

COASTAL CONSERVANCY

Staff Recommendation

May 29, 2014

**BERKELEY BAY TRAIL EXTENSION: SHORELINE ACCESS STAGING AREA**

Project No. 14-003-01

Project Manager: Deborah Hirst

**RECOMMENDED ACTION:** Authorization to disburse up to \$500,000 to the City of Berkeley to construct an extension of the Berkeley Bay Trail (a spur trail to the San Francisco Bay Trail) and make improvements to the parking lot and windsurf staging area at the South Sailing Cove in the Berkeley Marina.

**LOCATION:** Berkeley Marina, City of Berkeley, Alameda County

**PROGRAM CATEGORY:** San Francisco Bay Area Conservancy

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**EXHIBITS**

Exhibit 1: [Project Location Maps](#)

Exhibit 2: [Site Photographs](#)

Exhibit 3: [Project Letters](#)

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**RESOLUTION AND FINDINGS:**

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31160-31165 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes disbursement of an amount not to exceed five hundred thousand dollars (\$500,000) to the City of Berkeley (“City”) to construct an extension of the Berkeley Bay Trail (a spur trail to the San Francisco Bay Trail) and make improvements to the parking lot and windsurf staging area at the South Sailing Cove in the Berkeley Marina, subject to the following conditions:

1. Prior to disbursement of any funds, the City shall submit for the review and approval of the Executive Officer of the Conservancy a work program, including a budget and schedule, and the names of any contractors hired to complete the project.
2. Prior to initiating construction of the project, the City shall provide written evidence to the Executive Officer of the Conservancy that all funding and permits and approvals necessary under applicable local, state, and federal laws and regulations to complete the project have been obtained.

3. Conservancy funding for the project shall be acknowledged by erecting and maintaining one or more signs near the project, the design and location of which has been reviewed and approved by the Executive Officer.”

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 Chapter 4.5 (Sections 31160-31165) of Division 21 of the Public Resources Code, regarding public access improvements to and around the San Francisco Bay.
2. The proposed authorization is consistent with the Project Selection Criteria and Guidelines last updated by the Conservancy on November 10, 2011.”

**PROJECT SUMMARY:**

Staff is recommending that the Conservancy grant up to \$500,000 to the City of Berkeley to improve a staging area and parking lot and construct an extension of the Berkeley Bay Trail at the Berkeley Marina at the South Sailing Cove, within the planned trail project known as the “Bay Trail Extension” (Exhibit 1). The staging area component of the project will consist of improvements to a 1.5-acre area of the East Parking Lot and existing windsurfing staging area (Exhibit 2). The parking area has been in use without improvement for the past 5 decades. The gravel lot is badly rutted and drains ineffectively in heavy rains, leaving puddles of standing storm water that ultimately drain without treatment into the bay. Through the proposed project, the City will relocate and lay new synthetic turf for the windsurf staging area, resurface the parking lot, improve drainage and create bioswales for storm water treatment. The project will include installation of new signage, lighting, traffic striping and trash receptacles for the staging area and parking lot.

For the trail component of the project, the City will complete a 375-foot extension of Class I trail adjacent to the Sailing Club and Adventure Playground (a portion of Segment 3 of the “Bay Trail Extension”). The larger Berkeley Bay Trail Extension, when fully implemented, will be a 1.3-mile spur trail connecting the main spine of the San Francisco Bay Trail at West Frontage Road through the southern and western areas of the Berkeley Marina. The route will travel over the recently completed first segment along the bay next to University Avenue, through the proposed improvements at the windsurf staging area at the South Sailing Basin, past the Shorebird Nature Center and along Sea Wall Drive to its planned terminus at the Berkeley Yacht Club. The small addition to be completed through the proposed project will connect Segments 1 and 2 of the Bay Trail Extension from the eastern edge of the parking lot at the South Sailing Basin to just beyond the Adventure Playground. The project will also improve access to the adjacent docks for non-motorized water access.

The City will also construct a fully-accessible restroom with showers, benches, a bike rack, a drinking fountain and trash receptacles at the South Sailing Basin parking lot. Funds for this portion of the project will come from the National Fish and Wildlife Foundation Cosco Busan

Grant Program. The completion of these project components will result in improved, barrier-free access to the Bay Trail, the Shorebird Nature Center, the Adventure Playground, the sailing clubs and the shoreline. The improvements will serve an estimated 10,000 visitors per year to this area of the Marina. The proposed project will be constructed on State of California tidelands, which have been granted in trust to the City of Berkeley in perpetuity.

As described in the Conservancy's Priority Conservation Area Grant Program staff recommendation presented at the March 27, 2014 Conservancy board meeting, the Priority Conservation Area Grant Program ("PCA Grant Program") is a pilot program initiated by Metropolitan Transportation Commission ("MTC"), with \$10 million of federal transportation funding (\$5 million for the North Bay and \$5 million for the East Bay, South Bay and Peninsula and \$2.5 million of Conservancy funds for the East Bay, South Bay and Peninsula). Based on the goals of Plan Bay Area and related legislation, Conservancy, MTC, and Association of Bay Area Governments ("ABAG") staff selected 13 projects for potential funding through the PCA Grant Program in the East Bay, South Bay and Peninsula. Six projects are recommended for Conservancy funding with state bond dollars and eight projects are being recommended for federal funding through the MTC. The project proposed in this staff recommendation will receive partial funding from both the Conservancy and MTC, if fully approved.. The projects have been selected to function as a package implementing the goals of the Conservancy, MTC, and ABAG, with a mix of public access and trail improvements, open space and agricultural land protection, and natural resource enhancement.

The City of Berkeley has the capacity to complete the proposed project, and has upgraded 50% of Marina docks, restrooms and parking lots within the past 12 years through \$12 million in grants and loans from California State Parks and Recreation Division of Boating and Waterways and other state and local sources. The City has completed successful projects for the marina with federal, state and local funding sources over the past 50 years, including multiple grants from the Conservancy for trail and access improvements.

**Site Description:** Berkeley Marina is part of San Francisco Bay and is owned by the State of California. The City of Berkeley holds the 1,100-berth Marina and surrounding open space, parks and property in trust for the State. The proposed project location is at the East Parking Lot of the South Sailing Basin in the southeast portion of the marina. The East Parking Lot is a gravel parking area that serves the recently completed Bay Trail Extension, small boat docks, Cal Adventures, Cal Sailing Club, as well as the Adventure Playground, Shorebird Nature Center, a children's play area and recreational access along the San Francisco Bay (Exhibit 2).

The exiting gravel parking lot at the South Sailing Basin is in disrepair, having never been improved since its creation decades ago. Issues of concern for the lot include rutting, puddling, and wastewater draining untreated into the bay. Safety is also a concern as the parking lot lacks clear traffic direction, striping, signage and accessible pathways. The proposed project will address both access and environmental concerns for a 1.5-acre (65,200-square foot) area, the eastern half of the parking lot. The city will address the smaller, western side of the lot (42,540-square foot) in a future project. (See Exhibit 1).

The windsurf staging area currently consists of a 3,760-square foot area of synthetic turf on top of gravel within the center of the existing parking lot. (See Exhibit 2). The proposed 6,300-square foot staging area will be located slightly farther from the water, at the request of the windsurfing community. This location will allow for more parking adjacent to the staging area, which will enable users to safely move their sailing equipment out of cars on to the new staging area synthetic turf. The new staging area and improved parking lot will also provide a safer route to walk to the water with the assembled equipment.

Though the project area is heavily used by the sailing clubs, windsurfers, kayakers, and families with small children as well as others recreating along this heavily traveled area of Berkeley Marina, the South Sailing Basin area has no restroom and no designated access for people with disabilities. The proposed project will also address the need for barrier-free access and restroom facilities.

**Project History:** The 2003 Berkeley Marina Master Plan includes recommendations for improvements to bring the Bay Trail through the marina, improve the windsurf staging area and address the parking lot in the South Sailing Basin. The Bay Trail Extension trail links areas of McLaughlin Eastshore State Park, Berkeley Marina and City of Berkeley open space. McLaughlin Eastshore State Park (ESSP) is a 1,800-acre park spanning eight miles of shoreline, including portions of the waterfronts in the cities of Richmond, Albany, Berkeley, Emeryville, and Oakland. The 2002 ESSP General Plan provides for areas set aside for habitat enhancement, environmental education, and active and passive recreation. In September of 2004, the Conservancy granted \$80,000 to the City to prepare the design drawings, plans and specifications for the Bay Trail Extension. The City completed design development work for the entire Bay Trail Extension in 2010.

Construction of the initial segments of the Bay Trail Extension on ESSP property was recently completed in June 2013, in part with Conservancy funds. The proposed project will be funded by the Conservancy and the MTC, through the PCA grant program.

## **PROJECT FINANCING**

<b>Coastal Conservancy</b>	\$500,000
Metropolitan Transportation Commission	\$500,000
National Fish & Wildlife Foundation (Cosco Busan)	\$600,000
California Division of Boating and Waterways	\$160,000
City of Berkeley Marina Fund	\$380,000
<b>Project Total</b>	<b>\$2,140,000</b>

The anticipated source of Conservancy funds is the “Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006” (Proposition 84). These funds are available for San Francisco Bay Area Conservancy Program projects under Public

Resources Code, Division 21, Chapter 4.5. Proposition 84 funds may be used for the purposes of promoting access to and enjoyment of the coastal in accordance with the provisions of the Conservancy's enabling legislation. (Public Resources Code (PRC) § 75060). This authorization will provide and enhance public access to San Francisco Bay, consistent with Proposition 84. The proposed project will be undertaken pursuant to the San Francisco Bay Area Conservancy Program (Chapter 4.5 of Division 21 of the PRC), as described below.

MTC required a 3:1 minimum match requirement for PCA funds, with Conservancy funds counting as part of the match. There is also a federal requirement that not less than 11.47 percent of total project costs come from non-federal sources. Both of these minimum match requirements have been met.

### **CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:**

The proposed project is consistent with Chapter 4.5 of Division 21, Sections 31160-31165 of the PRC regarding the San Francisco Bay Area Conservancy Program. The project is located in Alameda County, one of the nine San Francisco Bay Area counties as required by Section 31162.

Under Section 31162(a), the Conservancy may award grants that will “improve public access to, within, and around the bay, coast, ridgetops, and urban open spaces, . . . through completion . . . of regional bay, coast, water, and ridge trail systems . . . which are part of a regional trail system and are consistent with locally and regionally adopted master plans and general plans”. The proposed trail extension is part of the San Francisco Bay Trail system and an area at Berkeley Marina that serves visitors from the Bay Area and beyond. The proposed project will enhance bay access by pedestrians, bicyclists, windsurfers and others as provided in with the San Francisco Bay Conservation and Development Commission's *San Francisco Bay Plan* (as amended 2002), the Association of Bay Area Governments' *The Bay Trail Plan* (1989), California Department of Parks and Recreation – 2002 ESSP General Plan and Environmental Impact Report, and the *City of Berkeley General Plan - Bicycle Master Plan* (2002) and *City of Berkeley's Marina Master Plan* (2003). Construction of the trail and parking lot renovation will not adversely impact agricultural operations, environmentally sensitive areas or wildlife.

Under §31162(d), the Conservancy may “promote, assist, and enhance projects that provide open space and natural areas that are accessible to urban populations for recreational and educational purposes.” Improvement of the windsurfing staging area, parking lot, trail segment and dock areas will make a natural area, the San Francisco Bay, more accessible to the nearby urban population consistent with section 31162(d).

The proposed project also satisfies each of the five criteria for determining project priority under Section 31163(c) in the following respects: (1) the project is supported by relevant adopted local or regional plans as discussed above; (2) the project serves a regional constituency because it enhances the Berkeley Marina and the San Francisco Bay Trail, which serve the residents of the Bay Area and numerous visitors to this locale, as discussed above; (3) the project will be implemented in a timely manner; (4) the project provides the opportunity for the City to effectively leverage federal funds to complete adjacent improvements which may be lost if the project is not quickly implemented; (5) matching funds from the grantee and others have been approved.

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

Consistent with **Goal 12, Objective B**, the project will implement projects that construct recreational facilities including the windsurfing staging area, areas for bicycling, walking, and non-motorized boating; and,

Consistent with **Goal 12, Objective E**, the project will construct a segment of the San Francisco Bay Trail, a 375-foot section of the Bay Trail Extension at Berkeley Marina; and,

Consistent with **Goal 12, Objective L**, the project will expand opportunities for barrier-free access to natural resources by constructing accessible improvements for the parking lot, staging area and docks on San Francisco Bay at Berkeley Marina.

**CONSISTENCY WITH THE SAN FRANCISCO BAY PLAN:**

The proposed project is consistent with the applicable Public Access Policies contained in Part IV, Development of the Bay and Shoreline: Findings and Policies, of the *San Francisco Bay Plan* amended by the San Francisco Bay Conservation and Development Commission (BCDC) in October 20011.

Public Access Policy No. 10 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. 10, the proposed project will provide a walkway along the waterfront (the City of Berkeley shoreline), and will provide a diverse and interesting public access experience (a shoreline trail adjacent to San Francisco Bay) that will encourage users to remain in designated public access areas that avoid or minimize adverse effects on wildlife and their habitat. Similarly, the improved staging area will provide a diverse and interesting public access experience to the San Francisco Bay. Potential adverse effects on wildlife and their habitat will be minimized by improving previously developed areas for the staging area and trail improvements.

Public Access Policy No. 11 states:

Federal, state, regional and local jurisdictions, special districts and the Commission [BCDC] should cooperate to provide appropriately sited, designed and managed public access, especially to link the entire series of shoreline parks, regional trail systems (such as the San Francisco Bay Trail) 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 BCDC and the Conservancy. The proposed project is consistent with this policy in that it will implement an appropriately designed staging area project that will provide public access and will link up with

an existing San Francisco Bay Trail segment in a shoreline park area without additional Bay fill and without significant adverse effects on Bay natural resources.

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

The proposed projects are 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 funding source:** See the "Project Financing" section above.
- 3. Support from the public:** The project has support from a wide variety of community groups, park constituents, and elected representatives including Congresswoman Barbara Lee, State Senator Loni Hancock, State Assembly Member Nancy Skinner and City of Berkeley Mayor Tom Bates. See Exhibit 3 for project letters.
- 4. Location:** The project is located on the eastern shore of San Francisco Bay in Alameda County and will enhance access to and stewardship of San Francisco Bay.
- 5. Need:** Conservancy funding is needed in order for the City to complete the project as proposed. Without Conservancy funds, the City will not be able to construct the staging area and parking improvements necessary to complete public access improvements at the South Sailing Basin where the new accessible restroom is being constructed with federal funds.
- 6. Greater-than-local interest:** The proposed staging area and Bay Trail Extension segment will enhance access for local, regional and international visitors to the Bay Area. Located near major freeways and other transportation routes, the Berkeley Marina is a major destination for pedestrians, cyclists, sailing and windsurfing enthusiasts, kayakers and canoes, fishing and wildlife enthusiasts, and others seeking to recreate on San Francisco Bay.
- 7. Sea level rise vulnerability:** The Bay Trail Extension will be located at an elevation of approximately 12 feet, or about 4 meters (m), above mean lower-low water. Current sea-level rise predictions are that there will be a rise in average water surface elevations of 0.4m by year 2050 and a 1.4m rise by 2100. Therefore the trail will not be subject to inundation by tidal waters due to sea level rise within the lifetime of the project. Likewise, the windsurfing staging area will be built at the elevation of the streets and parking lot and will be above anticipated flood elevations for decades.

**Additional Criteria**

- 8. Urgency:** The City must undertake this project quickly in order to take advantage of the mobilization for the construction of the new restroom at the South Sailing Basin using funds secured from the National Fish and Wildlife Foundation's Cosco Busan Grant Program. This will achieve cost savings in construction mobilization and will reduce disruption to the public's access to the site.
- 9. Resolution of more than one issue:** The proposed project will enhance public access via a new staging area and link to the Bay Trail while also reducing wastewater run-off from the existing, degraded gravel parking lot at the South Sailing Basin by resurfacing the parking lot, improving drainage and creating bioswales for waste water treatment.
- 10. Leverage:** See the "Project Financing" section above.
- 11. Conflict resolution:** The project will address the need for safe access to the Bay from the existing parking lot and Bay Trail Extension, and provide new accessible restrooms and appropriate parking that were not previously available at the South Sailing Basin in Berkeley Marina.
- 12. Readiness:** The City is ready to complete the proposed project, and has staff and experience necessary to implement the project successfully.
- 13. Realization of prior conservancy goals:** See "Project History" section above.
- 13. Minimization of Greenhouse Gas Emissions:** The trail segment and windsurf staging area will be constructed using best management practices to limit greenhouse gas emissions during construction. The proposed project will provide improved access to the Bay shoreline for non-motorized recreation (pedestrians, cycling, boating, nature viewing, and fishing) that is located adjacent to a highly-dense and urbanized population. This will likely result in reduced vehicle miles traveled and reduced greenhouse gas emissions associated with transportation to high-quality water access points farther from Berkeley Marina.

**COMPLIANCE WITH CEQA:**

The City of Berkeley filed a Notice of Exemption on June 3, 2011 for the proposed project which includes the renovation of the existing parking lot and windsurf staging area and construction of the new restroom to be completed at the South Sailing Basin. The City secured NEPA approval for the first segment of the Bay Trail Extension on December 11, 2011, and will prepare an amendment to the NEPA clearance for the proposed project (approval is anticipated in Spring 2015).

The proposed project is categorically exempt from review under the California Environmental Quality Act (CEQA) pursuant to Section 15301 (Title 14 California Code of Regulations (CCR)), which exempts minor alterations or renovations of existing public structures and facilities involving negligible expansion of existing use. The staging area, trail and parking lot improvements to be constructed will be located on previously developed areas and will consist of minor alteration of existing facilities and involve negligible expansion of existing use.

With respect to the restroom facility, construction of the small building to house the new restroom is exempt pursuant to 14 CCR §15303 pertaining to construction of limited numbers of new, small facilities or structures. This exemption includes the construction of sewage, electrical and street improvements of a reasonable length to serve such construction. Staff have considered the project as whole and do not consider there to be any unusual circumstances which would disallow the use of the categorical exemptions for this project. (14 CCR § 15300.2).

Staff will file a Notice of Exemption upon approval of the project.