

COASTAL CONSERVANCY

Staff Recommendation

June 18, 2020

SAN JOSÉ PRIORITY CONSERVATION AREAS: FIVE WOUNDS TRAIL PLANNING

Project No. 20-020-01

Project Manager: Shalini Kannan

RECOMMENDED ACTION: Authorization to disburse up to \$83,000 to the City of San José to prepare a plan and environmental review documents for a 1.4 mile segment of the Five Wounds Trail, which is part of the Bay Area Ridge Trail in Santa Clara County.

LOCATION: City of San José, Santa Clara County (see Exhibit 1)

PROGRAM CATEGORY: San Francisco Bay Area Conservancy Program

EXHIBITS

Exhibit 1: [Project Location Maps](#)

Exhibit 2: [Maps and Photos](#)

Exhibit 3: [Project Support 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 authorizes the disbursement of up to eighty-three thousand dollars (\$83,000) to the City of San José to prepare a plan and environmental review documents for an approximately 1.4 mile segment of the Five Wounds Trail, a part of the Bay Area Ridge Trail in Santa Clara County."

Prior to commencement of the project, the grantee shall submit for the review and written approval of the Executive Officer of the Conservancy (Executive Officer) the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained in carrying out the project.
3. A plan for acknowledgment of Conservancy funding.

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 Chapter 4.5 of Division 21 of the Public Resources Code, regarding the San Francisco Bay Area Conservancy Program.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.

PROJECT SUMMARY:

Staff recommends that the Conservancy authorize disbursement of up to \$83,000 to the City of San José to prepare a plan and environmental review documents for a 1.4 mile portion of the proposed Five Wounds Trail, which will become part of the Bay Area Ridge Trail. The Bay Area Ridge Trail has been designated by the Association of Bay Area Governments as a Priority Conservation Area.

The Five Wounds Trail will serve the recreational and active transportation needs of communities in this park-deficient area of San José. Its alignment had been previously designated as part of the Ridge Trail, connecting it to a large network of regional trails and amenities. The proposed Five Wounds Trail is in a part of San José transitioning towards high-density mixed-use development because of the extension of Bay Area Rapid Transit (BART) to the South Bay. The Five Wounds Trail will follow a former Union Pacific Railway route that borders residential, community-serving and industrial uses. Trail development will landscape and preserve this corridor as open space, allowing the trail to serve as a primary commuter route, connecting users to future BART stations and the regional 30-mile Coyote Creek Trail, which is also part of the Ridge Trail. In the future, the planned alignment will also provide connectivity to primary and secondary schools, retail, business, and regional transit opportunities.

The plan will address 1.4 miles of the proposed Five Wounds Trail from Story Road to Whitton Avenue. By the Story Road access, the trail will cross Coyote Creek, where a remnant railroad trestle structure stands. This structure could be designated as historic and/or reused for a bridge, or a new bridge could be built. One important objective of this project is identifying the community’s preferred way to bridge the creek. Additionally, the planning process will define the trail alignment, identify roadway improvements needed, select a planting palette, assess for soil contamination and recommend remediations. The proposed Five Wounds Trail also passes the Story Road Landfill, which is covered and recognized by the community as “Coyote Meadows,” but not formally capped or regarded by San José as a park area. This zone will require further investigation and planning to prevent landfill contaminant leaching onto the trail corridor. As part of the proposed project, San José will conduct community outreach and engagement via public workshops, gather input from technical professionals, prepare environmental review documents under CEQA, identify permits needed, plan for issues that could arise from the trail’s proximity to the landfill, and plan the trail’s alignment.

Site Description:

Along the 1.4 mile segment of the proposed Five Wounds Trail, San José owns the portion of the property from Story Road to William Street and will acquire the additional property from William Street to Whitton Avenue from the State of California Department of Transportation (Caltrans) later this year in coordination with the Santa Clara Valley Open Space Authority and the County of Santa Clara. The 1.4 trail miles discussed in this staff report fit into the larger vision for a 2.8-mile Five Wounds Trail stretching from Story Road (southbound) to the Berryessa BART station at Mabury Road (northbound). However, full development of the larger trail is subject to future acquisition of the remaining 1.4 miles from the Santa Clara Valley Transportation Authority (VTA).

Grantee Qualifications:

The City of San José Department of Parks, Recreation and Neighborhood Services' Trail Program team has planned, designed, and/or built over 61 miles of trails as part of the City of San José Urban Trail Network. By adhering to Caltrans' definition, San José's trails are Class I Bikeway Trails.

San José is a recognized national leader in trail development, having secured both the 2010 Transportation Planning Excellence Award from the Federal Highway Administration (FHWA) and the Federal Transit Administration and the 2010 Exemplary Human Environment award from FHWA for encouraging non-motorized transportation.

Individual trail projects have been award-winning efforts as well. In recent years, the California Trails & Greenway Conference recognized San José with its Merit Award for Planning the Coyote Creek Trail and the Three Creeks Trail (a project that also converted a railway corridor to a landscaped trail corridor).

Project History:

At its October 17, 2019 meeting, the Conservancy recommended 16 proposed projects, including this Five Wounds Trail planning project, for the 2019 Priority Conservation Area (PCA) Grant Program, a program of the Metropolitan Transportation Commission (MTC) collaboratively funded by MTC and the Conservancy. PCAs are areas that have been identified in Plan Bay Area 2040 as a priority for conservation and restoration due to their agricultural, natural resource, scenic, recreational, public health and/or ecological values and ecosystem functions. Plan Bay Area 2040 is the regional 20-year planning document for the Bay Area prepared by MTC and the Association of Bay Area Governments. The Bay Area Ridge Trail, which includes the proposed Five Wounds Trail, is designated as a PCA. This project will further the Conservancy's statutory and strategic goals of improving access around San Francisco Bay and is consistent with previous Conservancy authorizations to prepare trail construction plans and designs to support planning and implementation of the Bay Area Ridge Trail.

The proposed Five Wounds Trail was designated part of the Ridge Trail in August 2018, though the project's history goes further back. In September 2010, the Five Wounds / Brookwood Terrace Neighborhood Association collaborated with CommUniverCity (a partnership between San José State University and the City of San José to engage underserved Central San José communities) to develop the BART Station Area Community Concept Plan – which will be used

for further study and planning by the City. In late 2011, the City acquired the railway corridor from Story Road to Highway 280 from Union Pacific Railway.

PROJECT FINANCING

Coastal Conservancy	\$83,000
City of San José	\$166,000
Project Total	\$249,000

The anticipated source of funds for this project is the Conservancy’s FY 2018-2019 appropriation from the “California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018” (Proposition 68, Public Resources Code Division 45, Chapters 1-13, Sections 80000-80173). Proposition 68 allocates funds for projects that enhance and protect coast and ocean resources including projects that are consistent with the purposes of the San Francisco Bay Area Conservancy Program in Division 21 of the Public Resources Code. (Pub. Res. Code sections 80120(d)). As defined by Proposition 68, the term “protection” includes development of facilities that will improve access to public open-space areas and actions to allow the continued use and enjoyment of property and natural, cultural, and historic resources. (Section 80002(l)). Thus, Proposition 68 can be used for the projects like the one proposed, that are consistent with the San Francisco Bay Area Conservancy Program and that will improve public access to, and enjoyment of, San Francisco Bay.

The PCA grant program requires a 2:1 match of the funds provided under the program. The City of San José will provide \$166,000 in matching funds. This match will come from the City’s Council District 3 Construction & Conveyance Tax Funds, sourced from real estate transactions. Additionally, the City’s Trail Manager will provide in-kind project management.

CONSISTENCY WITH CONSERVANCY’S ENABLING LEGISLATION:

Pursuant to Section 31162(a) of the Public Resources Code, the Conservancy may award grants for projects in the nine-county San Francisco Bay Area that will help to improve public access to, within, and around the bay, ridgetops, and urban open spaces through completion of the Ridge Trail system. Consistent with Section 31162(d), the proposed project will plan for trail improvements that will provide urban populations with access to natural areas for recreational purposes. The Coyote Creek Trail and Five Wounds Trail are both segments of the Ridge Trail that provide corridors to open space in the middle of urban San José. The trails are located entirely within the nine-county San Francisco Bay Area and are consistent with the rights of private property owners because the improvements are on publicly owned lands.

Consistent with Section 31163(a), in executing the Ridge Trail, the Conservancy cooperates with nonprofit land trusts and other organizations in identifying and adopting long-term resource and outdoor recreational goals for the San Francisco Bay Area. Completion of the Ridge Trail is identified in (1) “The San Francisco Bay Area Conservancy Program Regional Needs Briefing Book (Bay Area Ridge Trail Council, July 1999)” and (2) “400 Miles and Beyond: A Strategic Plan for Completing the Bay Area Ridge Trail (BARTC, Draft 2006).”

Consistent with Section 31163(c), the proposed project is a priority for funding because it: (1) is supported by adopted local and regional plans, including the above mentioned Ridge Trail plans and the “Envision San José 2040 General Plan;” (2) is multijurisdictional/serves a regional constituency by enhancing Priority Conservation Areas, which are resources of regional significance, and by providing connections to BART that are accessible to the public via regional trails; (3) can be implemented in a timely way; (4) provides opportunities for benefits that could be lost if project planning does not continue; and (5) includes matching funds.

Participation in the PCA Grant Program leverages Conservancy funding with MTC funds and enables the Conservancy to “address the resource and recreational goals of the San Francisco Bay area...in a coordinated, comprehensive, and effective way” (Section 31160).

CONSISTENCY WITH CONSERVANCY’S [2018-2022 STRATEGIC PLAN](#) GOAL(S) & OBJECTIVE(S):

Consistent with **Goal 13, Objective F**, the proposed project will plan 1.4 miles and an improved crossing of the Bay Area Ridge Trail.

Consistent with **Goal 13, Objective H**, the proposed project will develop plans for regionally significant public access trails and community connectors, including links between the Ridge Trail, regional trails, and urban communities.

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:** See the “Project Financing” section above.
3. **Promotion and implementation of state plans and policies:** This project will provide a plan for a trail segment that is part of the Bay Area Ridge Trail which helps implement the following regional and state plans:

“400 miles and Beyond: A Strategic Plan for Completing the Bay Area Ridge Trail.” This report released by the Bay Area Ridge Trail in 2006 lays out priorities for the completion of the 500-plus mile multi-use trail encircling the ridgetops of the San Francisco Bay Area.

“California @ 50 Million: The Environmental Goals and Policy Report” (Governor’s Office of Planning and Research, Draft 2013): Goal 2, “Build Sustainable Regions that Support Healthy, Livable Communities,” specific strategy to “support and invest in active transportation projects, such as walking and biking infrastructure.”

“California Recreational Trails Plan” (California State Parks, Phase I, June 2002): The Bay Area Ridge Trail is identified in the plan as a state trail corridor and meets the goal to “promote adequate design, construction, relocation, and maintenance of trails in order to optimize public access and resource conservation.”

4. **Support of the public:** Completion of the Ridge Trail is a regionally supported project spearheaded by the nonprofit Bay Area Ridge Trail Council (BARTC). Santa Clara Valley Open Space Authority and VTA are key partners on the Five Wounds Trail project, which is also supported by six members of the State Legislature, CommUniverCity, Franklin-McKinley School District, Friends of Five Wounds Trail, San José State University, Santa Clara County District Two Supervisor, Save Our Trails, and Silicon Valley Leadership Group.
5. **Location:** This project is in the City of San José, which is entirely within the jurisdiction of the San Francisco Bay Area Conservancy Program.
6. **Need:** There is legislative interest in the Five Wounds Trail and potential for a short-term but large-scale investment via the statewide Active Transportation Program commissioned by the California Transportation Commission (CTC) and administered by Caltrans. This Conservancy grant will allow the grantee to obtain community input and thoughtfully devise a strategy for development.
7. **Greater-than-local interest:** This project will serve the residents of Santa Clara County as well as provide access to the Ridge Trail which is a regional-wide recreational resource that connects multiple habitats, landscapes, and jurisdictions along a multi-use trail segment. Connection to BART with the Five Wounds Trail will open San José’s network of trails to the rest of the Bay Area and provide active transit options for San José residents.
8. **Sea level rise vulnerability:** The project is in the interior of San José and not directly impacted by sea-level rise.

Additional Criteria

9. **Urgency:** Five Wounds Trail planning needs to be done in conjunction with the transportation development currently underway in the area.
10. **Leverage:** See the “Project Financing” section above.
11. **Realization of prior Conservancy goals:** Completion of the Ridge Trail is a specific objective of the Conservancy’s 2018 Strategic Plan and this authorization will advance planning on two Ridge Trail gaps. In addition, this authorization supports the Conservancy and MTC partnership to support protection and enhancement of Priority Conservation Areas.
12. **Minimization of greenhouse gas emissions:** With connections to BART and other regional trails, the planned trail segments will facilitate the use of non-motorized transportation around the region. Thus, providing funding will help reduce greenhouse gas emissions in the future.

CEQA COMPLIANCE:

The Five Wounds Trail planning project proposed for funding is statutorily exempt from the California Environmental Quality Act (CEQA) pursuant to California Code of Regulations, Title 14 Section 15262 (“Feasibility and Planning Studies”) because the proposed project is for feasibility and planning studies for possible future actions which the Conservancy has not approved, adopted, or funded.

The proposed project is also categorically exempt from CEQA pursuant to California Code of Regulations, Title 14 Section 15306 (“Information Collection”) in that it will include basic data collection and resource evaluation activities, including those necessary for planning, designing, and preparing environmental review documents. None of these activities will result in a serious or major disturbance to an environmental resource.

Upon approval of the project, Conservancy staff will file a Notice of Exemption.