

COASTAL CONSERVANCY

Staff Recommendation
December 13 2007

SAN CLEMENTE COASTAL TRAIL

File No. 00-098
Project Manager: Prentiss F. Williams

RECOMMENDED ACTION: Authorization to disburse an amount not to exceed five hundred thousand dollars (\$500,000) to the City of San Clemente for the construction of the final components of a 3-mile segment of the California Coastal Trail within the City of San Clemente.

LOCATION: City of San Clemente, Orange County (Exhibit 1)

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: [Project Location and Site Map](#)
 - Exhibit 2: [Mitigated Negative Declaration \(including Mitigation/Monitoring Plan and public comment\)](#)
 - Exhibit 3: [Map of Trail](#)
 - Exhibit 4: [Photos of Completed Trail](#)
 - Exhibit 5: [Photos of At-Grade Crossings](#)
 - Exhibit 6: [Photos of Sites of New Crossings and Trail Construction](#)
 - Exhibit 7: [Letters of Support](#)
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RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the City of San Clemente (the City) to assist the City in the construction of the final components of a segment of the California Coastal Trail, known as the San Clemente Rail Corridor Pedestrian Beach Trail, subject to the following conditions:

1. Prior to the disbursement of funds for construction, the City of San Clemente shall submit for the review and approval of the Executive Officer of the Conservancy:
 - a. Evidence that the City has obtained all necessary permits and approvals and has
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conducted all necessary environmental review.

- b. A final work plan (including the names of any subcontractors to be used in the completion of the project), and a project schedule and budget.
 - c. A copy of the License Agreement, dated February 7, 2003 between the City and the Orange County Transportation Authority (OCTA) and other entities with jurisdiction over the railroad right-of-way sufficient to allow the City to build, operate and maintain the project for a period of no less than twenty years and which preserves the public's right to access the project area in perpetuity.
2. The City shall install and maintain sign(s) on the project site, the design, number and placement of which has been approved by the Executive Officer, acknowledging Conservancy funding participation and identifying the project as a segment of the California Coastal Trail.
 3. The City shall implement, or shall cause to be implemented, the mitigation and monitoring measures contained in the City's Mitigated Negative Declaration for the project."

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 Project Selection Criteria and Guidelines, approved by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 9 of Division 21 of the Public Resources Code, regarding public access.
3. The project will serve greater than local needs.
4. The Conservancy and its staff have independently reviewed the City's Mitigated Negative Declaration, the Mitigation/Monitoring Plan and the public comments (attached to the accompanying staff recommendation as Exhibit 2). The Conservancy finds that the project avoids, reduces or mitigates all potential significant adverse effects on the environment, and that there is no substantial evidence that the project as designed may have a significant effect on the environment as defined in 14 California Code of Regulations Section 15382."

PROJECT SUMMARY:

Staff requests authorization to disburse up to \$500,000 to the City of San Clemente to assist the City in completing the final construction phase of a two and a half-mile section of the California Coastal Trail in the City of San Clemente (known locally as the "San Clemente Railroad Corridor Pedestrian Beach Trail").

The trail runs along the San Clemente shoreline from North Beach to Calafia State Beach (Exhibit 3) and is located inland of the railroad tracks in the railroad right-of-way owned by the Orange County Transit Authority (OCTA). In order to provide adequate separation of pedestrians from the railroad tracks, the trail has been set back as far from the tracks as far as

possible. Rustic fencing and landscaping with native vegetation provide for clear visual and physical separation from the tracks along the entire length of the trail. The trail is composed of natural materials, either compacted earth or decomposed granite, for most of its length but consists of elevated boardwalk in two locations to avoid impacts to wetland areas (Exhibit 4).

The first phase of trail construction created or improved 2 miles of trail accessible for persons with disabilities, including wheelchair users. This phase also included the installation of two at-grade, signalized track crossings to allow the public to safely access the trail and the beach from the neighborhoods and public parking lots located just inland from the railroad corridor. (Exhibit 5). The current, and final phase, will create a new pedestrian undercrossing (Exhibit 6), construct two stairways from two at-grade crossings down to the beach, construct a number of public safety improvements at three at-grade crossings, and extend the trail an additional 0.5 miles. Construction will begin in January, 2008 and the project is expected to be completed in September, 2008.

The railroad line, which runs along the entire shoreline in San Clemente, is the nation's second busiest corridor, running up to 52 trains a day by Amtrak, freight, and regional rail transit train companies. The tracks thus constitute a significant barrier and hazard to coastal access. For decades, the public used the railroad corridor informally as a trail, crossing the tracks haphazardly to get to the beach. This situation was not only dangerous; it was only available to the adventurous and able-bodied and did not constitute adequate beach access for the general public. With the completion of the first construction phase of the San Clemente Pedestrian Beach Trail, the City was able to solve a longstanding public safety issue and provide a regional recreational amenity.

This final phase of the project would provide an additional .5 miles of wheelchair accessible trail and would provide an additional point of access from the trail under the railroad tracks to the beach. This undercrossing will provide easy, safe access from the trail to the beach. Other portions of the existing trail are already completely wheelchair accessible.

Site Description: The San Clemente shoreline is characterized in most places by a relatively narrow sandy beach backed by high bluffs. Space on the beach is further constrained by the presence of the railroad tracks, which are constructed upon an embankment that is elevated 10 to 25 feet above the beach and reinforced on the ocean side by a massive rock revetment. The tracks are in regular use during the day by Amtrak, freight, and regional rail-transit trains. As a result the railroad corridor presents a significant barrier between the beach and the rest of the City. However, the railroad corridor is also the only place along the San Clemente shoreline where the coastal trail could be located. The first phase of the project, including construction of most of the trail and the additional at-grade crossings, has proven extremely popular and receives extensive public use (Exhibit 7).

Project History: The Conservancy authorized a grant of \$500,000 to the City for the first phase of trail construction in January of 2005. The Conservancy also provided funds to the City for project planning and design in 2000.

The completion of the beach trail will represent the culmination of more than twenty years of negotiations and planning on the part of City staff and elected officials, the railroads, and community members. Further details are provided in the discussion of prior Conservancy goals, below.

PROJECT FINANCING:

San Clemente Coastal Trail: Phase 2 Construction

Coastal Conservancy	\$ 500,000
Federal Transportation Enhancement Act	2,086,000
City of San Clemente	592,000
Total Project Cost	\$3,178,000

The expected source of the proposed grant would be the FY 02/03 appropriation (reappropriated in 2005) to the Conservancy pursuant to the California Clean Water, Clean Air, Safe Neighborhood Parks and Coastal Protection Act of 2002 (Proposition 40), which allocates bond funds to the Conservancy for the purposes of Division 21 of the Public Resources Code. Consistent with the purposes of this funding source, the proposed project would be carried out in accordance with the provisions of Division 21 (see “Consistency with Conservancy’s Enabling Legislation” section below). Proposition 40 also gives priority to projects that include a commitment for a matching contribution. The City of San Clemente has obtained other funding for the beach trail project from a variety of sources, including federal transportation grants, local community development funds and the City’s own general fund. The Conservancy grant would be leveraging nearly \$3,000,000 in local, state and federal funds.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The proposed project is consistent with Division 21, Chapter 9, of the Public Resources Code (Sections 31400-31405), regarding public access and enjoyment of coastal resources. Section 31400 states that the Conservancy shall have a principal role in the implementation of a system of public accessways to and along the state’s coastline. Through the proposed action, the Conservancy would continue its role in supporting the development of an important public accessway along a major segment of the California coast.

Section 31400.1 allows the Conservancy to award grants to a public agency for accessways that serve more than local public needs. The proposed project would provide improved access both along the coast and across the tracks to the beach from parking areas already designed to support regional public use. The trail and associated accessways and railroad crossings would also provide a link between state and region-serving parks (such as San Clemente State Beach and the extensive parking facilities at the City’s Calafia Beach Park), making more of the beach readily accessible to the public.

Consistent with § 31400.2, staff recommends approval of this project after evaluating the amount of funding provided by the Conservancy in light of the total amount of available for coastal public accessway and urban waterfront projects, the fiscal resources of the grantee, the urgency of the project relative to other eligible projects (see discussion below), and the application of

factors prescribed by the Conservancy for the purpose of determining project eligibility and priority. The proposed authorization would leverage matching funds by providing an almost 7 to 1 ratio of project dollars to Conservancy dollars needed to complete the access project.

Section 31400.3 states that the Conservancy may assist public agencies in developing and implementing a system of public accessways to and along the state's coastline. The proposed project would further these goals by improving and enhancing a major public accessway in a heavily-visited coastal area as part of a comprehensive public access plan.

**CONSISTENCY WITH CONSERVANCY'S 2007
STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):**

Consistent with **Goal 1, Objectives B and D** of the Conservancy's 2007 Strategic Plan, the proposed project would construct and sign approximately one-half mile of Coastal Trail resulting in approximately 2.5 miles of continuous coastal trail in the City of San Clemente. Consistent with **Goal 2, Objective E** of the Conservancy's 2007 Strategic Plan, the proposed project would improve an existing recreational facility.

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

The proposed project is consistent with the Conservancy's Project Selection Criteria and Guidelines, last updated on September 20, 2007, 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 proposed project has enthusiastic support from a wide variety of groups and individuals, including the citizens' group Restore the Shore (formerly Derail the Trail), the Sierra Club, Surfriders, the Orange County Transportation Authority, and State Parks. State Senator Bill Morrow and Assemblywoman Mimi Walters have also expressed support for the proposed project. Letters received in support of the proposed authorization are attached in Exhibit 7.
4. **Location:** The proposed project would be located within the coastal zone of the City of San Clemente.
5. **Need:** The City has been very successful in tapping a wide variety of funding sources in order to complete the trail project (see "Project Financing" section above). The proposed Conservancy grant is required to fill the remaining funding gap and enable the City to complete the project in June, 2008.
6. **Greater-than-local interest:** More than 2,000,000 people per year use the San Clemente coastline, making it a major recreational asset for Orange County and all of southern

California. The proposed project would link existing city, county and state beach parks and access facilities in adjacent jurisdictions into a coordinated access system of regional and statewide significance. As such, the proposed project would serve greater than local needs.

Additional Criteria

8. **Resolution of more than one issue:** The proposed project would complete the construction of a new section of the California Coastal Trail, would provide much-needed additional coastal access in the City of San Clemente, and would alleviate an existing public safety hazard.
9. **Leverage:** See the “Project Financing” section above.
12. **Readiness:** The City has all but completed Phase I of the project construction. Should the Conservancy authorize the proposed project, the City could commence trail construction as early as January, 2008.
13. **Realization of prior Conservancy goals:** As discussed in the “Project History” above, the proposed project is the implementation of a planning effort funded in part by the Coastal Conservancy. In addition, the proposed project also serves to achieve broader Conservancy goals regarding completion of the California Coastal Trail. Completion of the San Clemente Railroad Corridor Pedestrian Beach Trail is one of the specific projects for Orange County named in the “Recommendations for Action” section of the report “Completing the California Coastal Trail,” published by the Conservancy in January 2003. The proposed project would also fulfill two of the Statewide Policy Initiatives for the Coastal Trail by increasing accessibility to State recreational facilities (Initiative #3) and eliminating shoreline obstructions (Initiative #5).
15. **Cooperation:** As discussed in the “Project Summary” and under Project Criterion 3 above, the proposed project is the result of a cooperative effort between the local community, the City, OCTA and the California Public Utilities Commission, all of which agreed to the proposed trail and accessway improvements.

CONSISTENCY WITH THE COASTAL CONSERVANCY’S STANDARDS AND RECOMMENDATIONS FOR ACCESSWAY LOCATION AND DEVELOPMENT:

The City of San Clemente incorporated the Conservancy’s “Standards And Recommendations For Accessway Location And Development” into the project design. The proposed project would thus be consistent with those standards which apply as follows:

Consistent with Standard No. 1, the San Clemente Coastal Trail has been designed to minimize alteration of natural landforms and be subordinate to the natural setting and to protect environmentally sensitive habitats and agricultural areas.

Consistent with Standard No. 2, the project would correct potential hazards to the public safety.

Consistent with Standard No. 7 regarding the construction and location of vertical accessways in urban areas, the two at-grade railroad crossings would be located at street ends and would connect existing public parking areas to the shoreline.

Consistent with Standard No. 8 regarding trails, the proposed trail would not be closer than 10

feet from any existing residence and would connect the shore with inland units of the state and local park system.

The proposed project would also be consistent with Standard No. 12 in that the trail will include support facilities for the public such as signs, trash receptacles, and will improve public access to the existing support facilities (public telephones, restrooms, showers, bike security racks, public transit loading and unloading areas, and parking areas) available at State and City beach parks.

Further, because the proposed project would provide new beach access for persons with physical disabilities, Conservancy funding of the proposed project would be consistent with Standard No. 13, which states that “Accessways that accommodate or plan to accommodate those with mobility problems are the highest priority for State funding.”

CONSISTENCY WITH LOCAL COASTAL PROGRAM POLICIES:

The City of San Clemente Coastal Element, (1981, as amended 1995), which is the certified Local Coastal Program (LCP) of the City, enumerates specific policies to enhance coastal access. Applicable LCP policies include LCP Access Policies #7 and #9.

LCP Policy #7 states: “The City of San Clemente shall promote not only increased access to the shoreline, but increased safety of access, . . .”

LCP Access Policy #9 states: “The City shall seek funding from non-local sources to finance actions to amplify access.” These actions include beach access for the handicapped and improved pedestrian railroad crossings.

As discussed above, the proposed project is consistent with these LCP objectives.

COMPLIANCE WITH CEQA:

Pursuant to the California Environmental Quality Act (CEQA), the City of San Clemente, as lead agency, undertook environmental assessment of the proposed Railroad Corridor Pedestrian Beach Trail in the City of San Clemente through an Initial Study. The Initial Study determined that the proposed project could have possible significant effects on the environment in two areas: biological resources and hazardous materials. Based on that Initial Study, the City incorporated several mitigation measures into the project to reduce these impacts to levels of insignificance. The City received public comment on the mitigated negative declaration from April 3 to May 2, 2003. The City adopted the mitigated negative declaration and mitigation monitoring plan (attached as Exhibit 2) by resolution of its City Council on June 3, 2003. The City filed a Notice of Determination with the State Clearinghouse and the County of Orange on June 11, 2003.

The potential environmental impacts of the Railroad Corridor Pedestrian Beach Trail project and the corresponding mitigations, are identified and discussed in detail in Exhibit 2, and are summarized below:

Biological Resources

Impact: Construction of the trail has the potential to disturb vernal pools that may provide habitat for sensitive species. (Exhibit 2, pp. 64, 91).

Mitigation: The trail has been designed to avoid all known vernal pools in the project area. Prior to construction, a certified biologist will review the final plans and identify any areas that need to be fenced off during construction (Exhibit 2, p. 92).

Impact: Trail construction has the potential to disturb a small area (1.1 acre) of Southern Coastal Bluff Scrub, which has been identified by the California Department of Fish and Game as a “threatened natural community.” (Exhibit 2, pp. 64-65, 91).

Mitigation: Any areas of Southern Coastal Bluff Scrub disturbed by project construction will be replanted on-site at a ration of 2:1 after construction is complete. (Exhibit 2, p. 92).

Hazards and Hazardous Materials

Impact: The trail would be located within 10 to 18 feet of a commercial rail line and will include two at-grade pedestrian crossings of the tracks. A known past practice of railroad companies was the application of diesel fuel to the areas around the tracks to control weeds. There is a possibility that residual diesel fuel may remain in the soils adjacent to the railroad tracks. (Exhibit 2, pp. 72, 91).

Mitigation: Prior to construction, soil samples will be taken from the at-grade crossing locations and tested for the presence of diesel fuel or other contaminants. Any contaminated soils would be removed from the site prior to the construction of the pedestrian crossings. (Exhibit 2, p. 92).

Impact: Unknown past practices of the railroad companies may have resulted in deposition of unknown contaminants in the railroad corridor. (Exhibit 2, p. 73).

Mitigation: If suspected hazardous wastes or materials are discovered during project construction, the project contractor shall:

- Immediately stop work in the vicinity of the suspected contaminant and remove worker and the public from the area.
 - Notify the City’s Project Engineer.
 - Secure the area as directed by the Project Engineer.
 - Notify the City’s Hazardous Waste/Materials Coordinator.
- (Exhibit 2, pp. 73, 92).

Conservancy staff has independently reviewed the City’s mitigated negative declaration and mitigation monitoring plan and concurs that the proposed project, as mitigated, will not have a significant adverse effect on the environment. Staff recommends that the Conservancy find that the project, avoids, reduces or mitigates all potential significant adverse effects on the environment, and that there is no substantial evidence that the project as designed may have a significant effect on the environment as defined in 14 California Code of Regulations Section 15382. Staff will file a Notice of Determination upon the Conservancy’s authorization of the project.