

# COASTAL CONSERVANCY

Staff Recommendation  
June 20, 2013

## **BAYSIDE BIRDING AND WALKING TRAIL**

File No. 08-152-01  
Project Manager: Megan Cooper

**RECOMMENDED ACTION:** Authorization to augment by \$210,000 the Conservancy's May 27, 2010 authorization to disburse \$300,000 to the U.S. Fish and Wildlife Service for construction of the Bayside Birding and Walking Trail, San Diego County.

**LOCATION:** San Diego Bay National Wildlife Refuge, San Diego County

**PROGRAM CATEGORY:** Public Access

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### **EXHIBITS**

Exhibit 1: [Project Location and Site Map](#)

Exhibit 2: [Project Components](#)

Exhibit 3: [May 27, 2010 Conservancy Authorization](#)

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### **RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400-31405 of the Public Resources Code:

"The State Coastal Conservancy hereby augments by up to two hundred ten thousand dollars (\$210,000) its May 27, 2010 authorization to disburse \$300,000 to the U.S. Fish and Wildlife Service to construct a portion of the Bayside Birding and Walking Trail in the San Diego Bay National Wildlife Refuge, San Diego County. The disbursement of funds for this project remains subject to the conditions of the Conservancy's May 27, 2010 authorization."

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

1. The proposed project remains consistent with the Conservancy's findings adopted on May 27, 2010 as set forth in Exhibit 3 to the accompanying staff report.
  2. The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines as revised on November 10, 2011.
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3. The proposed authorization does not require additional documentation pursuant to the California Environmental Quality Act.”
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### **PROJECT SUMMARY:**

Staff recommends that the Conservancy authorize the disbursement of an additional amount of up to two hundred ten thousand dollars (\$210,000) to the U.S. Fish and Wildlife Service (“Service”) to construct a portion of the Bayside Birding and Walking Trail in the San Diego Bay National Wildlife Refuge (“NWR”). The Conservancy authorized \$300,000 for the project on May 27, 2010. The project will protect and restore sensitive wetland habitat and provide compatible public access to the natural resources of south San Diego Bay.

The proposed project involves the restoration of 8,712 square feet (0.2 acre) of high salt marsh habitat that has been trampled and severely damaged as a result of unauthorized access on the NWR, the construction of a 2,060-foot-long, six-foot-wide, stabilized aggregate pedestrian trail, an approximately 750-square-foot overlook for wildlife observation, and a 50-foot-long pedestrian bridge across an existing drainage channel (Exhibit 2). The trail, which will run just north of and parallel to the Bayshore Bikeway, is intended to direct users away from sensitive resources by providing a formal delineated pathway for pedestrian use.

The Conservancy’s May 27, 2010 authorization provided funding for planning, engineering, and constructing this trail and the habitat restoration. The planning and engineering for the trail, along with the design of trail signage and interpretive elements, have been mostly completed since the original authorization (engineering details of the overlook design are in the process of being refined). However, the engineer’s cost estimate was greater than anticipated, mostly resulting from the increased costs of the bridge and the geotechnical investigations. While actual construction costs might be lower than the engineer’s estimate, the NWR is not able to seek bids if their available funding is less than their engineer’s estimate.

The proposed augmentation will fully fund the construction of the trail, the bridge, the 10<sup>th</sup> Street overlook, and the habitat restoration.

### **PROJECT HISTORY:**

On May 27, 2010 the Conservancy authorized disbursement of \$300,000 in Conservancy funds for this project. The NWR has had difficulty obtaining the additional funds that are required as a result of the higher-than-expected engineer’s cost estimate, and without the proposed augmentation, the project construction will not move forward.

The construction of a new pedestrian trail between 7<sup>th</sup> and 10<sup>th</sup> Streets and the restoration of the denuded wetland habitats in this area is a project proposed in the Comprehensive Conservation Plan (CCP) for the San Diego Bay NWR (U.S. Fish and Wildlife Service 2006). Since its completion, the Coastal Conservancy has been working with the Service to develop and implement projects identified in the CCP.

**PROJECT FINANCING:**

<b>Coastal Conservancy (May 27, 2010)</b>	<b>\$300,000</b>
<b>Coastal Conservancy (current request)</b>	<b>\$210,000</b>
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<b>Total Project Costs</b>	<b>\$510,000</b>

The expected source of funds for this augmentation is the FY 2008/2009 appropriation to the Conservancy from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84, Public Resources Code sections 75001-75090). This funding may be expended on projects that promote access to and enjoyment of the coastal resources of the state, and specifically for protection of San Diego Bay and adjacent watersheds pursuant to Section 75060(f) of the Public Resources Code. Proposition 84 defines the term “protection” as “those actions necessary to prevent harm or damage to . . . natural resources or those actions necessary to allow the continued use and enjoyment of property or natural resources and includes acquisition, development, restoration, preservation and interpretation” (Public Resources Code Section 75003.5(m)). Accordingly, Proposition 84 funds are available for the proposed project because the project will restore habitat and allow continued use and enjoyment of San Diego Bay. The Service will provide approximately \$17,000 of in staff time as in-kind services.

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

The proposed project remains consistent with the Conservancy’s May 27, 2010 authorization with respect to the Conservancy’s enabling legislation. (See Exhibit 3).

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

Consistent with **Goal 1, Objective D** of the Conservancy’s Strategic Plan for 2013-2018, the proposed project will construct about 1/3 of a mile of a Coastal Trail spur along the Bayshore Bikeway on San Diego Bay.

Consistent with **Goal 2, Objective B** of the Conservancy’s Strategic Plan for 2013-2018, the proposed project will open a coastal area that is currently closed to public use by providing compatible access to thousands of visitors to the San Diego Bay NWR. The NWR lands are not currently open to the public, though the public can easily view the Refuge from the bike path. This project will allow the public to enter Refuge lands, creating a better user experience.

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

The proposed project remains consistent with the Conservancy's May 27, 2010 authorization regarding the 2009 project selection criteria. The Conservancy revised the criteria on November 10, 2011 by adding one, non-mandatory criterion relating to climate change; this revision does not affect the proposed project's consistency with the selection criteria. Accordingly, the proposed project is consistent with the current project selection criteria.

**CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:**

The proposed project remains consistent with the Conservancy's May 27, 2010 authorization with respect to the Local Coastal Program Policies. (See Exhibit 3).

**COMPLIANCE WITH CEQA:**

The potential environmental effects of the proposed project are addressed in the Final Mitigated Negative Declaration ("MND") adopted by the Conservancy on May 27, 2010. (See Exhibit 3). There are no substantial changes in the project or the circumstances under which the project will be carried out. Nor is there new information of substantial importance that relates to the effects of the proposed project on the environment or the mitigation measures for the proposed project. Accordingly, there is no need for additional documentation pursuant to the California Environmental Quality Act ("CEQA"). Upon approval of the proposed augmentation, staff will file a Notice of Determination.