

COASTAL CONSERVANCY

Staff Recommendation
February 14, 2013

**ALBANY BEACH
PHASE I RESTORATION AND
PUBLIC ACCESS IMPLEMENTATION**

File No. 03-028-04
Project Manager: Tom Gandesbery

RECOMMENDED ACTION: Authorization to disburse up to \$1,461,173 to the East Bay Regional Park District to undertake improvements to trail and beach access and restoration at Albany Beach in the Sylvia McLaughlin (formerly known as Eastshore) State Park, Alameda County.

LOCATION: Sylvia McLaughlin State Park, City of Albany, Alameda County

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

- Exhibit 1: [Project Location and Site Map](#)
 - Exhibit 2: [Project Figures](#)
 - Exhibit 3: [Letter from San Francisco Bay Conservation and Development Commission](#)
 - Exhibit 4: [Table of Mitigation Measures](#)
 - Exhibit 5: [Environmental Impact Report \(EIR\)](#)
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RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160-31165, of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of \$1,461,173 (one million four hundred sixty one thousand one hundred seventy three dollars) to East Bay Regional Park District (District) for the Albany Beach Phase I Restoration and Public Access Implementation Project (project) to complete reconstruction, stabilization, and enhancement of approximately 1,850 feet of trail; enhancement of the intertidal and sub-tidal zone; and upland habitat improvements at Albany Beach, Alameda County, subject to the following conditions:

1. Prior to disbursement of any funds under this authorization, the District shall submit the following for the review and written approval of the Executive Officer of the Conservancy:

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- A. A detailed work plan for the project components, including a final budget and schedule.
 - B. The names and qualifications of any contractors to be retained to carry out the project components.
 - C. Evidence that the District obtained all permits and approvals necessary to the completion of the project under applicable local, state and federal laws and regulations.
2. The District shall ensure compliance with all project actions, components, and mitigation measures that are required by the Environmental Impact Report for the Albany Beach Project (EIR) that was certified by the District on November 20, 2012, and accompanying the project staff recommendation as Exhibit 4.”

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 current Project Selection Criteria and Guidelines.
2. The proposed authorization is consistent with the purposes and objectives of Sections 31160-31165 of Division 21 of the Public Resources Code, regarding the enhancement and restoration of wetlands and adjacent uplands and the provision of trails and recreational features in the San Francisco Bay Area.
3. The Conservancy has independently reviewed and considered the information contained in the EIR adopted by the District on November 20, 2012 and finds that here is no substantial evidence that the project, with the identified measures to avoid or reduce the possible significant environmental effects, will have a significant effect on the environment.”

PROJECT SUMMARY:

Staff is recommending the authorization of \$1,460,173 for the East Bay Regional Park District (District) to implement Phase I of the Albany Beach Restoration and Public Access Project within Eastshore State Park in Alameda County. The funding for the proposed project is derived from funds received by the Conservancy from the California Department of Transportation (Caltrans). These mitigation funds were required under permits issued by the San Francisco Bay Conservation and Development Commission (BCDC) for Caltrans work on the Bay Bridge and Interstate 80.

Work by the District will occur along the south side of the “Neck” portion of the “Albany Bulb” (Exhibit 2) where the shoreline will be reconstructed, stabilized, and enhanced. Approximately 1,850 feet of a trail, that is a spur to the San Francisco Bay Trail, will be enhanced aesthetically and to ensure ADA compliance. The District also plans to enhance intertidal and sub-tidal zones, and transitional upland habitat on and offshore of the Neck. Adjacent to the trail, the District plans to improve a small area on the north edge of the Albany Beach where another access route will be developed. Phase 1 also includes improvements to portions of the “Plateau” portion of site where suitable shoreline excavation material will be used to fill voids in existing debris piles on the western plateau area, followed by native grass seeding at the finished grade elevation (Exhibit 2).

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Albany Beach Phase I construction will begin in 2013 assuming no delays in obtaining permits or funding. The District expects to begin work on implementation in June 2013 with an estimated completion in December 2014. Native vegetation work will begin during construction but will be carried out through 2019. The District also plans to implement subsequent project phases (Phase II, beach area and parking improvements; and Phase III Bay Trail from Gilman Street to Buchanan Street) upon acquisition of necessary property rights from Golden Gate Fields. The District is currently seeking these property rights through an eminent domain proceeding.

Phasing of improvements is summarized as follows:

Phase I: South Albany Neck (the proposed project)

- Stabilize and enhance the South Albany Neck shoreline.
- Repair the surface of existing lower trail at South Albany Neck for proper drainage and accessibility.
- Re-vegetate the slope below the lower trail with appropriate native vegetation.
- Provide structures for sub-tidal habitat enhancement.
- Improve trail access to the north end of Albany Beach.
- Grade the area near Eucalyptus grove for future picnic area.
- Thin and remove hazardous trees and control weeds.
- Beneficial re-use of shoreline excavations to cover exposed debris or areas of ground settlement at the west side of Albany Plateau.

Phase II: Beach Area (not part of the proposed project)

- Construct a small parking lot with a non-motorized watercraft staging area near the south end of Albany Beach.
- Provide a beach access ramp for pedestrians and non-motorized water craft access at the south end of Albany Beach.
- Provide a vault-type restroom, bicycle racks, park signage, interpretive exhibits and landscaping near the new parking lot.
- Construct a trail adjacent to Albany Beach for future extension of the Bay Trail.
- Place sand on the beach and dunes to help support a broad low-profile beach, support existing and expanded dune features and adapt to anticipated sea level rise.
- Plant dunes and wetlands with appropriate native vegetation.
- Install a picnic facility near Eucalyptus Grove.

Phase III: Bay Trail (not part of the proposed project)

- Construct Bay Trail from Gilman Street to Beach area adjacent Buchanan Street.

The proposed project will help implement the *Eastshore State Park General Plan*, which the Conservancy helped to fund, will protect water quality in San Francisco Bay by arresting eroding soil and creating sub-tidal habitat, and will improve public access and recreation, including improvements to a Bay Trail spur. The *Eastshore State Park General Plan*, completed in 2002, identifies a number of habitat restoration and public access improvements for Albany Beach. Restoration of the beach would include enhancement of the existing beach and sand dunes. Debris would be removed from the beach and native dune vegetation would be planted to stabilize the upper beach and dunes. Public access to the beach and water would be provided by installation of new walkways and fencing that would provide access to the beach, including access for persons with disabilities, while minimizing impacts to the

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dunes. Interpretive exhibits, picnic facilities, restrooms and a staging area could also be provided.

The District is well qualified to undertake the Project as it has experience restoring a broad range of different habitat types within its extensive park system. The District manages over 110,000 acres of land in 65 parks in Alameda and Contra Costa Counties, and has been the recipient of numerous Conservancy grants, for work in the Sylvia McLaughlin (formerly Eastshore) State Park as well as at other parks it manages.

Site Description: Albany Beach is located at Sylvia McLaughlin State Park in the City of Albany. The project area is approximately five acres, bounded by the Albany Peninsula, Golden Gate Fields and San Francisco Bay. The Albany Beach is a recently accreted sand beach approximately 580 feet in length and located immediately west of the Golden Gate Fields horse racing track and east of “Albany Bulb”, a former municipal landfill now open to the public as an open space park (Exhibit 2). The beach is an artifact of man-made fill of the shoreline; however, the dunes located on the beach may be similar to dune systems that once were present along other parts of the San Francisco Bay shoreline. Recent work by scientists at other beach sites has brought to light the scarcity of this bay dune habitat and a recognition that the San Francisco Bay lost virtually all of its original dune habitat as a result of filling and wetland reclamation. These remnant artifact or “pocket” beaches may have importance for native plants, some of which are rare and endangered, for example, sea blight (*Sueda californica*) and could be reestablished at this location, as the District did at the Emeryville location within the State Park. The San Francisco Bay Trail spine runs almost the entire length of Eastshore State Park mostly alongside the frontage road, with westward spur trails at a number of sites, including the Albany Bulb.

Project History: On September 24, 2009, the Conservancy granted \$100,000 of Caltrans mitigation funds to the District for developing a Feasibility Study for Albany Beach area. The Study analyzed the feasibility of implementing restoration and public access improvements, most of which are identified in the *Eastshore State Park General Plan (2002)*. The Study also recommended implementing the project in phases, mainly due to availability of funding and timing for acquisition of property rights. On March 29, 2012, the Conservancy granted \$150,000 of Caltrans mitigation funds to the District to develop documents for final design and environmental compliance. With this funding, the District prepared an Environmental Impact Report (EIR) for all three phases of the project and design and permitting documents for Phase I. The improvement of Albany Beach has generally received the support of governmental agencies and advocacy groups. (see CEQA section below). In 2011 the City of Albany passed a resolution in support of the project and more recently commented affirmatively on the EIR. The Albany Beach project will be implemented in phases as funds become available. Sources of implementation funds include these proposed Caltrans mitigation funds, District funds, and potentially Cosco-Busan (oil spill settlement) funds.

PROJECT FINANCING:

Coastal Conservancy	\$1,461,173
District	\$1,713,097
Total Project Cost	<u>\$3,174,270</u>

The Conservancy holds, in its Coastal Trust Fund, mitigation funding set aside for the Eastshore State Park and other east shore areas. The funding for this project is from a permit condition in approvals issued by the San Francisco Bay Conservation and Development Commission (BCDC) for work

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undertaken by Caltrans on the nearby Interstate 80 freeway under BCDC Permit 11-93 and work on the Bay Bridge and associated Fastrak sign under Permits 8-01 and 8-92. This project would utilize funds identified in these BCDC permits for habitat restoration and access improvements within the Sylvia McLaughlin State Park. These funds were deposited with the Conservancy pursuant to Interagency Agreement No. SFBC 05-14 with BCDC. BCDC staff has determined that this proposed project is consistent with the terms of the BCDC permit (Exhibit 3).

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165 regarding San Francisco Bay Area projects.

Under Section 31162(a), the Conservancy may award grants that will "improve public access to and around the bay, coast, ridge tops, and urban open spaces . . . through completion . . . of regional bay, coast, and ridge trail systems. . .". The proposed project, as part of the Sylvia McLaughlin State Park, will enhance public access to and along San Francisco Bay and improve a Bay Trail spur.

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 importance." The project will help enhance natural habitat and open space at Albany Beach, including subtidal, beach, dune, and upland habitats.

Furthermore, under Section 31162(d), the Conservancy may "promote, assist, and enhance projects that provide open space and natural areas that are accessible to urban populations for recreational and educational purposes." Located in five highly urbanized cities and next to a major interstate freeway and the San Francisco Bay Trail, this State Park is one of the most accessible urban state parks in California.

The proposed project also satisfies each of the five criteria for determining project priority under Section 31163(c) in the following respects: (1) the planning and restoration is consistent with the Eastshore State Park General Plan, East Bay Regional Park District's 1997 Master Plan, the San Francisco Bay Plan, and the City of Albany's land use plans; (2) the project serves a regional need; (3) the project will be implemented in a timely manner; (4) not restoring Albany Beach would result in the loss of a significant conservation and public recreational opportunity; and (5) matching funds from the District, as the grantee, are approved.

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

Consistent with **Goal 11, Objective D** of the Conservancy's 2013 Strategic Plan, the proposed project will result in restoration and enhancement of an acre or less of habitats including upland, intertidal, and subtidal habitats.

Consistent with **Goal 12, Objective B**, the proposed project will result in new recreational facilities, in the form of a reconstructed trail and a new path to the beach and preparation of a site for a future picnic area. (Phase II will provide even more public amenities that fulfill this Objective.)

Consistent with **Goal 12, Objective L**, the proposed project will result in new facilities that expand opportunities for barrier-free access to natural areas.

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

The proposed project is consistent with the current Conservancy's Project Selection Criteria and Guidelines 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:** The creation and enhancement of the Sylvia McLaughlin (formerly Eastshore) State Park had the support of many park planning participants as well as groups such as the Citizens for Eastshore Parks. The District has worked closely with many citizens groups to implement habitat restoration at the Albany Beach site. On May 4, 2011, the City of Albany City Council passed a resolution in support of the project (See "History" section above.) The California Department of Parks and Recreation submitted a letter supporting the proposed project. BCDC has also submitted a letter supporting the use of the Caltrans mitigation funds held by the Conservancy for this project. (Exhibit 3)
4. **Location:** The project lies within the jurisdiction of the San Francisco Bay Area Conservancy Program in Alameda County.
5. **Need:** The District's Measure CC did not provide funds for Albany Beach. The District's Measure WW, which was passed in 2008, does provides funds for acquisition and restoration in Sylvia McLaughlin State Park, but implementation of the State Park General Plan is expensive and beyond the District's ability to solely fund. The District is also seeking funding for this project through the Cosco-Busan Natural Resource Damage Assessment. However, these funds will not be available for at least one to two years. Completion of this Phase 1 work will make the project more competitive for Cosco-Busan funds and other funding sources.
6. **Greater-than-local interest:** This access and restoration effort will enhance a State Park that spans approximately eight miles of the San Francisco Bay shoreline and includes the cities of Oakland, Emeryville, Berkeley, Albany, and Richmond with an estimated combined population of well over 600,000. The project will enable this State Park to better serve local residents as well as potential millions of visitors per year. Located near major freeways and other transportation routes, this State Park is one of the most accessible places in the Bay Area. In addition, the restoration techniques learned at this site could be used at other Bay beach and shoreline sites.
7. **Sea Level Rise Vulnerability:** Under this project, the District analyzed the vulnerability of the site to rising sea levels. Those findings were made public in the environmental document public under CEQA (also see below). Page 210 of the EIR states:

“ The design elevations of Proposed Project facilities and improvements have been established in consideration of BCDC policies regarding the effects of sea level rise on a project, including those policies specific for recreational and open space facilities that have an estimated 25 year design life. Based on the Coastal Engineering Analysis of the potential effects of sea level rise on project improvements, the top or crest elevation of the shoreline revetment was set at 12 feet (NAD88), and this elevation was also used as the minimum elevation for the Bay Trail and other recreational facilities that may be substantially damaged

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or require extensive maintenance with sea level rise over the next 25-30 years. Based on this, the impacts of sea level rise on project facilities is *less than significant*.”

Additional Criteria

8. **Urgency:** The south Albany neck shoreline is actively eroding into San Francisco Bay. Bank stabilization is a very high priority to protect water quality and aquatic resources in San Francisco Bay. Bank stabilization and trail enhancements will also preserve the public access trail along the Albany neck where erosion is starting to damage the existing access path.
9. **Resolution of more than one issue:** In this project, the District has integrated sub-tidal habitat improvements to enhance and restore subtidal habitat function and transitional upland refugia as part of its bank stabilization work. Subsequent project phases will protect and restore sensitive dune habitat in a way that integrates the public’s use of the beach and close a key gap in the San Francisco Bay Trail.
10. **Leverage:** See the “Project Financing” section above.
11. **Innovation:** This project will involve restoration in the shallow near-shore subsurface of San Francisco Bay. The District is proposing a “living shoreline” feature in shallow water with the goal of enhancing the existing rocky (riprap) sub-tidal habitats. This feature has only been carried out in a few other places on the west coast, so, if successful, it could inform future projects. The project also involves enhancement of dune habitat, a scarce resource in San Francisco Bay.
12. **Readiness:** The District has allocated matching funds and is ready to proceed.
13. **Realization of prior Conservancy Goals** See “Project History” above.

CONSISTENCY WITH SAN FRANCISCO BAY PLAN:

The proposed project is consistent with the policies contained in the San Francisco Bay Plan, adopted by BCDC in January 2006, and the policies of BCDC in that the project will include the enhancement of intertidal and subtidal habitats (Fish, Other Aquatic Organisms and Wildlife Policy 1 and 2, Tidal Marshes and Tidal Flats Policy 4, Subtidal Areas Policy 3) and improvement of public access and recreational opportunities while minimizing potential impacts on wildlife (Public Access Policies 2, 4, and 12).

COMPLIANCE WITH CEQA:

The District completed an Environmental Impact Report (EIR) that covers all phases of the larger project (Exhibit 5). The District certified the EIR on November 20, 2012. This EIR is “tiered” from the EIR prepared for the 2002 Eastshore State Park General Plan. The following table summarizes the significant impacts and mitigation measures recommended for each impact (Exhibit 4).

The Conservancy staff has independently reviewed the District’s EIR for the proposed project and concurs with the District’s findings that the proposed project (Phase I of the greater project) as mitigated does not have the potential for a significant effect on the environment. Staff therefore recommends that the Conservancy, as a responsible agency, find that there is no substantial evidence that the proposed project, with the identified measures to avoid or reduce the possible significant environmental effects, will have a significant effect on the environment. Upon approval, staff will file a Notice of Determination for the proposed project.