

COASTAL CONSERVANCY

Staff Recommendation

December 5, 2013

SOUTH BAY SALT POND RESTORATION: PHASE II PLANNING

Project No. 02-070-03

Project Manager: Brenda Buxton

RECOMMENDED ACTION: Authorization to disburse up to \$3,016,000 for planning and related work associated with development of Phase II projects of the South Bay Salt Ponds Restoration Project, of which \$796,000 will be reimbursed by the United States Environmental Protection Agency.

LOCATION: San Francisco Bay, south of the San Mateo Bridge, in Alameda, San Mateo, and Santa Clara Counties (Exhibit 1)

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

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

Exhibit 2: [November 10, 2011 Staff Recommendation](#)

Exhibit 3: [Alviso and Ravenswood Pond Complexes](#)

Exhibit 4: [Eden Landing Pond Complex](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31000 *et seq.* of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of up to two million two hundred twenty thousand dollars (\$2,220,000) of Conservancy funds to be used for work associated with completing planning for Phase II of the South San Francisco Bay Salt Pond Restoration Project. The Conservancy further authorizes the disbursement of up to seven hundred ninety-six thousand dollars (\$796,000) from the United States Environmental Protection Agency (EPA) for this purpose.

The funds will be used for engineering and environmental services, design and planning, project management, public outreach, adaptive management and applied studies, and other work associated with completing planning for Phase II. These disbursements include:

1. Up to five hundred thousand dollars (\$500,000) to the United States Geological Survey (USGS) for adaptive management and applied studies. Prior to the
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disbursement of any Conservancy funds for any study, USGS shall submit for the review and approval of the Conservancy's Executive Officer a work program for that study, including schedule and budget, and the names of any contractors it intends to use to complete the study.

2. Up to thirty thousand dollars (\$30,000) to the Resources Legacy Fund (RLF) for adaptive management and applied studies. Prior to the disbursement of any Conservancy funds for any study, RLF shall submit for the review and approval of the Conservancy's Executive Officer a work program, including schedule and budget, and the names of any contractors it intends to use."
3. Up to forty thousand dollars (\$40,000) to the San Francisco Estuary Institute (SFEI) for website maintenance and data management at www.southbayrestoration.org. Prior to the disbursement of any Conservancy funds, SFEI shall submit for the review and approval of the Conservancy's Executive Officer a work program, including schedule and budget, and the names of any contractors it intends to use."

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 Conservancy's current Project Selection Criteria and Guidelines.
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 Conservancy's mandate to address the resource and recreational goals of San Francisco Bay Area.
3. The Resources Legacy Fund and the San Francisco Estuary Institute are nonprofit organizations 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."

PROJECT SUMMARY:

This authorization would allow the Conservancy to provide \$2,200,000 to continue planning for the second phase of restoration, public access and flood protection projects for the South Bay Salt Pond (SBSP) Restoration Project, a multi-agency effort to restore 15,100 acres of former Cargill salt ponds in South San Francisco Bay. This authorization would fund work associated with Phase II planning which includes engineering and environmental services, design and planning, project management, including funding for Executive Project Manager and Lead Scientist services, public outreach, website and data management, and as part of the Adaptive Management Program, applied studies that are an integral part of project planning and implementation. This authorization also would allow the Conservancy to disburse \$796,000 from the U.S. Environmental Agency (EPA) San Francisco Bay Area Water Quality Improvement Fund (SFBAWQIF). An additional \$70,000 of EPA grant funds would go towards Conservancy project management and administrative costs.

Phase II Planning: Activities to Date and Next Steps

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The Conservancy provided \$2,500,000 (\$475,000 of which is being reimbursed by the Wildlife Conservation Board) for Phase II design and planning work on November 10, 2011. The potential Phase II projects were described in the November 10, 2011 staff recommendation (Exhibit 2). In the last two years, the Conservancy's consultant team has completed a feasibility-level analysis of proposed Phase II projects in the Alviso and Ravenswood Pond Complexes and issued a Notice of Preparation/Intent for the Environmental Impact Report/Statement (EIR/S) on September 16, 2013 (see Exhibit 3 for maps of Alviso and Ravenswood Ponds). With the remaining funding, the Draft EIR/S is expected to be released in early 2014. For the Eden Landing Pond Complex, the feasibility-level analysis and alternatives development is nearly complete but the Eden Landing work will generally require additional time due to this project's complexity. The next phase at Eden Landing will include an Alameda County-led flood protection project as well as phased restoration of nearly 2,000 acres of former salt ponds between Old Alameda Creek and the Alameda Creek Flood Control Channel (see Exhibit 4 for map of Eden Landing ponds). Conservancy staff expects that the environmental documentation for the Eden Landing project will start in 2014.

Phase II planning includes an assessment of the potential for the SBSP Restoration Project to beneficially re-use aquatic and upland sources of earth (dredged sediment from the Bay and soil from construction projects) to construct upland transition areas and flood protection features. The draft feasibility assessment report is nearly complete. This report will enable the project to determine which areas are most feasible for aquatic material re-use and which areas are best for upland materials.

The proposed Phase II projects would provide significant flood protection, habitat and recreation improvements and would provide opportunities to make progress on the scientific uncertainties outlined in the Adaptive Management Plan. After completion of design, environmental documentation and permitting, and depending on implementation funding availability, it is expected to take 2 to 6 years to construct the projects in Alviso and Ravenswood complexes and up to 8 years to complete the flood protection project at Eden Landing. Southern Eden Landing will be restored in three separate phases. The first phase of wetland restoration would be constructed immediately after completion of the flood protection project by the County and the remaining phases will depend on the results of the Adaptive Management Program monitoring.

Conservancy staff anticipates seeking construction funding from a variety of sources including Department of Water Resources' Integrated Regional Water Management Program funding, federal funding programs, such as U.S. Fish and Wildlife Service and U.S. EPA programs, and from the SBSP project partners. Once the Phase II projects are complete, the SBSP Restoration Project will be nearly halfway complete.

Public Involvement and Outreach and Website & Data Management

This recommendation would provide funds to continue the robust public outreach program. Successful project implementation depends on a sound management structure and active public participation was described in the EIS/R as an on-going part of the project.

In particular, this authorization would provide the San Francisco Estuary Institute (SFEI) with up to \$40,000 to maintain and manage www.southbayrestoration.org and the associated project data and information on this site for approximately two additional years. After this period, the Conservancy will either have to provide additional funding or

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assume responsibility for a more scaled-back website. SFEI is a non-profit organization whose mission is to foster development of the scientific understanding needed to protect and enhance the San Francisco Estuary through research, monitoring and communication. SFEI's staff of wetlands scientists and information specialists have successfully managed the database and web site. The data and information sharing that the website has allowed has greatly benefited the SBSP Restoration Project as well as other wetlands restoration projects in the Bay. The website is where the project participants (scientists, landowners, funders, etc.) share and archive data, science reports, project photos, monitoring reports, and permits. The website also serves an important public information and outreach function.

Adaptive Management Implementation

The South Bay Salt Pond Restoration Project has an Adaptive Management Plan to guide the project through the significant scientific uncertainties associated with a project of this scale. This authorization would include up to \$500,000 for USGS and \$30,000 for RLF to undertake additional studies and monitoring to support implementation of the Adaptive Management Plan. USGS is recommended for funding because it has the leading experts for many of the proposed applied studies (e.g. mercury methylation, bird ecology). RLF is also recommended as it is a grant-making organization with extensive experience administering grants for environmental restoration and protection, including many applied studies associated with the SBSP Restoration Project's Phase I.

In 2012, the Conservancy was also successful in securing \$500,000 from the EPA to fund Adaptive Management activities. These funds were used for additional mercury monitoring (approved at Conservancy October 18, 2012 meeting). The results of Adaptive Management studies are being used to improve future design and avoid undesired impacts. Examples include:

- Recently completed analysis of bird use of the islands constructed at Pond SF2 provided information about bird preferences for island shape, size, and density. This data was then used to re-design the islands at Ponds E12 and E13 (under construction).
- Analysis of the mercury methylation process in the Alviso area is being used to adjust the management of the water control structure at Pond A8.
- A study of public access impacts on birds and their flushing distances indicate that shorebirds need the smallest amount of buffers, compared to other bird species. This has led the SBSP Project Management Team to select shorebird habitat as the goal for the Ponds R5 and S5 since these ponds are adjacent to existing heavily-used trails.
- A trail user satisfaction survey indicated that trail connections were very important to trail users leading the project to emphasize creating connections as much as possible.

South Bay Salt Pond Restoration Project Phase I Update

Phase I construction started in 2009 and the last Phase I project will be complete in 2014. The status of Phase I actions are:

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Ponds E12/13 managed ponds and public access facilities	Earthwork completed in 2013. Water control structures and public access features on-going; to be completed in 2014.
Bayfront Park overlook	Completed August 2010.
Moffett Field Bay Trail	Completed September 2010.
Pond SF2 managed pond and public access facilities	Completed September 2010.
Pond A6 tidal restoration	Completed December 2010.
Pond A8 muted tidal restoration	Completed June 2011.
Ponds E9/8A/8x tidal restoration	Completed September 2011.
Pond A16/17 managed pond and tidal restoration and public access improvements	Completed January 2013.

At the completion of Phase I, 3,040 acres will have been restored to tidal or muted tidal habitat, 710 acres will have been re-configured as a managed pond habitat, seven miles of trails and one project overlook will have been created, and four viewing platforms and numerous interpretive signs will have been installed.

South San Francisco Bay Shoreline Study Update

The South San Francisco Bay Shoreline Study (the “Shoreline Study”) is a feasibility study that is being jointly funded by the Santa Clara Valley Water District (SCVWD), the Conservancy, and the U.S. Army Corps of Engineers under a Feasibility Cost Share Agreement. The Shoreline Study for the Alviso area has recently completed an important milestone in the Corps’ approval process. The Alternatives Formulation Briefing was held August 22, 2013 and the Administrative Draft Environmental Impact Statement/Report (EIS/R) and Feasibility Report were presented for the review of Corps’ headquarters. The project partners are currently revising the documents and anticipate releasing a public draft at the end of 2013. Once approved and funded, the Shoreline Study will enable the Corps to construct a permanent flood protection levee for the Alviso area of Santa Clara County and allow the tidal restoration of nearly 3,000 acres of former salt ponds, including Ponds A9-15, which are part of the SBSP Restoration Project, and Pond A18, which is owned by the City of San Jose. The Conservancy’s entire non-federal contribution towards the Shoreline Study has been provided and no additional funds are needed until design and construction starts or until additional studies begin in other parts of the South Bay.

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Site Description: The entire South Bay salt pond complex is spread over an area of approximately 26,000 acres. Salt ponds surround nearly the entire San Francisco Bay south of the San Mateo Bridge (Exhibit 1), on lands that were formerly tidal marsh. An estimated 85 percent of the historic tidal marshes in the San Francisco Bay-Delta Estuary have been filled or significantly altered over the past two centuries for urban development, agriculture, and salt production. Although dramatically different from 150 years ago, the South Bay's wetland habitats, including the salt ponds, tidal marshes, sloughs, mudflats, and open bay, are used by large populations of waterfowl and shorebirds, by harbor seals, and by a number of threatened and endangered species, including the California clapper rail, California black rail, California brown pelican, California least tern, western snowy plover, salt marsh harvest mouse, and steelhead trout.

Project History: In March 2003, 15,100 acres of South Bay salt ponds, along with 1,400 acres of crystallizer ponds along the Napa River, were acquired from Cargill with \$72 million from the Wildlife Conservation Board, \$8 million from the U.S. Fish and Wildlife Service, and \$20 million from the Goldman Fund, Hewlett Foundation, Moore Foundation, and Packard Foundation.

Immediately after acquisition, the landowners, California Department of Fish and Wildlife, and the U.S. Fish and Wildlife Service implemented the Initial Stewardship Plan which was designed to maintain open, unvegetated pond habitats with enough water circulation to prevent salt production and provide some habitat values. The longer-term planning effort, a 50-year programmatic level plan for restoration, flood protection, and public access that included a first phase of projects, was facilitated by the Conservancy and completed in January of 2009. (The SBSP Restoration Project EIR/S is available at southbayrestoration.org.) Phase I construction projects are nearly complete. The ponds that were not part of Phase I, nor planned to be part of Phase II, will continue to be actively managed according to the goals set forth in the Initial Stewardship Plan until further implementation planning and the appropriate adaptive management studies are completed.

PROJECT FINANCING

Coastal Conservancy	\$2,220,000
US EPA	<u>\$796,000</u>
Total Costs	\$3,016,000

\$796,000 of this authorization would derive from the US EPA's 2013 federal appropriation to the San Francisco Bay Area Water Quality Improvement Fund, the purpose of which is to protect and restore the water quality of the San Francisco Bay and its watersheds consistent with the San Francisco Estuary Partnership's (SFEP) Comprehensive Conservation and Management Plan (CCMP). The funds would be awarded specifically for the work under this proposed authorization.

The source of the remaining \$2,220,000 for this project is expected to be the Conservancy's fiscal year 2009 appropriation from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84). This funding source may be used for the protection of bays and coastal

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waters, including projects to prevent contamination and degradation of coastal waters and watersheds, projects to protect and restore the natural habitat values of coastal waters and lands, and projects and expenditures to promote access to and enjoyment of the coastal resources of the state pursuant to the Conservancy's enabling legislation, Division 21 of the Public Resources Code. See Public Resources Code section 75060. The proposed project protects coastal waters and restores natural habitat values by planning for construction of tidal wetlands and shallow water ponds that will provide habitat for numerous species as well as improve water quality. Finally, as discussed below, the project is consistent with Chapter 4.5 of Division 21.

Consistent with Proposition 84 requirements, the proposed project also includes funding for monitoring and reporting necessary to ensure successful implementation of the project objectives. See Public Resources Code section 75005(n).

Another requirement of Proposition 84 is that for projects that restore natural resources, the Conservancy give priority to projects that meet one or more of the criteria specified in Section 75071. The proposed restoration project satisfies the following specified criteria: (a) Landscape/Habitat Linkages – one of the largest wetland restoration projects on the west coast of North America, the project will facilitate wildlife movement, botanical transfer, and sustain large acreage of habitat over time, and (b) Watershed Protection – the project will contribute to long-term protection of and improvement to the water and biological quality of the San Francisco Bay.

The Conservancy provided \$2,500,000 million (\$475,000 of which is being reimbursed by the Wildlife Conservation Board) for Phase II design and planning work on November 10, 2011 (Exhibit 2). With this authorization, the Conservancy will have provided \$4.24 million and secured \$1.27 million from other grant sources for Phase II planning.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

This project would be undertaken pursuant to Chapter 4.5 of the Conservancy's enabling legislation, Public Resources Code Sections 31160-31165, to address resource goals in the San Francisco Bay Area.

The South Bay salt ponds are within the nine-county Bay Area as required under Section 31162 of the Public Resources Code.

Under Section 31162(a), the Conservancy may undertake projects to improve public access to and around the Bay, without having a significant adverse impact on environmentally sensitive areas and wildlife, such as wetlands, through completion of regional trails, local trails connecting to population centers and public facilities and which are part of a regional trail system, and through the provision of related facilities. The proposed projects will include public access improvements and recreational components.

Under Section 31162(b), the Conservancy may act to protect, restore, and enhance natural habitats and connecting corridors, watersheds, scenic areas, and other open-space resources of regional significance. The restoration of the South Bay salt ponds will restore or enhance nearly 16,000 acres of wetlands, and is a habitat restoration project of national significance.

Under Section 31162(d), the Conservancy may act to promote, assist, and enhance

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projects that provide open space and natural areas that are accessible to urban populations for recreational and educational purposes. The South Bay salt ponds will provide an important open space resource for recreational purposes.

Consistent with Section 31163(c), restoration of the South Bay salt ponds meets the following criteria: (1) is supported by adopted regional plans (*San Francisco Bay Plan, San Francisco Baylands Ecosystem Habitat Goals Report (1999)*, pp. 97, 126-139, and the *San Francisco Basin (Region 2) Water Quality Control Plan (June 29, 2013)* pp. 2-2 and 4-92), (2) is multijurisdictional (spanning three counties) and serves a regional constituency (the restoration project is of national significance and will provide a regional recreational resource), (3) can be implemented in a timely way (restoration planning is expected to take five years, at which point restoration will begin and will be implemented in a phased manner), and (4) provides opportunities for habitat, flood protection, and public access benefits that could be lost if the project is not quickly implemented.

The project is also consistent with Sections 31163(a) and (b), directing the Conservancy to participate in and support interagency actions and public/private partnerships in the San Francisco Bay Area to implement long-term resources and outdoor recreational goals.

Under Section 31104, the Conservancy may apply for and receive financial support from public and private sources.

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

Consistent with **Goal 11, Objective C** of the Conservancy's 2013 Strategic Plan, the proposed project will develop plans for restoration or enhancement of approximately 3,000 acres of wetlands. In addition, this authorization is consistent with **Goal 11, Objective A** to develop plans that provide recreation facilities and **Goal 12, Objective D** to develop plans for creation of 3.5 miles of the San Francisco Bay Trail.

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 June 4, 2009, 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 Senator Dianne Feinstein, the Richard and Rhoda Goldman Fund, the William and Flora Hewlett Foundation, the Gordon E. and Betty I. Moore Foundation, the David and Lucile Packard Foundation, Resources Legacy Fund, the California Resources Agency, California Department of Fish and Wildlife, U.S. Fish and Wildlife Service, Santa Clara Valley Water District, Alameda County Flood Control District, the San Francisco Bay Joint Venture, Save

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The Bay, The Bay Institute, National Audubon Society, Citizen's Committee to Complete the Refuge, Cargill, and many other agencies, organizations, and individuals.

4. **Location:** The South Bay salt ponds are in the nine-county San Francisco Bay Area consistent with Section 31162 of the Public Resources Code.
5. **Need:** Approximately 85 percent of the tidal marsh in San Francisco Bay has been lost since the Gold Rush, leading to dramatic losses of fish and wildlife, decreased water quality and increased turbidity in the Bay, and changes to physical processes as the size of the Estuary shrank, increasing the need for dredging and the local hazards of flooding. The need for restoration of tidal marsh in San Francisco Bay in order to aid in the recovery of at-risk species, and improve water quality and the physical health of the Bay, is well recognized among scientists and resource managers. Without the addition of Conservancy funding, these important objectives, which underlie the South Bay Salt Pond implementation projects and the Shoreline Study, would not be met.
6. **Greater-than-local interest:** Restoration of this area is of national significance and will result in the largest tidal wetland restoration project on the west coast of the United States. When combined with other restoration projects underway in San Francisco Bay, including Napa-Sonoma Marsh, Hamilton/Bel Marin Keys, Bair Island, Eden Landing, and Sonoma Baylands, the project is on scale with other national restoration efforts, such as the Everglades and Chesapeake Bay. Restoration of the South Bay salt ponds to a mix of tidal marsh and managed ponds will provide benefits to a large number of species, including migratory waterfowl and shorebirds, and aid in the recovery of several threatened or endangered species, including the California clapper rail and salt marsh harvest mouse.
7. **Sea level rise vulnerability:** Due to their location, all tidal wetland restoration projects can be vulnerable to sea-level rise impacts. However, once the marsh plain of a restored wetland is colonized by vegetation, marshes become efficient sediment traps. Hydrological modeling done as part of the South Bay Salt Ponds Restoration Project's geomorphological analysis indicates that the south Bay's wetlands are likely to keep up with an accelerated pace of sea-level rise. If sea-level rise rates are higher than modeled, it could take longer for marsh vegetation to develop or, in more extreme scenarios, may mean that the restoration sites do not evolve past the intertidal mudflat or shallow open water stage. However, much of the SBSP project area is likely to withstand the impacts from sea-level rise for several reasons. The Ravenswood and Alviso Ponds are located in the sediment-rich South Bay and Phase I projects have shown much more rapid than predicted sedimentation and colonization by vegetation. In the Eden Landing area, most of the ponds have only subsided 1 to 3 feet which reduces the amount of time necessary for these ponds to rise to marsh plain elevation. Once vegetated, the site will be more resilient to impacts of sea-level rise.

Additional Criteria

8. **Urgency:** In order to maintain project momentum, planning for subsequent phases needs to continue since it will take approximately two to three years of analysis, environmental review, and permitting before construction can begin on Phase II

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projects. The SBSP project needs to maintain the steady progress it has made on project implementation to ensure project success over the long run.

9. **Resolution of more than one issue:** The restoration of the South Bay salt ponds will provide for habitat restoration for fish and wildlife, improved water quality and flood control, and enhanced recreational opportunities.
10. **Leverage:** See the “Project Financing” section above.
11. **Innovation:** Restoration of the South Bay salt ponds is a national model for how to coordinate a scientifically sound, publicly-supported, multi-objective, multi-agency project, on scale with the Everglades and Chesapeake Bay.
12. **Realization of prior Conservancy goals:** This project builds on the Conservancy’s participation in the development of the *San Francisco Baylands Ecosystem Habitat Goals Report*, which has goals, objectives, and recommendations for restoration in San Francisco Bay, and the Conservancy’s participation in wetland acquisition and restoration projects in San Francisco Bay, including Napa Marsh, Bair Island, and Hamilton/Bel Marin Keys. This authorization builds upon previous authorizations by the Conservancy for the SBSP Project, totaling \$17.35 million in Conservancy funds and \$190 million in federal, other state agencies, local, foundation, and mitigation funding to date.
13. **Cooperation:** The Conservancy is facilitating the long-term restoration planning, working closely with Department of Fish and Wildlife and U.S. Fish and Wildlife Service, the land managers. A mix of private foundations and federal, state, and local agencies have funded the restoration planning. In addition, over 50 entities have been identified as stakeholders in this restoration project, including local, state, and federal agencies, nongovernmental organizations, special districts, and utilities, as well as the general public.

CONSISTENCY WITH SAN FRANCISCO BAY PLAN:

The South Bay salt ponds are within the permit jurisdiction of the San Francisco Bay Conservation and Development Commission (“BCDC”).

The project is consistent with the following policies of BCDC's San Francisco Bay Plan (Reprinted March 2012):

Part III: The Bay as a Resource

Fish, Other Aquatic Organisms and Wildlife (p. 16)

- To assure the benefits of fish, other aquatic organisms and wildlife for future generations, to the greatest extent feasible, the Bay’s tidal marshes, tidal flats, and subtidal habitat should be conserved, restored and increased.

Water Quality (p.19)

- The Bay’s tidal marshes, tidal flats, and water surface area and volume should be conserved and, whenever possible, restored and increased to protect and improve water quality.

Water Surface Area and Volume (p. 20)

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- Water circulation in the Bay should be maintained, and improved as much as possible.

Tidal Marshes and Mudflats (p. 23-24)

- Where a transition zone does not exist and it is feasible and ecologically appropriate, shoreline projects should be designed to provide a transition zone between tidal and upland habitats.
- Where feasible, former tidal marshes and tidal flats that have been diked from the Bay should be restored to tidal action in order to replace lost historic wetlands or should be managed to provide important Bay habitat functions, such as resting, foraging and breeding habitat for fish, other aquatic organisms and wildlife.
- Any ecosystem restoration project should include clear and specific long-term and short-term biological and physical goals, and success criteria, and a monitoring program to assess the sustainability of the project.

Part IV: Development of the Bay and Shoreline

Public Access (pp. 67-68)

- In addition to the public access to the Bay provided by waterfront parks, beaches, marinas, and fishing piers, maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline, whether it be for housing, industry, port, airport, public facility, wildlife area, or other use, except in cases where public access would be clearly inconsistent with the project because of public safety considerations or significant use conflicts, including unavoidable, significant adverse effects on Bay natural resources. In these cases, in lieu access at another location preferably near the project should be provided.
- Public access to some natural areas should be provided to permit study and enjoyment of these areas. However, some wildlife is sensitive to human intrusion. For this reason, projects in such areas should be carefully evaluated in consultation with appropriate agencies to determine the appropriate location and type of access to be provided.

COMPLIANCE WITH CEQA:

As a feasibility and planning activity, this project is categorically exempt from CEQA review under 14 California Code of Regulations Section 15262. Similarly, 14 Cal. Code of Regulations Section 15306 exempts basic data collection, research, and resource-evaluation activities which do not result in a serious or major disturbance to an environmental resource.