisco Bay Trail, the Bay Area Ridge Trail or links between them should be developed in waterfront parks ..." (Findings and Policies Concerning Public Access to the Bay, Policy 5 (a)(7).) This project will create a Bay Trail spur in the City of Berkeley's waterfront parks.

*BERKELEY BAY TRAIL EXTENSION:
BIKE BRIDGE TO EAST LAWN SEGMENT*

COMPLIANCE WITH CEQA:

On January 29, 2004, the City of Berkeley, as lead agency under the California Environmental Quality Act (CEQA), adopted the Bay Trail Extension to the Berkeley Marina Design Plan and Final Initial Study/Mitigated Negative Declaration (Exhibit 2) for implementation the Bay Trail Extension into the Berkeley Marina and Waterfront. The Conservancy, acting as a CEQA responsible agency, upon approval, would contribute funds towards implementation of the first phase of this Bay Trail Extension by funding the construction document stage of the project.

The Mitigated Negative Declaration cites potential environmental effects in the areas of aesthetics, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, public services, recreation, and transportation/traffic that may result from implementation of the Bay Trail Extension project. Potential effects of the project will be reduced to a level of insignificance by the required mitigation outlined in the Mitigation and Monitoring Plan (MMP), attached as Exhibit 6 to this staff recommendation. The MMP details the mitigation measures to control impacts from construction, excavation, and pedestrian bridge installation as well as the City's obligation to implement mitigation measures.

Staff has independently reviewed the City's Mitigated Negative Declaration and recommends that the Conservancy find that implementation of the proposed project with the mitigation measures will not have a significant effect on the environment.

Upon the Conservancy's approval of the proposed project, staff will file a Notice of Determination.