

COASTAL CONSERVANCY

Staff Recommendation
June 18, 2020

CAPITOLA WHARF RENOVATION

Project No. 20-021-01
Project Manager: Timothy Duff

RECOMMENDED ACTION: Authorization to disburse up to \$1,900,000 to the City of Capitola to renovate and expand the Capitola Wharf in Santa Cruz County, and adoption of findings under the California Environmental Quality Act.

LOCATION: City of Capitola waterfront, Santa Cruz County

PROGRAM CATEGORY: Public Access

EXHIBITS

- Exhibit 1: [Project Location Map](#)
- Exhibit 2: [Project Photos](#)
- Exhibit 3: [CEQA Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program](#)
- Exhibit 4: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400 - 31400 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed one million nine hundred thousand dollars (\$1,900,000) to the City of Capitola (City) to renovate the Capitola Wharf, including pier-widening and installation of restrooms, located along the waterfront in the City of Capitola.

Prior to the disbursement of funds the City shall submit for the review and approval of the Executive Officer of the Conservancy:

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 acknowledgement of Conservancy funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.
5. To the extent appropriate, the City shall incorporate the guidelines of the Conservancy's 'Standards and Recommendations for Accessway Location and Development' into the pier renovation project."

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 9 of Division 21 of the Public Resources Code, regarding public access.
2. The proposed project is consistent with the current Conservancy Project Selection Criteria and Guidelines.
3. The Conservancy has independently reviewed and considered the Initial Study and Mitigated Negative Declaration for the Capitola Wharf Resiliency and Public Access Improvement Project adopted by the City of Capitola on June 4, 2020, pursuant to the California Environmental Quality Act ("CEQA") and attached to the accompanying staff recommendation as Exhibit 3. The Conservancy finds that the proposed project as designed and mitigated avoids, reduces, or mitigates the potentially significant environmental effects to a less-than-significant level, and that there is no substantial evidence based on the record as a whole that the Project may have a significant effect on the environment, as defined in 14 Cal. Code Regulations Section 15382."

PROJECT SUMMARY:

Staff recommends a disbursement of up to \$1,900,000 to the City of Capitola to renovate and expand the Capitola Wharf, a public pier in Santa Cruz County. The renovation will include improvements to structural resiliency, addition of restrooms, lighting, and benches, widening the pier, and relocating utility lines above deck.

As with most piers in small beach towns along the California coast, the Capitola Wharf (wharf) serves as a hub of commercial and recreational activity and is an iconic and defining feature of the City's waterfront. The wharf is 855-feet long with a restaurant, fishing facilities, and a boat rental at the ocean end. The wharf widens significantly at the ocean end to accommodate these facilities. The wharf attracts an estimated 75,000 people annually, including many seeking to enjoy access to the Monterey Bay Marine Sanctuary by visiting the beach, surfing, kayaking, fishing or simply walking on the pier.

The wharf's supporting piles are periodically damaged during severe winter storms when floating logs batter the piles. Depending on the severity of the storm, the resulting damage can require wharf closure. The narrow section of the pier containing only three supporting piles per row has historically been the most susceptible to damage that required closing the wharf. Wharf closures often happen a couple of times a year, with negative impacts on public access and local businesses. The wooden pier is over 130 years old and recent engineering evaluations confirmed that major renovations were needed to improve the structure's overall safety and resiliency. While the wharf has undergone emergency repairs for periodic storm damage over the past several decades, a comprehensive structural renovation has never been completed. Renovating aging access facilities like the Capitola Wharf will serve to increase and enhance coastal recreational opportunities as called for in the Conservancy's strategic plan.

Capitola Beach and the wharf also currently lack adequate restroom facilities to serve beach goers and wharf-users. The only existing restrooms serving these populations is the bathroom at the back of the restaurant, which is outdated and difficult to find. During the summer months porta-potties are added at the beach end of the Wharf. The construction of new restroom facilities at both ends of the wharf will better accommodate residents and visitors.

The proposed project would increase wharf resiliency and improve public safety by completing necessary repairs and widening the narrow section of the wharf. Widening the pier will improve public access by reducing pedestrian and vehicular conflicts. In addition to the new restrooms, lighting will be improved, and the number and size of benches will be increased.

The new expansion area would widen the supporting trestle and pier substructure 16 feet for approximately 458 feet and include a new composite pile and timber structure with up to 120 fiberglass piles and treated timber decking. This would widen the wharf to 36 feet to match the first 85-foot long section at the foot of the wharf. In addition, other existing deteriorated pier elements would be repaired and/or replaced. Approximately 21 damaged creosote treated piles would be repaired or replaced with timber or fiberglass piles and 12 steel piles at the pier head would be repaired by either splicing on new steel pipe to the existing piles above the bay bottom, or by placing fiberglass jackets around these piles and grouting the inside. Approximately 26,500 square feet of existing treated timber decking would be replaced and 4,500 square feet of additional treated timber decking would be placed on top of the decking to serve as vehicle runners. Up to 260 linear feet of pile caps and 680 linear feet of stringers would be replaced, and the hoist landing area would be repaired by replacing damaged timber or fiberglass members. Water, sewer, and electric utility lines would be relocated above deck to protect them from wave damage and placed within the brace of the rail system, similar to the existing gas line. See Exhibit 2 photos of these main structural elements.

City staff is currently studying phasing options that would prioritize the structural integrity components of the project with non-structural improvements and amenities constructed in subsequent phases.

Site Description: Located on the City of Capitola waterfront within the Monterey Bay National Marine Sanctuary in Santa Cruz County, the wharf area is a popular tourist destination that attracts visitors seeking to enjoy its sandy beaches and abundant dining and shopping opportunities, especially in the summer months when inland temperatures soar. The wharf is oriented north-south, and is located to the west of Soquel Creek, at the western edge of Capitola Beach (Exhibit 2). The 855-foot wooden pier is used primarily for recreation activities and contains a bait shop, boat rentals, boat launch, restaurant, restroom facilities, and fish cleaning stations. Limited motor vehicle access is permitted and a floating dock with access onto the pier is available in the summer.

Grantee Qualifications: The City Public Works and Finance Departments will provide the staff needed to effectively manage and oversee the grant. The Public Works Director and his Project Manager have 50 years of experience between them and they will lead the management of the project team of city staff and consultants. City staff is currently managing the \$11.5 million construction of the city’s new library to be completed this summer and they will be overseeing the \$1.6 million restoration of the Capitola jetty beginning this fall.

Project History: The project was first conceived in 2015 when staff hired the engineering firm Moffatt and Nichol to evaluate the condition of the wharf and develop renovation alternatives. In November of 2016 the citizens of Capitola passed a tax initiative to provide funding toward this project and other projects in the city. Between 2016 and 2019 city staff hosted two public workshops to refine the scope of work, and completed studies identifying short- and long-term improvements to address sea level rise. In the summer of 2019 the City Council approved funds to prepare final project designs and permit applications, and at the urging of Assemblyman Mark Stone, the state’s 2019/20 Budget Act appropriated general fund money to the Conservancy to support the project.

PROJECT FINANCING

Coastal Conservancy	\$1,900,000
City of Capitola	<u>\$5,215,250</u>
Project Total	\$7,115,250

The anticipated source of Conservancy funding is a FY 2019/2020 appropriation from the General Fund specifically to support Capitola Wharf. The grantee’s funding is from a voter-approved general fund sales tax measure intended to help fund the subject project and other infrastructure projects in the City.

While the City is focused on the full project scope, the cost of which is shown above, the ongoing COVID-19 pandemic is significantly reducing sales tax revenue and the City’s overall operating revenue. As a result of the projected loss in funding, City staff is currently studying

phasing options that would prioritize the structural integrity components of the project with non-structural improvements and amenities constructed in subsequent phases.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project is undertaken pursuant to Chapter 9 of Division 21 of the Public Resources Code (Sections 31400 - 31410). Section 31400 states that it is the intent of the Legislature that the Conservancy have a principal role in the implementation of a system of public accessways to and along the state's coastline.

In order to carry out that mandate, the Conservancy is authorized by Section 31400.1 to provide grants to public entities or non-profits organizations to develop, operate and manage lands for access to and along the coast. Section 31400.1 restricts the Conservancy to providing grants to local agencies only for accessways that serve more than local public needs. The project goal is to provide public access to the Capitola Wharf, one of the most popular coastal accessways on California's central coast. The project would thus serve the recreational needs of visitors from throughout Santa Cruz County, and from around the state and beyond.

Section 31400.2 authorizes the Conservancy to provide up to the total cost of the initial development of a public accessway by any public agency and requires that the amount of funding provided by the Conservancy be determined by the total amount of funding available for coastal public accessway projects, the fiscal resources of the applicant, the urgency of the project relative to other eligible projects, and the application of factors prescribed by the Conservancy. Consistent with this section, the proposed amount of the Conservancy contribution was determined based on the total amount of funding available to the Conservancy for public access projects, the matching funds provided by the County (see Project Financing), and consideration of the factors specified in the Conservancy's Project Selection Criteria (See Consistency with Conservancy's Project Selection Criteria & Guidelines). The proposed project would leverage matching funds totaling 74 percent of the costs for this project.

The proposed project is consistent with Section 31400.3 which authorizes the Conservancy to "provide such assistance as is required to aid public agencies ... in establishing a system of public coastal accessways". Conservancy funds will be used to renovate a coastal access facility.

CONSISTENCY WITH CONSERVANCY'S ACCESS PROGRAM STANDARDS:

The project is consistent with the Conservancy's Standards and Recommendations for Accessway Location and Development as follows:

Standard No. 2, Correct Hazards: The renovation and management of the pier will serve to correct potential hazards. The pier will be closed as needed to ensure public safety.

Standard No. 12, Support Facilities: The project will provide essential amenities for visitors to the pier.

Standard No. 13, Barrier-Free Access: Consistent with this standard, the project design is consistent with all applicable federal and state statutes, regulations and guidelines governing barrier-free access for persons with disabilities.

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

Consistent with **Goal 2, Objective A**, the project will expand opportunities for access for people with disabilities to and along the coast.

Consistent with **Goal 2, Objective D**, the project entails the reconstruction of dilapidated and unsafe facility to increase and enhance coastal recreational opportunities.

Consistent with **Goal 3, Objective B**, the project implements a waterfront revitalization projects that will increase accessibility, support fishing, and support coastal businesses.

**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:**

By developing a public shoreline access facility the project serves to promote and implement state Coastal Act policies as follows:

- **Coastal Act (1976), Public Resources Code Section 30210** on public access and recreation calls for "maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse," and Section 30214 calls for public access and recreation "tak[ing] into account the need to regulate the time, place, and manner of public access depending on the facts and circumstances in each case. . .". The proposed project is consistent with this section in that it will provide safe public

access to Capitola Wharf while protecting private property owner rights and natural resource areas from overuse. The City of Capitola will be responsible for posting and operating the accessway in a manner that is consistent with this section.

4. **Support of the public:** The project has received support from local and state agencies, nonprofit organizations, elected officials, community residents and businesses. See Exhibit 4.
5. **Location:** The proposed project would be located within the coastal zone of the County of Santa Cruz.
6. **Need:** Due to ongoing deterioration and safety risks, the pier is closed when large winter storms batter and damage its supporting structure. If the general fund appropriation is not granted by the Conservancy this fiscal year the funds will be at risk of being lost.
7. **Greater-than-local interest:** The pier attracts an estimated 75,000 visitors annually, including large numbers from other parts of the state and elsewhere.
8. **Sea level rise vulnerability:** The project entails installing additional structural support to meet current building standards and reduce climate vulnerabilities. The height of the pier deck will be raised 5 feet above its current height to a height of 24.5 feet above sea level. It is anticipated that the rehabilitated and upgraded pier will last for several decades. Routine maintenance including structural inspections and repairs will be completed, including repairs resulting from significant storm events.

Additional Criteria

9. **Urgency:** The fund source is a general fund appropriation that must be encumbered this fiscal year.
10. **Leverage:** See the “Project Financing” section above.
11. **Readiness:** The City expects to have all required permits by the summer of 2021 and initiate the project in the fall of 2021.

CEQA COMPLIANCE:

Staff has independently evaluated the Capitola Wharf Resiliency and Public Access Improvement Project Initial Study/Mitigated Negative Declaration (IS/MND) and Mitigation Monitoring and Reporting Program (MMRP) adopted by City of Capitola on June 4, 2020, and concurs that there is no substantial evidence that the proposed project will have a significant effect on the environment. Staff therefore recommends that the Conservancy find that the project as mitigated avoids, reduces or mitigates the possible significant environmental effects to a level of less-than-significant and that there is no substantial evidence that the project will have a significant effect on the environment as that term is defined by Title 14 of the California Code of Regulations, Section 15382.

The IS/MND identified potentially significant impacts in the following areas: Biological Resources, Cultural Resources, Hydrology and Water Quality, Noise, and Mandatory Findings of Significance. Mitigation measures were identified for each potentially significant impact that will avoid, reduce, or mitigate the potential impacts to a less-than-significant level. Potential impacts and mitigation measures are summarized below.

Biological Resources

Potential impacts to marine habitats could occur due to noise, physical disturbance, degraded water quality, and impacts to prey species, including impacts to special-status fish species including steelhead (*Oncorhynchus mykiss*), Coho salmon (*Oncorhynchus kisutch*), Chinook (*Oncorhynchus tshawytscha*), and green sturgeon (*Acipenser medirostris*). To mitigate these potential impacts a qualified biologist will lead an on-site environmental training for work crews prior to the start of the project, a wood cushion block or other comparable noise dampening device will be used during pile driving activities, and a pile installation “exclusion zone” will be established to ensure marine mammals are not present for at least 15 minutes prior to start of pile work.

To mitigate potential impacts to bird species, a pre-construction nesting bird survey shall be conducted for any work that begins within the nesting bird season (February 15- September 15), and if active nests are found, construction activities within 300 feet of the nests (or as determined by the qualified biologist) shall be modified, postponed or halted, until the nest is vacated, the young have fledged, and/or there is no evidence of a second attempt at nesting.

Measures to mitigate the impacts of degraded water quality are summarized in the Hydrology and Water Quality section below.

Cultural Resources

Potential impacts to cultural resources associated with the historic pier could occur as a result of the proposed project improvements altering the historic integrity of some of the wharf’s elements. To mitigate these potential impacts the City will review the design plans to determine if they are consistent with the federal recommendations for historic structures, and if needed revise the plans to ensure compliance.

Hydrology and Water Quality

Potential impacts to hydrology and/or water quality could occur from in-water activities such as pile driving that create temporary localized elevations in turbidity, though pile driving is proposed in a high energy wave environment where baseline turbidity levels are often high. To mitigate these potential impacts the contractor will implement and document compliance with all permit conditions and required BMP practices and provide before-and-after photo documentation, copies of receipts and/or construction management logs. There is no proposed increase in use that could substantially increase the quantity of pollutants on the pier deck, and there is no proposed increase in use that would be anticipated to impact water quality.

Noise

Construction noise levels would primarily be associated with vibratory pile installation and impact pile driving proofing that would be audible to occupants of the nearest buildings to the wharf. These impacts would be temporary and would take place over approximately 26 working days within a 9-month period. To mitigate these impacts pile-driving will commence with a soft start procedure (ramping up) in order to reduce the potential for startle and annoyance of nearby receptors. A pile driving notification plan and schedule will keep residents and visitors informed. The plan will be updated every two weeks and posted on the City's website. In addition, construction work would be limited to Monday through Friday, 8:00 AM to 5:00 PM and Saturday from 9:00 AM to 4:00 PM. Construction would be prohibited between the hours of 9:00 PM and 7:30 AM on weekdays. The sound dampening measure for pile driving described in the Biological Resources section above will also reduce noise impacts.

With Conservancy concurrence, Conservancy staff will file a Notice of Determination.