

COASTAL CONSERVANCY

Staff Recommendation
February 15, 2024

MCLAUGHLIN EASTSHORE STATE PARK ACCESS IMPROVEMENTS

Project No. 23-092-01
Project Manager: Mark Kalnins

RECOMMENDED ACTION:

Authorization to disburse up to \$120,000 to East Bay Regional Park District to prepare designs and environmental review documents for park improvements within McLaughlin Eastshore State Park, Alameda County.

LOCATION: Between Powell Street and San Francisco Bay, east of Emeryville Fire Station No. 34, McLaughlin Eastshore State Park, City of Emeryville, Alameda County

EXHIBITS

- Exhibit 1: [Project Location Map](#)
Exhibit 2: [Site Photographs](#)
Exhibit 3: [Project Letters](#)
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RESOLUTION AND FINDINGS

Staff recommends that the State Coastal Conservancy adopt the following resolution and findings.

Resolution:

The State Coastal Conservancy hereby authorizes a grant of an amount not to exceed one hundred twenty thousand dollars (\$120,000) to East Bay Regional Park District (“the grantee”) to prepare designs and environmental review documents for park improvements within McLaughlin Eastshore State Park, City of Emeryville, Alameda County.

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.

3. Evidence that the grantee and City of Emeryville have entered into an agreement identifying their roles and responsibilities for implementation of the project and future construction and maintenance of the park improvements.

In addition, to the extent appropriate, the grantee shall incorporate the guidelines of the Conservancy's 'Coastal Access Project Standards' and the San Francisco Bay Trail Guidelines and Standards.

Findings:

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

1. The proposed authorization is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, regarding goals of the San Francisco Bay Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria.

STAFF RECOMMENDATION

PROJECT SUMMARY:

Staff recommends the Conservancy authorize a grant of up to \$120,000 to East Bay Regional Park District (EBRPD) to prepare designs and environmental review documents for park improvements (the project) on an approximately three-acre upland area located between Powell Street and San Francisco Bay, east of Emeryville Fire Station No. 34, within McLaughlin Eastshore State Park, in the City of Emeryville, Alameda County (Exhibit 1).

The park improvements to be designed are based on a conceptual plan that includes gravel trails, park benches, a bird watching platform, bike parking, trash and dog waste receptacles, and rehabilitation of existing plazas, planters, and trees. EBRPD has an operating agreement with California State Parks to provide operation and maintenance of the land, but will work in partnership with the City of Emeryville ("City") who will take the lead on carrying out the project. The park improvements are part of the City's larger Powell Street Bioswale Project, which involves upgrading its storm drain facilities in the vicinity to address flooding. Once the project is complete, EBRPD expects the City will construct the park improvements.

The McLaughlin Eastshore State Park is largely unimproved; does not have a dedicated path, seating, or amenities; and is often littered with trash and animal waste (see the Site Description section below for more detail). The project will address these deficiencies, as well as the need for 0.5 mile of new trail to connect to the San Francisco Bay Trail and for an enhanced sense of connectedness and continuity of the nearby communities. The designs will include signage to inform patrons that the site's shoreline marsh area is a "habitat conservation" area that should be left undisturbed.

The project is anticipated to be complete by December 2024, and staff anticipates returning to the Conservancy for authorization of funds to support construction.

Site Description: The three-acre project site is located within the approximately six-acre McLaughlin Eastshore State Park, which is owned by State Parks and managed by EBRPD. The park features include a dilapidated sidewalk along Powell Street, sparse native shrubs and predominately non-native groundcover, as well as two existing plaza areas that abut the sidewalk. There is no existing footpath that traverses the bay shoreline within the park, and there are no locations where park patrons can sit to rest within the park grounds. The two existing storm drains within the park direct stormwater to an armored bayside outfall. The project site is the upland portion of McLaughlin Eastshore State Park, situated adjacent to a unique bird habitat and tidal wetlands that support countless shorebirds and unique wildlife, known as the Emeryville Crescent. The wetlands area is adjacent to local freeways and urban areas and is commonly littered with trash. Bird-watching areas with seating, signage directing patrons away from sensitive habitats, and bike parking are all needed. Also, the existing plazas are in poor condition, exhibiting uplifted slab edges, fallen trees, and deteriorating wood. Further, one of the two City storm drain lines is severely clogged with silt, causing significant ponding on Powell Street, impeding access and emergency response activities during rainfall and high-tide events.

Grant Applicant Qualifications:

EBRPD is qualified to carry out this project and has been conducting habitat restoration work and maintaining parks and trails for more than 80 years. EBRPD manages nearly 125,000 acres of parks, trails, and community spaces.

The City of Emeryville has received millions of dollars in grant funding from regional, State and Federal Agencies including but not limited to California Strategic Growth Council, Affordable Housing and Sustainable Communities, US Environmental Protection Agency, Department of Toxic Substances Control, California Department of Parks and Recreation, California Arts Council, Metropolitan Transportation Committee, Alameda County Transportation Committee, US Department of Transportation, and Caltrans. Funded work has included planning studies, capital projects and community outreach. EBRPD will maintain all amenities on the land that they manage, and the City will maintain the trash receptacles.

CONSISTENCY WITH CONSERVANCY'S PROJECT SELECTION CRITERIA:

The proposed project is consistent with the Conservancy's Project Selection Criteria, last updated on September 23, 2021, in the following respects:

Selection Criteria

1. Extent to which the project helps the Conservancy accomplish the objectives in the Strategic Plan.

See the "Consistency with Conservancy's Strategic Plan" section below.

2. Project is a good investment of state resources.

The proposed project will design park amenities that will enhance access to and the overall user experience along the area known as the Emeryville Crescent, as well as adjoining trail and park routes within McLaughlin Eastshore State Park. This is an extremely viable and cherished park area that serves a very large, urban East Bay community.

Access and experience will be improved through walking paths, seating areas, and wildlife viewing opportunities. The proposed project will therefore further the State's "Outdoors For All" initiative, which seeks to equitably expand outdoor access to all Californians through focused investments in open space infrastructure, outdoor programming, and improvements to state systems.

3. Project includes a serious effort to engage tribes. Examples of tribal engagement include good faith, documented efforts to work with tribes traditionally and culturally affiliated to the project area.

The Chair and spokesperson for the Confederated Villages of Lisjan and Co-Director for The Sogorea Te' Land Trust has per a previous letter to the City expressed interest in collaborating with the City on planning and restoration efforts in this geographic area. The City will follow up directly during the design process.

4. Project benefits will be sustainable or resilient over the project lifespan.

EBRPD will maintain the amenities after they are constructed in McLaughlin Eastshore State Park. The elements will be mostly typical park amenities, which EBRPD has experience in maintaining and therefore can ensure resilience of those features. The City of Emeryville has a desire to ensure that trash and recycling is properly disposed of, so the planned trash receptacles at the trail heads, once constructed, will be added to the City's discard retrieval program. The City staff are also highly responsive to the various citizen-led committees and their liaisons. This close relationship ensures that maintenance issues noticed by park patrons are quickly addressed before significant deterioration of any City-maintained amenities occurs.

5. Project delivers multiple benefits and significant positive impact.

Once this project is complete and the park improvements are constructed, the San Francisco Bay Trail will extend through the uplands area of the park, thereby enhancing the sense of connectedness of the park to the surrounding community. Bike parking will enable park users, including those using the adjacent Bay Trail, to utilize the park and its amenities. Removal of the non-native, invasive ice plant will clear parkland to encourage native flora to thrive in its place. The plaza rehabilitation will show to the community that the park is not falling into disrepair and will serve as a welcoming gateway to potential patrons. The additional trash receptacles will further encourage potential patrons to leave trash where it belongs thereby minimizing trash being left in the park. The plaza areas will provide locations for patrons to rest their legs while appreciating the park, and also give those patrons an opportunity to read interpretive exhibits that emphasize information that the park stakeholders want to present to the community.

6. Project planned with meaningful community engagement and broad community support.

This project was planned with input from the City's Transportation Committee, key members of the Parks and Recreation Committee, and the Confederated Villages of Lisjan, and the City plans to solicit input from the Bicycle-Pedestrian Advisory Committee in early January 2024. These committees are staffed by members of the Emeryville community. The City's collaboration with these groups has garnered support for the project, and the City considers this to be a strong

example that it has closely engaged the community during the planning process to provide equitable access.

PROJECT FINANCING

Coastal Conservancy	\$120,000
City of Emeryville	\$10,000
Project Total	\$130,000

Conservancy funding is anticipated to come from funds provided by Caltrans in fulfillment of a mitigation condition under San Francisco Bay Conservation and Development Commission (BCDC) development permit No. 1993.011.09 (formerly Permit No. 11-93, issued on June 8, 1994, and amended through August 19, 2013). Special Condition C.11 of this permit requires that Caltrans convey \$400,000 to be disbursed solely to EBRPD for the purpose of improving a public view area and habitat enhancement in the upland areas on the south side of Powell Street west of I- 80 and immediately east of the Emeryville Fire Station. The proposed project is consistent with this funding purpose, as described above.

Unless specifically identified as “Required Match,” the other sources of funding and in-kind contributions described above are estimates. The Conservancy does not typically require matching funds or in-kind services, nor does it require documentation of expenditures from other funders or of in-kind services. Typical grant conditions require grantees to provide any funds needed to complete a project.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project is being undertaken pursuant to Chapter 4.5 of Division 21 of the Public Resources Code.

Section 31162 authorizes the Conservancy to undertake projects in the nine-county San Francisco Bay Area to help achieve regional public access and resource goals.

The proposed authorization is consistent with Section 31162(a) because the proposed project is located within the nine-county Bay Area (in Alameda County), and it will help achieve the San Francisco Bay Area Conservancy Program goal of improving public access to and around the Bay, without having a significant adverse impact on agricultural operations and environmentally sensitive areas and wildlife through (1) designing new and upgraded public access amenities in McLaughlin Eastshore State Park, and (2) designing a new trail section within the park that connects to population centers and public facilities, and to the San Francisco Bay Trail. The proposed authorization will also provide accessible and safe wildlife viewing opportunities, and secure staging area for Bay Trail users.

Consistent with 31162(d), the proposed authorization will promote, assist, and enhance a project that provides open space and natural areas (i.e., McLaughlin Eastshore State Park) that are accessible to urban populations for recreational and educational purposes.

The proposed project is consistent with Section 31163(c), for the following reasons: (1) renovation of a trail system that provides safe and equitable recreation, pedestrian, and bicycle

facilities, and recreational resources is consistent with adopted local and regional plans, including the City of Emeryville 2009 General Plan, and BCDC's San Francisco Bay Plan, wherein the entire Emeryville Crescent has been designated as a key park and public access area to the Bay; (2) the public access amenities will serve a regional constituency, specifically the diverse public who reside in the City of Emeryville and communities abutting the Emeryville Crescent, as well as historically marginalized communities from throughout the Bay Area; (3) completion will be timely (design and environmental review to be complete by end of 2024 and construction planned to be complete by end of 2025); (4) project benefits could be lost if the project is not quickly implemented, as there is current momentum built from the planning and conceptual design work already undertaken by the City of Emeryville; and (5) the City will provide matching funds.

CONSISTENCY WITH CONSERVANCY'S [2023-2027 STRATEGIC PLAN](#):

Consistent with **Goal 2.4, Build Trails**, the proposed project will plan 0.5 mile of trail to connect to San Francisco Bay Trail, located within Powell Street.

Consistent with **Goal 2.5, Recreation Facilities and Amenities**, the proposed project will plan one recreational facility (at McLaughlin Eastshore State Park).

CEQA COMPLIANCE:

Authorizing the recommended grant project is exempt from review under the California Environmental Quality Act (CEQA) pursuant to the CEQA Guidelines at California Code of Regulations, Title 14, Sections 15262, which exempts feasibility and planning studies for possible future actions from the requirement to prepare an Environmental Impact Report or negative declaration, and 15306, which exempts from CEQA basic data collection, research, and resource evaluation activities that will not disturb environmental resources. The design and planning tasks to be funded are planning activities, preparation of designs, and review of environmental effects, none of which will impact any environmental resources and all of which will be undertaken for possible future actions that the Conservancy has not yet approved, adopted, or funded. Staff will file a Notice of Exemption upon approval of this project.