COASTAL CONSERVANCY

Staff Recommendation
April 18, 2013

SAN FRANCISCO BAY TRAIL:
INNER BAIR ISLAND PUBLIC ACCESS IMPROVEMENTS

File No. 07-063-13
Project Manager: Brenda Buxton

RECOMMENDED ACTION: Authorization to modify the previously-approved $800,000 grant to Ducks Unlimited for construction of a pedestrian/bicycle bridge linking the San Francisco Bay Trail to Inner Bair Island in order to enable Ducks Unlimited to use up to $100,000 in bridge construction cost-savings for construction of the other public access improvements on Inner Bair Island including trails, interpretive signs, fencing, and an information kiosk.

LOCATION: Inner Bair Island, Redwood City, San Mateo County (see Exhibits 1-2)

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

Exhibit 1: Project Location Map

Exhibit 2: Project Site Map

Exhibit 3: May 27, 2010 Staff Recommendation

Exhibit 4: Environmental Impact Statement/Report for Bair Island Restoration and Management Plan Don Edwards San Francisco Bay Nation Wildlife Refuge Bair Island Ecological Reserve Project (Certified January 22, 2008) Volumes I and II, and Mitigation, Monitoring and Reporting Program (also available at www.southbayrestoration.org)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160 *et seq.* of the Public Resources Code:

"The State Coastal Conservancy hereby authorizes the Executive Officer to modify the previously-approved $800,000 grant to Ducks Unlimited for construction of a pedestrian/bicycle bridge linking the San Francisco Bay Trail to Inner Bair Island in order to enable Ducks Unlimited to use up to $100,000 (one hundred thousand dollars) in bridge construction cost-savings for construction of the other public access improvements on Inner Bair Island in

Redwood City, San Mateo including trails, interpretive signs, fencing, and an information kiosk, subject to the following conditions:

1. Prior to the disbursement of funds, Ducks Unlimited, Inc. shall submit for Executive Officer review and approval a work program including budget and schedule for the improvements to be funded with the cost-savings.

2. Prior to the disbursement of funds, Ducks Unlimited, Inc. shall submit a sign plan for acknowledging Conservancy funding of the public access improvements.

3. In carrying out the project, Ducks Unlimited, Inc. shall implement all feasible Best Management Practices to reduce the project's greenhouse gas emissions, and shall require all contractors to do the same."

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 authorization is consistent with the purposes and objectives of the San Francisco Bay Area Conservancy Program, Chapter 4.5 of Division 21 of the Public Resources Code, Sections 31160-31165.
2. The proposed project is consistent with the Project Selection Criteria and Guidelines, last updated by the Conservancy on November 10, 2011.
3. Ducks Unlimited is a nonprofit organization existing under Section 501(c)(3) of the U.S. Internal Revenue Code, and whose purposes are consistent with Division 21 of the Public Resources Code.
4. The Conservancy has independently review the Environmental Impact Statement/Report for the Bair Island Restoration and Management Plan certified by the California Department of Fish and Game on January 22, 2008 pursuant to CEQA and finds no substantial evidence that the portion of the project to be funded by the Conservancy, as mitigated, will have a significant effect on the environment."

PROJECT SUMMARY:

On May 27, 2010, the Conservancy approved the recommendation (Exhibit 3) to provide $800,000 in new funds and $200,000 in previously-authorized Bay Trail funds for construction of a 175-foot bicycle/pedestrian bridge connecting the nearest public road with the planned trails on Inner Bair Island. Ducks Unlimited, Inc. (DU) constructed this bridge as part of its larger effort working with the US Fish and Wildlife Service (US FWS) to implement the Bair Island Restoration and Management Plan, completed in August 2006 with funding from the Conservancy, US FWS, and Peninsula Open Space Trust (POST). This Plan calls for tidal restoration of the 1,400 acre Bair Island complex (which consists of three separate islands: Inner, Middle, and Outer Bair) and public access improvements on Inner Bair. The public access components in the Plan include re-configuring and shortening of the existing 3-mile Inner Bair

perimeter trail to allow two levee breaches in the historic Smith Slough meander and to decrease public impacts to sensitive clapper rail habitat. Two separate, ADA-compliant out-and-back trail segments with overlook platforms will be constructed for a total of 1.8 miles of trail. The previously-approved bicycle/pedestrian bridge was needed to connect the trails to both the parking and restroom area and to connect Inner Bair with the Bay Trail. (The trails on Inner Bair are currently a spur of the Bay Trail but the long term Bay Trail plan is to make a portion of Inner Bair part of the Bay Trail spine.) Other public access improvements include an informational kiosk at the trailhead near the bridge, interpretive signs, and fencing or other low barriers to separate visitors from sensitive wildlife areas and the San Carlos Airport Safety Zone (see Exhibit 2 for site plan).

The bicycle/pedestrian bridge was installed in 2012. Due to lower than expected costs for fabricating and installing the bicycle/pedestrian bridge, DU saved $90,127.00 in bridge construction costs. Staff recommends that the Conservancy allow DU to use up to $100,000 from the bridge construction budget towards the costs of constructing the remaining public access improvements described above. To complete these improvements, DU needs an additional $1.16 million and is working with Conservancy staff to secure funding from other grant programs. This cost estimate does not include the Inner Bair Island restroom and parking lot as these will be constructed by South Bayside System Authority (SBSA) as part of their pipeline replacement project.

The ability to redirect cost-savings will greatly assist DU with completing the remaining public access improvements. This re-direction would only affect the $800,000 portion of the Conservancy's authorization and not change the authorization in regards to the $200,000 of Bay Trail funding.

Site Description: The Bair Island complex is divided into three distinct areas separated by slough channels: Inner, Middle, and Outer Bair Islands. Nearly all of Bair Island is owned by the US Fish and Wildlife Service (USFWS) and the California Department of Fish and Wildlife (DFW). USFWS, however, manages and oversees the restoration project on DFW property pursuant to a Memorandum of Understanding signed in 1997 by DFW and USFWS.

Project History: Historically, Bair Island was part of a large complex of tidal marsh and mudflats within the drainages of Redwood Creek and Steinberger Slough in San Francisco Bay. Bair Island was originally diked off for agricultural purposes and subsequently converted to salt ponds like much of the South Bay. Finally, after salt production was abandoned, various development schemes were proposed for Bair Island through the 1980s and 90s. After a well-publicized campaign by Bay Area environmental groups to prevent development and restore Bair Island to tidal marsh, several privately-owned sections of Bair Island were acquired by the Peninsula Open Space Trust and transferred to USFWS and DFW. In 1998, the Conservancy authorized $100,000 towards an Enhancement Plan for Bair Island, which was the largest wetland restoration effort in the Bay at that time, and an additional $127,000 for technical studies in 2001. After completion of the Enhancement Plan and EIS/R in 2008, other organizations have stepped in to fund wetland implementation. DU secured grants from Wildlife Conservation Board, NAWCA, and a private foundation to complete restoration of Outer Bair Island by breaching levees and blocking interior ditches in January 2009. The Port of Redwood City, US Army Corps of Engineers, and a private dirt contractor helped speed the restoration of Inner Bair Island through the placement of dredged or upland-sourced material to raise the marsh plain and

to reduce the potential for bird-strike hazards at the adjacent San Carlos Airport and to protect the South Bayside System Authority sewer line. In May 2010, the Conservancy authorized $1,000,000 to DU for public access improvements on Inner Bair Island. And finally, the Conservancy has provided $214,000 in direct funding and $1.5 million in grant funding for the restoration of wetlands at Middle Bair Island (May 19, 2011 and August 2, 2012).

PROJECT FINANCING:

Bicycle/Pedestrian Bridge Costs (revised)	$1,225,000
Public Access Improvements (Trails, Overlooks, Information Kiosks, Interpretive Signs, Fencing)	$1,160,000
Total Inner Bair Island Public Access Costs	$2,385,000

The Conservancy's contribution will come from the "Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006" (Proposition 84). See Public Resources Code section 75001 et seq. This funding source may be used for San Francisco Bay Area Conservancy Program projects that promote access to and enjoyment of coastal resources. Public Resources Code section 75060(c). Accordingly, Proposition 84 funds may be used for construction of the proposed public access improvements at Inner Bair Island. The Conservancy's contribution originally consisted of two parts: $200,000 (as a portion of the $3,000,000 SF Bay Trail Block Grant #4) and an additional $800,000 contribution. This authorization only affects the $800,000 in Conservancy funding as all Bay Trail funds were used for bridge construction.

In addition to the Conservancy's $1 million contribution for the bridge, Ducks Unlimited has secured $300,000 from the City of Redwood City and is providing $15,000 of in-kind staff time. Peninsula Open Space Trust (POST) has also provided $1.19 million towards public access and wetland restoration work on Inner Bair and wetland restoration work on Middle Bair Island. How much of this funding is available for Inner Bair cannot be determined, however, until Middle Bair Island project (Conservancy project no. 98-042-02) is complete in April 2013. In the meantime, Ducks Unlimited is seeking additional funds from other grant sources and is working with the contractor to lower construction costs as much as possible for the remaining public access and habitat restoration work needed to complete Inner Bair.

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.

The proposed project is consistent with Section 31162(a) because it will improve public access to and around the bay by providing a connection to a regional trail system (the San Francisco Bay Trail) and it will provide trail-related facilities such as overlook platforms, interpretive signs and an informational kiosk. The proposed project will not have a significant adverse effect on agricultural operations, environmentally sensitive areas or wildlife. In addition, as described in greater detail in the CEQA section of this report, the proposed project is consistent with locally

adopted general plans. Consistent with Section 31162(c), the proposed project is supported by an adopted regional plan (see the "Consistency with the San Francisco Bay Plan"). Consistent with Section 31163(c), the project serves a regional constituency, can be implemented in a timely way, and includes matching contributions from other sources of funding or assistance.

CONSISTENCY WITH CONSERVANCY'S 2013-2018 STRATEGIC PLAN GOAL(S) & OBJECTIVE(S):

The proposed authorization is consistent with the Conservancy's updated 2013-2018 Strategic Plan Goal 12, Objective B to implement projects that provide recreational facilities such as picnic and staging areas, docks and piers, campgrounds, parking lots, interpretive signs, interpretive or educational centers, and natural play spaces.

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 November 10, 2011 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:** See letters of support attached to May 27, 2010 staff recommendation (Exhibit 3).
4. **Location:** The proposed project is located on the Bay Trail alignment, along the Bay shoreline.
5. **Need:** Not re-directing the bridge cost-savings to the remaining public access improvements will make completing the trail and related public access facilities on Inner Bair Island all the more challenging given the current funding shortfall.
6. **Greater-than-local interest:** The Bay Trail is a regional trail network that will be approximately 500 miles in length when completed. This authorization will help further the completion of the trail, of which some 230 miles have been completed to-date.
7. **Sea level rise vulnerability:** The larger wetland restoration project in the Bair Island complex will deepen the tidal channels throughout the marsh and increase sediment transport, thereby increasing marsh plain sedimentation in the upland areas where the pedestrian bridge was constructed and the public access improvements are planned. This will provide some additional protection from storm impacts. In addition, because of flooding concerns of the surrounding commercial and municipal users, the marsh restoration project includes construction of a levee and additional fill on Inner Bair Island to raise the elevation above the high tide mark. Based on hydrological modeling that accounts for sea level rise, a worst case scenario resulting from the restoration project would lead to a long-term increase

in peak water levels during a 100 year flood event of .02 - .06 feet (less than an inch), in the upstream channels. These peak water levels are not expected to affect the bridge or the proposed trails and other improvements.

Additional Criteria

14. **Realization of prior Conservancy goals:** see extensive Conservancy investment in wetland restoration and public access improvements at Bair Island in "Project History" section.

18. **Minimization of greenhouse gas emissions:** As part of both the wetland restoration and public access projects at Bair Island, Duck Unlimited has incorporated the following Best Management Practices (BMPs) into the construction project: BMP 2.2 – Give preference to contractors using equipment less than 10 years old; BMP 2.4 – Reduce unnecessary idling; BMP 2.5 – Require good maintenance of equipment and properly trained staff using equipment; and BMO 2.6 – Encourage engine electrification.

CONSISTENCY WITH THE SAN FRANCISCO BAY PLAN:

The proposed project is consistent with the applicable policies contained in Part IV, Development of the Bay and Shoreline: Findings and Policies, of the San Francisco Bay Plan adopted by the San Francisco Bay Conservation and Development Commission (BCDC) in January 2006.

Public Access Policy No. 8 states:

> Access to and along the waterfront should be provided by walkways, trails or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available. Diverse and interesting public access experiences should be provided which would encourage users to remain in the designated access areas to avoid or minimize potential adverse effects on wildlife and their habitat.

Consistent with Public Access Policy No. 8, the proposed project will provide a trail and trail improvements along the waterfront (Inner Bair Island). The walkway will provide a diverse and interesting public access experience that will encourage users to remain in designated public access areas (clearly-marked out-and-back trails with fencing).

Public Access Policy No. 10 states that federal, state, regional and local jurisdictions, special districts and the Bay Commission should cooperate to provide appropriately-sited, designed and managed public access, especially to link the entire series of shoreline parks, regional trail systems and existing public access areas to the extent feasible without additional Bay filling and without significant adverse effects on Bay natural resources. Closing gaps between existing public access areas is a high priority for funding. The proposed project is consistent with this policy because it will provide a new Bay Trail spur trail and create new Bay access in a manner that is appropriately sited and designed to accommodate both public access and the adjacent wetland restoration.

COMPLIANCE WITH CEQA:

In order to comply with the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA), the California Department of Fish and Wildlife (CDFW) (formerly California Department of Fish and Game or CDFG) and the U.S. Fish & Wildlife Service (USFWS) prepared a joint Environmental Impact Statement/Environmental Impact Report (EIS/R) to evaluate the potential environmental impacts of the Bair Island Restoration and Management Plan (the Plan). The EIS/R (Exhibit 4) was certified by the CDFW on January 22, 2008 pursuant to CEQA. Among the five restoration alternatives evaluated in the EIS/R, the preferred alternative of Tidal Marsh Restoration and Intermediate Public Access includes the public access improvements that are the subject of this authorization. The EIS/R calls for a number of mitigation measures to offset potential significant environmental effects of the marsh restoration project. In connection with approval of the Plan, the CDFW adopted a CEQA "Findings" document addressing each significant environmental effect and a "Statement of Overriding Considerations" for effects that are unavoidable or infeasible to mitigate. Also included in the adopted Findings document is a corresponding Mitigation Monitoring Program.

Most of the mitigation measures for the larger project are not relevant to the public access improvements that are proposed for Conservancy funding, i.e, the trail, overlook platforms, interpretive signs, fencing and information kiosks. The potential significant environmental effects of public access concern biological resources and short-term air quality impacts during construction. Design features of the proposed access improvements, management practices and implementation of mitigation measures would result in less than significant environmental impacts of the public access improvements.

Biological Resources. The proposed public access improvements will reconfigure the 3.3 mile perimeter loop trail around Inner Bair to two non-continuous segments that total 1.8 miles of trail with observation platforms at the end of each trail segment and interpretive signs along the trail and at the platforms. The long-term effect of the trail shift and new access point via the pedestrian bridge in conjunction with the marsh restoration project is that there will be an improved trail next to the restored salt marsh, which is expected to be habitat for the endangered Clapper Rail. As a result, there is the potential for nesting Clapper Rails to be disturbed by people and their dogs using the trail. However, the EIR/S ultimately concludes that the impacts of the bridge and resulting trail on the east end are not significant for two reasons. First, the primary concern with public trails near potential future Clapper Rail habitat is that dogs will disturb nesting birds and lead to nest abandonment. The restoration plan will allow dogs but only on leash and for a three month test period. If the Don Edwards San Francisco Bay National Wildlife Refuge finds that the leash requirements are not being followed, it will prohibit dogs altogether. Also, the reduction of the trail from 3.3 miles to 1.8 miles will reduce potential disturbances. Second, the restoration plan will create new Clapper Rail habitat in much of Inner Bair Island so the birds will have opportunities to nest in places that are not near the public trails. Section 3.1 of the EIS/R discusses the wildlife and vegetation impacts of each action alternative of the proposed Bair Island Restoration and Management Plan. Impacts from the construction of the public access improvements are discussed in the following subsection pertaining to Alternative A.

Section 3.1.3.2, (Impacts to Special Status Wildlife Species, Future Disturbance to California Clapper Rails) states that "[p]ublic access in the vicinity of nesting California Clapper Rails has

the potential to disrupt breeding. There are situations where rails are known to nest in close proximity to public trails (e.g., Palo Alto Baylands, Luameister Tract, Greenbrae boardwalk, and numerous trails within the Don Edwards San Francisco Bay National Wildlife Refuge (NWR)). Rails nesting in areas with public use may become somewhat accustomed to people, but they are very vulnerable to dogs. The reproductive success of these birds is unknown. A substantial increase in public use of the area, especially associated with unleashed dogs, may result in some disturbance. Disturbance of rails and other nesting waterbirds can lead to abandonment of nest and chicks, resulting in increased reproductive success (Albertson 1995, Rodgers and Smith 1995, Carney and Sydeman 1999, USFWS 2001)."

The EIS/R notes that "moderate public access under Alternative A would not increase public access in new areas, and leash restrictions, if followed, may reduce the potential for such disturbance. Additionally, the extensive tidal restoration proposed for Inner Bair Island would provide extensive, more isolated nest locations than the current strip marsh surrounding Inner Bair Island. However, the new habitat created under Alternative A will provide nesting habitat for rails in close proximity to areas used by humans. This potential for disturbance from humans and dogs on rails will be offset somewhat by a decrease in the total length of the recreational trail from 3.3 miles to 1.8 miles. The pedestrian bridge access at the east end of Inner Bair Island will incorporate design features to discourage predator passage, thus limiting terrestrial access by predators. The potential for long-term disturbance therefore is less than significant."

Air Quality, Short-Term. In Section 3.13, the EIS/R discusses potential short-term air quality impacts from construction of Alternative A and does not discuss air quality related only to installation of the public access improvements, which are a small part of the overall project. Because Alternative A includes significant marsh restoration, the EIS/R anticipates that "construction activities, including construction vehicle traffic and wind blowing over exposed earth, would generate exhaust emissions and fugitive particulate matter (i.e. dust) emissions that would affect local and regional air quality. Construction activities are also a source of organic gas emissions. Solvents in adhesives, thinners, and some construction materials would evaporate into the atmosphere and would participate in the photochemical reaction that creates urban ozone."

The EIS/R states that "due to the increase in wetland vegetation on the project site over time, net air quality should improve as a result of this project. There may be short term negative impacts during placement of dredge and fill material and construction, especially in terms of dust and odor production but this should be only during construction."

Section 3.13.2 of the EIS/R outlines mitigation measures prepared by the Bay Area Air Quality Management District to offset the significant air quality impacts associated with dust generation during construction. These measures include:

- Sweep streets daily if visible soil material is carried onto adjacent public streets;
- Limit traffic speeds on unpaved streets to 15 mph;
- Replant vegetation in disturbed areas;
- Water or cover all stockpiles of soil that can be blown by the wind;
- Sweep daily with water sweepers the paved access roads, parking areas and staging areas at construction site.

The EIS/R concludes that with implementation of the mitigation measures listed above, Alternative A "would not result in significant construction impacts."

Air Quality, Long Term. Section 3.4.3 of the EIS/R states that "the Action Alternatives may result in slight increases in traffic to and from the Bair Island parking lot once the public improvements (i.e. restrooms, improved trails, and observation decks) have been completed." Since the land uses would remain the same and existing parking is adequate to serve the site, Alternative A is "not anticipated to generate trips that would result in substantial long-term air quality impacts."

Recreational Resources. In Section 3.14.3.2, the EIS/R discusses the consistency with existing or proposed public access plans and the impacts to recreational facilities.

Currently, the Bay Trail Plan has a designated spur trail along Inner Bair Island. The EIS/R concludes that Alternative A would "improve the designated Bay Trail on Inner Bair Island and the connector trail to the parking lot along Bair Island Road and is consistent with the existing Bay Trail Plan." Allowing cost-savings from the pedestrian/bicycle bridge to be directed towards public access improvements will help implement Alternative A. In addition to the predator resistant bridge, these improvements include a 1.8 mile levee trail upgraded to meet Americans With Disabilities Act standards, orientation kiosks, interpretive signs and wildlife viewing platforms.

The proposed public access will enhance the public's opportunity for wildlife observation and environmental education as well as the visitors' appreciation of the natural resources at this site. The EIS/R concludes that "implementation of Alternative A would not result in physical deterioration or an adverse effect to recreational facilities."

Conformance with Relevant Plans, Goals and Policies. Section 2.5 of the EIS/R finds the proposed project is in conformance with the stated goals of the City of Redwood City Strategic General Plan. The following is a summary of relevant polices and objectives of the General Plan that would apply to the project;

Open Space Objective 3 states to "provide a network of trails and pathways through redwood City in order to enhance the City's recreational opportunities."

Conservation policy 3 states "environmentally unique open spaces such as San Francisco Bay, its tributaries, sloughs and marshlands should be protected and enhanced for conservation and recreation purposes."

Hydrology and Water Quality, Land Use, Socioeconomic and Environmental Justice, Geology, Farmlands, Wild and Scenic Rivers, Coastal Zone and Coastal Barriers, Public Health and Safety, Cultural Resources, Visual/Aesthetics Resources. The proposed project consists of construction of 1.8 miles of trail, information kiosks, interpretive signs, overlook platforms and fencing. There are no anticipated short-term or long-term impacts associated with these issue areas.

Based on the foregoing, Conservancy staff concludes that the proposed public access improvements pose no potential for significant environmental impacts. Accordingly, staff recommends that the Conservancy find that there is no substantial evidence that the proposed

project, as mitigated, will have a significant effect on the environment. Staff will file a Notice of Determination upon the Conservancy's approval of the project.