

COASTAL CONSERVANCY

Staff Recommendation
November 19, 2020

AVILA PIER RENOVATION

Project No. 20-33-01
Project Manager: Timothy Duff

RECOMMENDED ACTION: Authorization to disburse up to \$250,000 to the Port San Luis Harbor District to renovate the Avila pier in San Luis Obispo County.

LOCATION: Avila Beach, San Luis Obispo County

PROGRAM CATEGORY: Public Access

EXHIBITS

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

Exhibit 2: [Site Photos](#)

Exhibit 3: [Project Letters](#)

RESOLUTION AND FINDINGS:

Staff recommends that the State Coastal Conservancy adopt the following resolution pursuant to Sections 31400-31410 of the Public Resources Code:

“The State Coastal Conservancy hereby authorizes the disbursement of an amount not to exceed two hundred fifty thousand dollars (\$250,000) to Port San Luis Harbor District (“the grantee”) to renovate the Avila Pier located in Avila Beach, San Luis Obispo 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 acknowledgement of Conservancy funding.
4. Evidence that all permits and approvals required to implement the project have been obtained.

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5. In addition, to the extent appropriate, the grantee shall incorporate the guidelines of the Conservancy's 'Standards and Recommendations for Accessway Location and Development'."

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 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."

PROJECT SUMMARY:

Staff recommends the Conservancy authorize disbursement of \$250,000 to the Port San Luis Harbor District to renovate the Avila pier in San Luis Obispo County (Exhibit 1). As with many of the other piers in the state, the pier in the small beach town of Avila (population 1,700) serves as a hub of commercial and recreational activity with an estimated 100,000 or more visitors annually. Renovating dilapidated and unsafe access facilities like the Avila pier will serve to increase and enhance coastal recreational opportunities as called for in the Conservancy's strategic plan.

After enduring the wear and tear of several decades of storms and large swell events, the Avila pier was closed to the public in 2015. Since the closure, several studies evaluated options to restore the pier's structural capacity and reopen it to the public. While initial repairs enabled half of the pier to reopen in April 2019, today the seaward half remains closed pending the additional funding needed to complete the remaining repairs, including the repair or replacement of 50 or more supporting piles (Exhibit 2).

The proposed project would restore public access to the entire 1,685-foot long wood pier and the boat landing located at the end of the pier. Renovating the pier and boat landing will restore and enhance public access, including recreational fishing and boating access, improve accessibility, and stimulate local tourism. The main components of the proposed renovation include the repair or replacement of at least 50 piles that provide the pier's critical structural stability, and the repair or replacement of stringer, caps, railing, and decking. Corrosion-resistant hardware will be used, including stainless steel screws to install deck boards to prevent board uplift, and stainless steel rebar to pin stringers to pile caps to prevent wood splitting. Construction activities will be subject to permits from the Army Corps of Engineers, an associated 401 Certificate with the State Water Resources Control Board, and a coastal permit or waiver from the California Coastal Commission. The Harbor District has commissioned a biological assessment in anticipation of the Coastal Commission's standard construction best management practices for pier work over coastal waters.

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Once completed, the project will deliver a rehabilitated pier and boat landing with the resiliency to last an estimated 25 years or more, and a capacity to support the heavy equipment needed for ongoing maintenance. A long-term management plan is also being prepared that will guide future routine maintenance of the proposed improvements.

Site Description: The unincorporated town of Avila Beach and its pier are located along the south end of San Luis Bay in San Luis Obispo County (Exhibit 1). The Cities of San Luis Obispo and Pismo Beach are roughly 8 miles north and south of Avila Beach via US 101. Tucked behind the protected waters of San Luis Bay, the south-facing vast sandy beaches extending in both directions from the pier are some of the most popular beaches in the county. Approximately one-half mile east of the pier is Fossil Point; slightly further to the east is the popular Cave Landing / Pirate's Cove Beach. The California Polytechnic State University (CalPoly) Pier and Port San Luis Harbor are located to the west along Avila Beach Drive. To the south, the pier is surrounded by the waters of the Pacific Ocean. On-street parking serving the pier and the beach is located along the waterfront and within the town's commercial district behind the pier. A large parking lot is also within a block of the pier. Avila's bustling waterfront and adjacent commercial district is lined with retail shops, restaurants and hotels that are all concentrated within a few blocks of the pier.

The pier and surrounding beaches are owned, operated, and maintained by the Port San Luis Harbor District. The San Luis Yacht Club clubhouse, Avila Beach Lifeguard Headquarters and public restrooms are located at the base of the pier. The District also owns and manages many of the facilities within the Avila Beach and Port San Luis Harbor area, including the Harford Pier. A third pier, owned by CalPoly, is used exclusively by faculty and students as a marine research facility. Of the three piers, the Avila pier is most visited by residents and tourists due to its convenient location, abundant nearby amenities and parking, and wide sandy beaches.

Grantee Qualifications: The Harbor District's Facilities Department has a full time Facilities Manager, Facilities Supervisor, Planner/Analyst, and Pier Crew on staff. The Facilities Department regularly performs construction, oversight, and planning for marine public works projects in Port San Luis and Avila Beach. The full time Pier Crew regularly performs work on the Harford Pier and is well qualified to perform project management and planning tasks for the Avila Pier project. Much of the permit application work is done in-house by the Facilities Manager and Planner/Analyst. District staff regularly prepares documents for CDPs, Nationwide Permits, 401 certificates, and CEQA. The District's Business Department includes accounting, bookkeeping, and administrative personnel who will also support the project. The Business Department has an extensive experience with managing grants, budgeting, tracking, and reimbursements. The Pier Crew and Facilities Staff have the experience to operate and maintain the pier once the renovation is completed. The District owns a crane, pile driver, and other heavy equipment needed to maintain and do regular repairs to the pier.

Project History: The Port San Luis Harbor District first contacted Conservancy staff about funding support for Avila pier repairs in 2010. For the past several years District staff has updated Conservancy staff on their ongoing planning and permitting efforts, and in 2019 submitted a formal grant proposal. In the spring and summer 2020 the District completed a Sea

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Level Rise Assessment, secured match funding from the Wildlife Conservation Board, and submitted an updated proposal to the Conservancy that addressed staff's prior concerns.

PROJECT FINANCING

Coastal Conservancy	\$250,000
Wildlife Conservation Board	\$1,250,000
Port San Luis Harbor District	<u>\$430,000</u>
Project Total	\$1,930,000

Conservancy funds for this project are expected to derive from appropriations to the Conservancy from the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Bond Act of 2006 (Proposition 84, Public Resources Code Sections 75001-75090). Proposition 84 (Public Resources Code Sec. 75060) authorizes the Conservancy's use of these funds for the purposes of promoting access to and enjoyment of the coastal resources of the state and that are consistent with the Conservancy's enabling legislation, Division 21. The proposed project serves to assist in the development of public access on the coast and, as discussed in the section found immediately below, the project is consistent with Chapter 9 of Division 21. In addition, there are non-state matching contributions toward the construction, operation, and management costs.

The Port San Luis Harbor District funds were obtained from two local nonprofit organizations, including \$420,000 from the Friends of Avila Pier and \$10,000 from the Avila Beach Community Foundation. The District is also providing an estimated \$322,000 in in-kind services for project management and an additional \$172,000 for consultant services needed to complete the final plans and secure the necessary project permits.

CONSISTENCY WITH CONSERVANCY'S ENABLING LEGISLATION:

The proposed project would be undertaken pursuant to Chapter 9 of the Conservancy's enabling legislation, Division 21 of the California Public Resources Code (Sections 31400 - 31410) regarding public access and enjoyment of coastal resources. 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 Avila Pier, one of the most popular coastal accessways on California's central coast. The project would thus serve the recreational needs of

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visitors from throughout San Luis Obispo County, neighboring Central Valley counties, 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 87 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 project that will increase accessibility, support fishing, and support coastal businesses.

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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 renovating 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 the Avila Pier while protecting private property owner rights and natural resource areas from overuse. The Port San Luis Harbor District 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 3.
5. **Location:** The proposed project would be located within the coastal zone of the County of San Luis Obispo.
6. **Need:** Due to ongoing deterioration and safety risks, the pier is closed when large winter storms batter and damage its supporting structure.
7. **Greater-than-local interest:** The pier attracts an estimated 100,000 or more 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. It is anticipated that the rehabilitated 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

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9. **Urgency:** Until repaired, the pier remains vulnerable to further damage which could increase the difficulty and cost of repair work.

10. **Leverage:** See the “Project Financing” section above.

11. **Readiness:** The Port District expects to have all required permits by the summer of 2021 and initiate the project in the fall of 2021.

CEQA COMPLIANCE:

The proposed access improvement project is categorically exempt under the California Environmental Quality Act (CEQA) pursuant to 14 California Code of Regulations, section 15301, because it consists of repair of an existing public facility that involves no expansion of existing or prior use. The project is also categorically exempt from CEQA under Section 14 CCR 15302, as it entails the reconstruction of an existing structure on the same site and will have same purpose and capacity as the existing structures.

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