

COASTAL CONSERVANCY

Staff Recommendation
November 6, 2008

SAN FRANCISCO BAY TRAIL: CANAL BOULEVARD CONSTRUCTION

File No. 07-037-02
Project Manager: Michelle Jespersion

RECOMMENDED ACTION: Authorization to disburse up to \$97,000 to the City of Richmond to construct a 465-foot-long segment of the San Francisco Bay Trail along Canal Boulevard.

LOCATION: City of Richmond, Contra Costa County

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

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

Exhibit 2: [Construction Design Drawings](#)

Exhibit 3: [May 24, 2007 Staff Recommendation](#)

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 (the “Conservancy”) hereby authorizes disbursement of an amount not to exceed \$97,000 (ninety-seven thousand dollars) to the City of Richmond (the “City”) to construct a 465-foot-long segment of the San Francisco Bay Trail along Canal Boulevard. Prior to the disbursement of funds the District shall submit for the review and approval of the Executive Officer of the Conservancy, the following:

1. A work program, including project schedule and budget, and the names of any contractors to be employed on the project.
2. Evidence that all permits and approvals necessary to implement the project have been obtained.”

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, last updated by the Conservancy on September 20, 2007.
2. The proposed authorization is consistent with the purposes and objectives of Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Conservancy Program.”

PROJECT SUMMARY:

Staff recommends the Conservancy authorize disbursement of up to \$97,000 to the City of Richmond to construct a 465 foot-long segment of the San Francisco Bay Trail (Bay Trail) along Canal Boulevard (Blvd). The completion of this Bay Trail segment is required by a permit issued by the Bay Conservation and Development Commission (BCDC) to Eagle Rock Aggregates, Inc. (Eagle Rock) in 2005. The permit requires Eagle Rock to pay an in-lieu fee of \$150,000 to the Conservancy for this specific public access improvement that will close an existing gap in the Bay Trail. The Conservancy authorized \$53,000 to the City in May 2007 to prepare the construction design plans for the Canal Blvd Bay Trail Gap. Staff now seeks Conservancy authorization to disburse the remaining funds to the City for construction of the Bay Trail improvements.

The Canal Blvd Bay Trail Gap (“Trail Gap”) consists of a 465-foot long missing section of the Bay Trail along Canal Blvd north of the intersection of Seacliff Drive and Canal Blvd (see Exhibit 1). The proposed new section of trail will connect the existing portion of the Bay Trail along Canal Blvd to the existing portion of the Bay Trail along Seacliff Drive and a proposed portion of the Bay Trail extending into the Port of Richmond Shipyard No. 3.

The Trail Gap will be completed within the existing right-of-way as a Class I, two-way, multi-use trail segment and will meet Bay Trail Design Guidelines (see *Bay Trail: Planning for a Recreational Ring Around San Francisco Bay (San Francisco Bay Trail Project, July 1989, reprinted March 2001)*). These guidelines are consistent with BCDC trail design guidelines for all trail projects along the Bay. The trail will be a minimum of eight feet wide and comprised of existing and new asphalt pavement along with striping and drainage swale improvements along the west side of Canal Blvd (see “Construction Design Drawings” in Exhibit 2). The trail will be designed to direct bicyclists and pedestrians from the existing sidewalk and southbound bike lane along Canal Blvd across an unnamed road and onto the new trail. Additionally, the new trail will serve pedestrians and bicyclists coming from Seacliff Drive and traveling north along west side of Canal Blvd. The trail will include safety features such as Caltrans designated object markers (tubular reflective posts that define the edge of the road for both drivers and trail users); a two-foot striped buffer zone separating the trail from Canal Blvd traffic, striping, and signage. It will also be ADA accessible in that the pathway does not exceed limiting cross slopes and grades.

The Port of Richmond, a department within the City of Richmond, recently completed construction design plans for the entire section of the Bay Trail through the western side of the Port’s property as shown in Exhibit 1. The gap along Canal Blvd will be constructed as part of this larger project, but the funding for Canal Blvd gap will come from the funds provided by Eagle Rock, pursuant to the BCDC permit.

Site Description: Kaiser Shipyard Number 3 lies on the western side of the Port of Richmond (the Port), in what is now called Point Potrero Marine Terminal. The historic shipyard is part of the Rosie the Riveter WWII Home Front National Historical Park and is an active part of the

Port's operations. Canal Blvd runs through the marine terminal. Special Condition B.1. of BCDC Permit No. 5-04 specifies the project site as a 465-foot gap in the Bay Trail along the west side of Canal Blvd, from Seacliff Drive to the south end of an industrial office complex.

Project History: In 1987, the Association of Bay Area Governments (ABAG) was mandated by State law to develop a plan and alignment for this "ring around the Bay." This mandate became known as the San Francisco Bay Trail, an approximately 500-mile network of hiking and cycling trails encircling San Francisco Bay that will connect the shorelines of all nine bay area counties. The Conservancy has assisted with design and development of the San Francisco Bay Trail since the late 1990s, and over 300 miles of Bay Trail are now open to the public in all nine Bay Area counties. This authorization will further the Conservancy's statutory and strategic goals of improving access around San Francisco Bay, consistent with previous Conservancy authorizations to design and construct the Bay Trail.

In May 2007, the Conservancy authorized \$53,000 to fund the preparation of plans to complete the gap in the San Francisco Bay Trail along Canal Blvd (see Exhibit 3). The Port has completed design plans and is ready to begin construction of the Canal Blvd Bay Trail segment.

PROJECT FINANCING:

Coastal Conservancy	<u>\$97,000</u>
Total Project Cost	\$97,000

The funding for this project is expected to be derived from BCDC permit mitigation fees. As a condition of a BCDC construction permit, the permittee (Eagle Rock) was required to pay \$150,000 to the Conservancy to mitigate for public access impacts caused by the permitted project (Special Condition (I)(B)(1)). Eagle Rock paid fees in the amount of \$150,000 to the Conservancy in 2006, which were deposited in the San Francisco Bay Area Conservancy Program Trust Fund. The proposed authorization is consistent with the BCDC permit conditions requiring construction of the 465 foot gap in the Bay Trail. As stated above, the Conservancy provided \$53,000 for the initial preparation of the construction design plans. The balance of the remaining funds (\$97,000) will be used to complete construction of the Canal Blvd Bay Trail segment, as required by the permit. Pursuant to the permit, the Conservancy may retain a reasonable portion of any remaining funds to cover its administrative costs, in the event the entire balance is not expended.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is consistent with Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160 *et seq.* regarding San Francisco Bay Area projects.

Pursuant to Section 31162, the Conservancy may award grants in the nine-county San Francisco Bay Area that help to achieve various specific goals, including the goal of increasing public access. This project is located entirely within Contra Costa County, one of the designated nine counties of the San Francisco Bay Area. The proposed project is consistent with Public Resources Code Section 31162(a) in that by completing a gap in the Bay Trail, the Conservancy is improving public access to, within and around the bay. The proposed project will not have a significant adverse effect on agricultural operations, environmentally sensitive areas or wildlife.

In addition, the proposed project is consistent with the applicable locally and regionally adopted plans, as described below.

The proposed project satisfies the criteria for determining project priorities under Section 31163(c) in the following respects: the project is supported by the Port of Richmond's plan for the Point Potrero Marine Terminal area and is consistent with the San Francisco Bay Plan; it forms a link in the regional Bay Trail and thereby serves a regional constituency; the project is included in the overall Bay Trail plan for the Shipyard 3 area for which a consultant team completed construction plans and is preparing to begin construction.

Under Section 31104, the Conservancy may accept funds from public and private sources.

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

Consistent with **Goal 11, Objective E** of the Conservancy's 2007 Strategic Plan, the proposed project will complete a 465 foot-long gap in the San Francisco Bay Trail.

Consistent with **Goal 11, Objective L**, the proposed project will include ADA-compliant elements, such as appropriate surfacing and pathway grades.

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:** This project is supported by Trails for Richmond Action Committee (TRAC), a group of Bay Trail advocates working in Richmond to complete the trail.
4. **Location:** This project is located in the City of Richmond in Contra Costa County, one of the nine Bay Area counties.
5. **Need:** The proposed project will construct public access as mitigation required by a BCDC permit. The Conservancy agreed to accept funds and implement this project to mitigate for impacts to public access caused by the permitted development. The proposed trail alignment will help bicyclists and pedestrians travel safely through an active area of the Port of Richmond. Use of the trail should be significant, as the adjacent residential areas are now developing. This gap connects a large segment of existing Bay Trail spine through the City of Richmond.
6. **Greater-than-local interest:** When complete, the Bay Trail will be more than 400 miles long and circumnavigate the entire San Francisco Bay. It is a trail that extends throughout

the nine-county Bay Area region, with connections to numerous regional trails. As a result, completion of this segment of trail is of interest to the entire Bay Area region.

Additional Criteria

7. **Readiness:** Construction design documents are complete and the City of Richmond is ready to begin construction of the Canal Blvd Bay Trail Gap segment when this funding is made available.
8. **Realization of prior Conservancy goals:** One of the key goals of the Bay Area Conservancy Program is to complete the Bay Trail. This project will help achieve that goal.

CONSISTENCY WITH SAN FRANCISCO BAY PLAN:

The McAteer-Petris Act states that “existing public access to the shoreline and waters of the San Francisco Bay is inadequate and that maximum feasible public access, consistent with a proposed project, should be provided.” (Government Code Section 66602). The San Francisco Bay Plan, adopted by BCDC in January 2006, states that public access should be provided “in and through every new development in the Bay or on the shoreline,” except in cases of public safety considerations or significant use conflicts. In those cases, in lieu access facilities should be provided, preferably as close to the project site as possible (San Francisco Bay Plan (1/06), Part IV—Development of the Bay and Shoreline: Findings and Policies, Access Policy Number 2). In the proposed project, in lieu public access will be provided within a few blocks of the development. Access Policy Number 9 of the Bay Plan states that roads built near the water’s edge should provide safe and separated access for visitors to and along the shoreline. The bike and pedestrian path is designed to be consistent with that policy.

COMPLIANCE WITH CEQA:

Upon independent evaluation, Conservancy staff finds that the proposed project is categorically exempt under the California Environmental Quality Act (CEQA) 14 California Code of Regulations Section 15304(h) as it consists of minor alterations to public lands for the purposes of creating hiking and biking trails along a public right-of-way. Staff will file a Notice of Exemption upon approval of this project.