

COASTAL CONSERVANCY

Staff Recommendation
January 29, 2015

SAN FRANCISCO BAY AREA WATER TRAIL ACCESSIBILITY PLAN

Project No. 07-017-02
Project Manager: Ann Buell

RECOMMENDED ACTION: Consideration and adoption of the *San Francisco Bay Area Water Trail Accessibility Plan*

LOCATION: San Francisco Bay, its shoreline, and tributaries (Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties) (Exhibit 1)

PROGRAM CATEGORY: San Francisco Bay Area Conservancy

EXHIBITS

Exhibit 1: [Project Location Map](#)

Exhibit 2: [San Francisco Bay Area Water Trail Accessibility Plan](#)

Exhibit 3: [Photographs of Transfer Systems](#)

Exhibit 4: [Project Letters](#)

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 adopts the *San Francisco Bay Area Water Trail Accessibility Plan*, designed to provide guidance and recommendations to assist Conservancy staff, project cooperators, and the owners of potential and designated Water Trail sites in achieving the goal of making the San Francisco Bay Area Water Trail program, when viewed in its entirety, accessible to qualified persons with disabilities.”

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 adoption is consistent with Chapter 4.5 of Division 21 of the Public Resources Code (Sections 31160 *et seq.*), regarding the Conservancy’s mandate to address the resource and recreational goals of the San Francisco Bay Area.

2. The proposed adoption is consistent with the Project Selection Criteria and Guidelines adopted by the Conservancy Board on October 2, 2014.”
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PROJECT SUMMARY:

The *San Francisco Bay Area Water Trail Accessibility Plan* (“*Accessibility Plan*”) is an informative, unique, and practical plan designed to assist Conservancy staff, project cooperators, and the owners of potential and designated Water Trail sites achieve the goal of making the San Francisco Bay Area Water Trail (“Water Trail” or “WT”), when viewed in its entirety, accessible to qualified persons with disabilities (Exhibit 2). Staff recommends that the Conservancy adopt the *Accessibility Plan* to help achieve this goal and guide staff’s efforts to meet the Conservancy’s obligations under Title II of the Americans with Disabilities Act (“ADA”) regarding programmatic accessibility of the Water Trail, for which the Conservancy is project lead.

The Water Trail was created through legislation (AB 1296, 2005) to help improve access to the Bay and its shoreline for non-motorized small boat (“NMSB”) users around the nine-county Bay Area. NMSBs for this project are defined as any type of paddle or rowing vessel (e.g., kayak, canoe, stand up paddleboard, dragon boat, rowboat, whale boat, scull, outrigger canoe) or sailboard (windsurf board or kite board). The WT promotes safe and responsible use of the Bay by users of these watercraft, at a variety of sites, while also protecting and increasing appreciation of the environmental and cultural resources of the Bay through education and strategic access.

Project implementation is led by Conservancy staff in close collaboration with the Association of Bay Area Governments (“ABAG”), San Francisco Bay Conservation and Development Commission (“BCDC”), and California Department of Parks and Recreation’s Division of Boating and Waterways (“Cal Boating”). These four agencies comprise the Project Management Team (“PMT”). An Advisory Committee (“AC”) representing a broad range of interests and expertise deepens the understanding of the managing agencies and the site owners and managers, as do members of the public who actively participate in the public meetings at which trailhead designation and other Water Trail decisions are made.

The *Accessibility Plan* follows upon and was anticipated by two Water Trail documents previously reviewed and approved by the Conservancy: 1) *San Francisco Bay Area Water Trail Plan Environmental Impact Report* (“Water Trail EIR”) and 2) *San Francisco Bay Area Enhanced Water Trail Plan* (“Water Trail Plan”). See “Project History,” below, for more detail.

The Water Trail Plan, as adopted, identified 28 strategies for the development and management of the Water Trail. Of these, two strategies specifically focused on ensuring that the Water Trail be accessible for all users, including persons with disabilities. Strategy 10, addressing “Accessibility,” sets forth the principle that Water Trail launch facilities be developed and improved so that they are accessible for persons with disabilities and provides that:

Trail head facilities should be made accessible to trail users with disabilities and people of all abilities. In designing accessible facility improvements or entirely new facilities as

part of trail head designation, launch site managers should seek guidance from the access design guidelines (Strategy 5) and the water trail Advisory Committee.

In turn Strategy 5, “Design Guidelines” proposes the development of guidelines, as follows:

To address the needs of all trail users, design guidelines should be developed that facilitate consistently durable, accessible and functional facilities....These guidelines will also assist local governments and others striving to improve trail access, by providing clear guidance on good facility design for non-motorized small boating uses.

In fulfillment of the objectives of these two strategies, the *Accessibility Plan* presents an analysis of the current access issues faced by NMSB users at potential Water Trail sites and provides design guidelines and recommendations for future site improvements that will address these issues. It synthesizes what staff has learned from Advisory Committee and public input, research, site visits, and the practical experience gained through the process of Water Trail site designation. Among other discoveries, staff found that almost all of the 100+ potential Water Trail sites identified in the Water Trail Plan would benefit from a variety of enhancements designed to improve accessibility for persons with disabilities, and that those enhancements would also benefit all site users.

The *Accessibility Plan* takes into consideration that there are both accessibility requirements mandated by law and accessibility improvements that are desirable but not required. Some accessibility improvements, such as designated parking spaces, are clearly the legal responsibility of site owners, who must develop and maintain the required number and configuration of spaces. Other accessibility improvements are desirable but may not necessarily be required under the law, such as a transfer system designed to assist a person wishing to transfer from a wheelchair into a kayak, for example (Exhibit 3). Rather than focusing only on legal requirements for access as they pertain to use of NMSBs, the *Accessibility Plan* strives to meet the higher goal of finding solutions for common barriers to accessibility that exist at many potential Water Trail sites, and to encourage site owners and managers to likewise aim for the most inclusive designs and enhancements feasible for their sites and site users.

The *Accessibility Plan* does not specify or direct which sites will make improvements and what those improvements will be, because the Water Trail does not own or manage any sites, or have regulatory powers, nor is it certain which sites will seek Water Trail designation. Nonetheless, by working together, site owners/managers and Water Trail program managers, staff, and advisors can achieve the goal of an accessible San Francisco Bay Area Water Trail program over time.

The *Accessibility Plan* is designed to help answer the following questions:

1. What specific launching and landing facility enhancements could site owners and managers install to increase site usability by persons with disabilities, whether those disabilities are permanent or temporary, and associated with mobility, visual, hearing, or cognitive impairments?
2. How do various site enhancements interrelate with the specific needs of various boat types and launch types (what would work at a beach; what would work for a kayaker; etc.)?

3. What can Water Trail program management do to achieve program-level accessibility while not owning or controlling any of the potential sites in the network, and without altering the basic nature of the program?

For Site Owners and Managers, the Accessibility Plan is designed to:

- Provide the knowledge and resources needed to implement accessibility improvements at potential Water Trail sites
- Instill an appreciation for the benefits of inclusive design
- Clarify which laws, standards, and ordinances may be applicable
- Encourage site owners to review the accessibility of facilities at their waterfront sites and make plans for improvements over time

For the Water Trail Program Managers and Staff, the Accessibility Plan is designed to:

- Define the approach for achieving program-level accessibility for the Water Trail Program
- Describe the parameters for how accessibility is evaluated in the Water Trail site designation process
- Provide data about the types and locations of facility features of existing, potential Water Trail sites, organized by geographic groupings, to help identify the locations of gaps in accessibility and suggest where to prioritize improvement efforts to achieve program-level accessibility
- Share input from the Water Trail Accessibility Sub-Committee and respondents of the Water Trail Accessibility Survey (2013)
- Provide resources to help guide decisions about grant funding for future site improvements

In sum, the *Accessibility Plan* presents the results of site visits, public input, research, and input specifically from persons with disabilities; makes recommendations for improvements to sites within each of 14 geo-regions of the Bay, to the designation process, and to information included on the Water Trail website; provides background information on pertinent laws, regulations, and standards; lists resources for further information about products or programs; illustrates enhancement ideas; and provides general cost estimates for those enhancements. It provides the guidance and recommendations needed by staff and others to make the Water Trail program, when viewed in its entirety, accessible to qualified persons with disabilities.

Site Description: The Water Trail Plan primary project area is within BCDC's jurisdictional area in the nine-county San Francisco Bay Area. Potential WT trailheads are located in a variety of settings, ranging from highly developed, to less developed, to natural areas. Highly developed areas include commercial, industrial, or residential complexes. Less developed and relatively more natural areas around the Bay include national wildlife refuges; local, regional, state, and federal parks, reserves, wildlife areas, and recreation areas; former landfill sites; portions of former military bases undergoing conversion to non-military uses; private undeveloped lands; and agricultural lands (primarily in the North Bay). In addition, salt pond complexes around the perimeter of South San Francisco Bay and along the Napa River are mostly undeveloped and provide important habitat for birds.

Regarding potential and designated Water Trail sites, each one is unique. Out of the 111 sites summarized in the *Accessibility Plan*, 47 have beaches, 43 have high-freeboard docks, 33 have boat/trailer ramps, 14 have low-freeboard docks, four have transfer systems, and five have (or soon will have) a firm surface across a beach. These and other site features are summarized by geographic region around the Bay and then for the Bay as a whole in Chapter 4 of the *Accessibility Plan*. Barriers related to path of travel from a person's arrival at a site to the launch point are also discussed in the *Accessibility Plan*, as they can render improvements to a launch unusable to persons with disabilities if arrival at the launch is obstructed or very difficult.

Project History: The WT project was initiated through the efforts of Bay Access, Incorporated, a non-profit organization formed for the sole purpose of creating a water trail for San Francisco Bay. Bay Access approached then-assembly member Loni Hancock, BCDC staff, and Conservancy staff with the idea for the water-oriented, regional trail, which would improve access to Bay Area open space and natural areas for recreational and educational purposes, consistent with purposes of the San Francisco Bay Area Conservancy program, and complementary to prior Conservancy support for the Bay Trail and other projects intended to improve access to the shoreline of the Bay. These early meetings resulted in Assembly Bill 1296 (Hancock) - the Water Trail Act - signed by Governor Schwarzenegger in September 2005 and integrated into the enabling legislation of the Conservancy in Sections 31162(a), and 31163(d)(1) through (6) of Division 21 of the California Public Resources Code (see "Consistency with Conservancy's Enabling Legislation" and "Consistency with San Francisco Bay Plan," below).

After the legislation was passed, BCDC led the development of the Water Trail Plan with a steering committee comprised of public agencies, non-profit organizations, and other stakeholders, including the general public. Conservancy staff worked closely with BCDC and the steering committee throughout this planning phase.

Conservancy staff then took the lead on compliance with the California Environmental Quality Act ("CEQA"), developing with the assistance of consultants and project partners at BCDC, Cal Boating, and ABAG, the Water Trail EIR. At the Conservancy's March 17, 2011 meeting, the Conservancy certified the Water Trail EIR, adopted the Mitigation, Monitoring and Reporting Program for the Water Trail EIR, adopted the Water Trail Plan, and authorized a \$1,000,000 grant to ABAG to develop and implement various projects for the Water Trail. The 2011 authorization to ABAG contemplated a subsequent augmentation, based on successful management of the first grant. Successful management occurred and led to an augmentation (\$750,000) to the ABAG grant by the Conservancy on October 10, 2013.

Upon certification of the Water Trail EIR, Conservancy staff initiated regular public meetings through which potential WT sites could be designated by the PMT with Advisory Committee (AC) consensus-based support. The WT Education, Outreach, and Stewardship plan was embraced by the PMT and AC in the first two public implementation meetings, paving the way for increased WT outreach activities to be led by the Water Trail Planner, working under the authorized grant to ABAG. To date, nine sites around the Bay Area have been conditionally or fully designated into the Water Trail network. The Water Trail now has a website (sfbaywatertrail.org), brochure, logo, identification signs, and educational signs. Also, 18 cities, counties, districts, and boards around the Bay Area have adopted resolutions of support for the Water Trail.

PROJECT FINANCING

Coastal Conservancy	\$0
Others	\$0
Project Total	\$0

No funding is requested at this time. The Conservancy has previously authorized funding for grants that will be used to improve Water Trail sites and increase accessibility. Staff anticipates that it will seek Conservancy approval for additional grants for such projects in the future, as funding becomes available.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

The *Accessibility Plan* (the project), including its development and proposed adoption, was undertaken pursuant to Chapter 4.5 of the Conservancy’s enabling legislation, Public Resources Code §§ 31160-31165, to address resource and recreational goals in the Bay Area.

Consistent with §31162(a), adoption of the *Accessibility Plan* will help the San Francisco Bay Area Conservancy Program plan for public access improvements to the Bay for persons with disabilities launching or landing non-motorized small boats at shoreline locations.

Consistent with the goals specified in §31162(c), development and adoption of the *Accessibility Plan* implements the policies and programs of the *San Francisco Bay Plan*, as described in the “Consistency with the San Francisco Bay Plan” section of this staff recommendation.

The project is also consistent with §§31163(a) and (b), which direct the Conservancy to participate in and support interagency actions and public/private partnerships in the San Francisco Bay Area for the purpose of implementing long-term resource and outdoor recreational goals.

The project satisfies all of the criteria for determining project priority under §31163(c): the *Accessibility Plan* (1) is supported by adopted regional plans (*Enhanced San Francisco Bay Area Water Trail Plan (2011)*, East Bay Regional Park District Master Plan Map (2007), *San Francisco Bay Plan (1969, as amended)*); (2) is multi-jurisdictional, serving the nine counties of the Bay Area and a regional constituency; (3) can be implemented as soon as it is adopted; (4) provides opportunities for benefits that could be lost if the project is not quickly implemented (integrated, long-term planning on the part of site owners should incorporate recommendations in the *Accessibility Plan*); (5) is expected to increase eligibility for grant funding and for National Water Trail System status, which may further increase eligibility and competitiveness for federal funding.

Consistent with §31163 (d)(1), adoption of the *Accessibility Plan* furthers the Conservancy’s ability to lead the funding and development of projects implementing the *Enhanced San Francisco Bay Area Water Trail Plan*.

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

Consistent with **Goal 10, Objective A** of the Conservancy’s 2013-2018 Strategic Plan, the *Accessibility Plan* provides a collaborative approach with region-specific recommendations for

identifying and prioritizing public access improvements for persons with disabilities landing and launching non-motorized small boats at potential and designated Water Trail sites around the Bay.

Consistent with **Goal 11, Objective J** of the Conservancy's 2013-2018 Strategic Plan, the *Accessibility Plan* will help guide planning for ADA-compliant elements for approximately 100 potential and designated Water Trail sites.

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 October 2, 2014, 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:** No funding is requested.
3. **Promotion and implementation of state plans and policies:** California Assembly Bill 1296 in 2005 established the San Francisco Bay Area Water Trail, identifying the Conservancy to lead funding and implementation of the project. Adoption of the *Accessibility Plan* furthers the public access, recreation, and resource goals of the Water Trail Plan, developed by BCDC in collaboration with the Conservancy, ABAG, and Cal Boating (now part of the Department of Parks and Recreation). *San Francisco Bay Plan* policy for Recreation On and Around the Bay includes 3e.(6) "Design standards for non-motorized small boat launching access should be developed to guide the improvement of these facilities. Launching facilities should be accessible and designed to ensure that boaters can easily launch their watercraft..."
4. **Support of the public:** Since the inception of Water Trail planning in 2005, there has been active public involvement and support on steering committees, the Advisory Committee, Accessibility Sub-Committee, and from nine site owners who have already chosen to join the Water Trail network (Exhibit 4). Eighteen cities, counties, districts, and ABAG's executive board have passed resolutions in support of the Water Trail.
5. **Location:** San Francisco Bay and the shoreline and some tributary streams of Alameda, Contra Costa, San Francisco, San Mateo, Santa Clara, Marin, Napa, Solano, and Sonoma Counties, all within the jurisdiction of the San Francisco Bay Area Conservancy Program.
6. **Need:** Site owners and managers, Water Trail users, and Water Trail staff alike need a plan to help guide them toward achievement of a more accessible Water Trail.
7. **Greater-than-local interest:** The Water Trail encompasses a region-wide program and affects multiple local jurisdictions. In addition, to the best of Water Trail staff knowledge, this region-wide accessibility plan for a water trail is the first in the country. We hope that it will be a model for other water trails.

8. **Sea level rise vulnerability:** The *Accessibility Plan* does not directly address sea level rise vulnerability. However, vulnerability to sea level rise is always considered when owners/managers of a designated Water Trail site request grant funding for site enhancements.

Additional Criteria

9. **Urgency:** Adoption of the *Accessibility Plan* will establish a regional planning tool with recommendations for how to achieve Water Trail accessibility at a program level, which is a Conservancy responsibility.
10. **Resolution of more than one issue:** The *Accessibility Plan* helps to clarify the site designation process and accessibility goals for the program while also providing resources and recommendations for site owners and managers.
11. **Leverage:** See the “Project Financing” section above.
12. **Innovation:** Innovation in design improvements to better serve persons with disabilities using non-motorized small boats on the Bay has been demonstrated at Pier 52 in San Francisco (Exhibit 3). The entire *Accessibility Plan* is also the first of its kind for a regional program such as the San Francisco Bay Area Water Trail that does not own the WT sites.
13. **Readiness:** The *Accessibility Plan* is complete and the process for evaluating potential Water Trail sites for inclusion in the network is well established. The *Accessibility Plan* will be put to use at the next public Water Trail implementation meeting.
14. **Realization of prior Conservancy goals:** See “Project History” above.
15. **Cooperation:** The Water Trail is a highly collaborative project with active involvement by many public agencies, individuals, and site owners and managers.
16. **Vulnerability from climate change impacts other than sea level rise:** The *Accessibility Plan* itself will not be vulnerable to climate change impacts. The process of Water Trail site designation will always include environmental review of sites being considered.
17. **Minimization of greenhouse gas emissions:** Adoption of the Water Trail *Accessibility Plan* will not cause the emission of greenhouse gases.

CONSISTENCY WITH SAN FRANCISCO BAY PLAN:

This project is wholly consistent with the *San Francisco Bay Plan (Bay Plan)* adopted by the San Francisco Bay Conservation and Development Commission in 1969, as amended, and reprinted in 2008.

The most pertinent sections are found in the “Recreation” and “Public Access” sections of “Part IV, Development of the Bay and Shoreline: Findings and Policies” and “Part VI, Bay Plan Maps.” The Water Trail program carries out the following policies.

Excerpts from Recreation Policies:

Policies:

- 1) Diverse and accessible water-oriented recreational facilities, such as marinas, launch ramps, beaches, and fishing piers, should be provided to meet the needs of a growing and diversifying population, and should be well distributed around the Bay and improved to accommodate a broad range of water-oriented recreational activities for people of all races, cultures, ages and income levels. Periodic assessments of water-oriented recreational needs that forecast demand into the future and reflect changing recreational preferences should be made to ensure that sufficient, appropriate water-oriented recreational facilities are provided around the Bay. Because there is no practical estimate of the acreage needed on the shoreline of the Bay, waterfront parks should be provided wherever possible. (p. 61)
- 3) Recreational facilities, such as waterfront parks, trails, marinas, live-aboard boats, non-motorized small boat access, fishing piers, launching lanes, and beaches, should be encouraged and allowed by the Commission, provided they are located, improved and managed consistent with the following standards (pp. 61-63):
 - a. **General.** Recreational facilities should:
 - (1) Be well distributed around the shores of the Bay to the extent consistent with the more specific criteria below. Any concentrations of facilities should be as close to major population centers as is feasible;
 - (2) Not pre-empt land or water area needed for other priority uses, but efforts should be made to integrate recreation into such facilities to the extent that they are compatible;
 - (3) Be feasible from an engineering viewpoint; and
 - (4) Be consistent with the public access policies that address wildlife compatibility and disturbance. In addition:
 - (5) Different types of compatible public and commercial recreation facilities should be clustered to the extent feasible to permit joint use of ancillary facilities and provide a greater range of choices for users;
 - (6) Sites, features or facilities within designated waterfront parks that provide optimal conditions for specific water-oriented recreational uses should be preserved and, where appropriate, enhanced for those uses, consistent with natural and cultural resource preservation;
 - (7) Access to marinas, launch ramps, beaches, fishing piers, and other recreational facilities should be clearly posted with signs and easily available from parking reserved for the public or from public streets or trails....
 - b. **Marinas.** (1) Marinas should be allowed at any suitable site on the Bay... (2) Fill should be permitted for marina facilities that must be in or over the Bay...(4) In addition, marinas should include public amenities, such as viewing areas, restrooms, public mooring docks or floats and moorages for transient recreational boaters, non-motorized small boat launching facilities, public parking; substantial physical and visual access; and maintenance for all facilities.
 - e. **Non-Motorized Small Boats.**

- (1) Where practicable, access facilities for non-motorized small boats should be incorporated into waterfront parks, marinas, launching ramps and beaches, especially near popular waterfront destinations.
 - (2) Access points should be located, improved and managed to avoid significant adverse affects on wildlife and their habitats, should not interfere with commercial navigation, or security and exclusion zones or pose a danger to recreational boaters from commercial shipping operations, and should provide for diverse, water-accessible overnight accommodations, including camping, where acceptable to park operators.
 - (3) Sufficient, convenient parking that accommodates expected use should be provided at sites improved for launching non-motorized small boats. Where feasible, overnight parking should be provided.
 - (4) Site improvements, such as landing and launching facilities, restrooms, rigging areas, equipment storage and concessions, and educational programs that address navigational safety, security, and wildlife compatibility and disturbance should be provided, consistent with use of the site.
 - (5) Facilities for boating organizations that provide training and stewardship, operate concessions, provide storage or boathouses should be allowed in recreational facilities where appropriate.
 - (6) Design standards for non-motorized small boat launching access should be developed to guide the improvement of these facilities. Launching facilities should be accessible and designed to ensure that boaters can easily launch their watercraft. Facilities should be durable to minimize maintenance and replacement cost.
- 4) To assure optimum use of the Bay for recreation, the following facilities should be encouraged in waterfront parks and wildlife refuges (p.64):
- a. **In waterfront parks.**
 - (1) Where possible, parks should provide some camping facilities accessible only by boat and docking and picnic facilities for boaters.
 - (3) Where shoreline open space includes areas used for hunting waterbirds, public areas for launching non-motorized small boats should be provided so long as they do not result in overuse of the hunting area.
 - (4) Public launching facilities for a variety of boats and other water-oriented recreational craft, such as kayaks, canoes and sailboards, should be provided in waterfront parks where feasible.
- 8) Signs and other information regarding shipping lanes, ferry routes, U.S. Coast Guard rules for navigation, such as U.S. Coast Guard Rule 9, weather, tide, current and wind hazards, the location of habitat and wildlife areas that should be avoided, and safety guidelines for smaller recreational craft, should be provided at marinas, boat ramps, launch areas, personal watercraft and recreational vessel rental establishments and other recreational watercraft use areas. (p.65)

Excerpts from Access Policies:

Policies:

- 3) Public access to some natural areas should be provided to permit study and enjoyment of these areas. However, some wildlife are 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. (p.68)
- 4) Public access should be sited, designed and managed to prevent significant adverse effects on wildlife. To the extent necessary to understand the potential effects of public access on wildlife, information on the species and habitats of a proposed project site should be provided, and the likely human use of the access area analyzed. In determining the potential for significant adverse effects (such as impacts on endangered species, impacts on breeding and foraging areas, or fragmentation of wildlife corridors), site specific information provided by the project applicant, the best available scientific evidence, and expert advice should be used. In addition, the determination of significant adverse effects may also be considered within a regional context. Siting, design and management strategies should be employed to avoid or minimize adverse effects on wildlife, informed by the advisory principles in the Public Access Design Guidelines. If significant adverse effects cannot be avoided or reduced to a level below significance through siting, design and management strategies, then *in lieu* public access should be provided, consistent with the project and providing public access benefits equivalent to those that would have been achieved from on-site access. Where appropriate, effects of public access on wildlife should be monitored over time to determine whether revisions of management strategies are needed. (p.68)

Bay Plan Maps 1 – 7:

Bay Plan Maps 1-7, as amended in 2006, contain added language recognizing the Water Trail and calling for small boat landing facilities at more than 25 specific sites. (p.93)

COMPLIANCE WITH CEQA:

As noted in the Project History section, above, at its meeting of March 17, 2011, the Conservancy considered and certified the Water Trail EIR, a programmatic environmental impact report, which documented and analyzed the environmental effects of implementing the Water Trail. In connection with certifying the Water Trail EIR, the Conservancy adopted the Water Trail Plan, which incorporated the Water Trail EIR mitigation measures and which was determined to be the environmentally superior alternative under the Water Trail EIR.

The Water Trail Plan, as analyzed under the Water Trail EIR, specifically included the commitment that the Water Trail provide access for all users and that guidelines be developed to achieve that objective. The Accessibility Plan simply carries forward that requirement and creates no further potential for environmental effect beyond those already considered in the Water Trail EIR at the time the Water Trail Plan was adopted.

Adoption of the *Accessibility Plan* indicates concurrence with the *Plan's* regional goals and objectives. This adoption is not a direct commitment of resources, but rather an agreement with regional recommendations. The precise actions that will be taken under these recommendations are not specifically known at this time. Although the *Accessibility Plan* sets forth broad guidelines and strategic objectives for these future actions, to which the Conservancy would commit by adopting the *Accessibility Plan*, it does not commit the Conservancy or any other agency to any specific project or undertaking now or in the future. That will be determined as the implementation of the Water Trail Plan and the designation of Water Trail sites moves forward in the future.

In short, the Conservancy is not legally bound by adoption of the *Accessibility Plan* to undertake any specific aspect of the *Accessibility Plan*, nor is it limited in any way in connection with any other Conservancy activities within the San Francisco Bay Area (or elsewhere) by reason of adoption. As such, further environmental analysis under CEQA is not triggered. To the extent that any future project requires additional environmental documentation and analysis under CEQA, beyond the analysis provided by the Water Trail EIR, that documentation will be undertaken at the time any specific project is identified and approved by the Conservancy.