

SAN FRANCISCO BAY RESTORATION AUTHORITY

Staff Recommendation
April 22, 2022

SHORELINE PARK - BURLINGAME

Project No. RA-025
Project Manager: Natasha Dunn

RECOMMENDED ACTION: Authorization to disburse up to \$991,499 to the SPHERE Institute (SPHERE) to augment the grant of \$500,000 previously authorized by the Authority to conduct site studies and community engagement, prepare detailed plans and detailed designs, prepare regulatory permit applications and environmental review documents, and prepare a long-term lease application for the Shoreline Park – Burlingame Project, which will transform a 9.4-acre vacant parcel of State-owned bayfront land into a public nature and recreation park and will include restoration of approximately 3-3.5 acres of tidal marsh and transition zone habitats along the shoreline and an education center designed with bird safety features in San Mateo County.

LOCATION: Burlingame, San Mateo County, SFBRA West Bay Region

MEASURE AA PROGRAM CATEGORY: Fish, Bird and Wildlife Habitat Program;
Shoreline Public Access Program

EXHIBITS

- Exhibit 1: [Project Location and Site Map](#)
- Exhibit 2: [Project Designs and Photographs](#)
- Exhibit 3: [Project Letters](#)
- Exhibit 4: [June 18, 2021 Staff Recommendation with Certification of
Adopted Resolutions](#)

RESOLUTION AND FINDINGS

Staff recommends that the San Francisco Bay Restoration Authority adopt the following resolution and findings.

Resolution:

The San Francisco Bay Restoration Authority hereby authorizes the disbursement of an amount not to exceed nine hundred ninety-one thousand four hundred and ninety-nine dollars (\$991,499) to the SPHERE Institute to augment the grant of \$500,000 previously authorized by the Authority to conduct site studies and community engagement, prepare detailed plans and detailed designs, prepare regulatory permit applications and environmental review documents, and

prepare a long-term lease application for the Shoreline Park – Burlingame Project, which will transform a 9.4-acre vacant parcel of State-owned bayfront land into a public nature and recreation park and will include restoration of approximately 3-3.5 acres of tidal marsh and transition zone habitats along the shoreline and an education center designed with bird safety features in San Mateo County (Exhibit 1). All conditions of the Authority’s prior to authorization to grant funds for this project apply to this augmentation.

Findings:

Based on the accompanying staff recommendation and attached exhibits, the San Francisco Bay Restoration Authority hereby finds that:

1. The proposed authorization is consistent with The San Francisco Bay Restoration Authority Act, Gov. Code Sections 66700-66706.
2. The proposed authorization is consistent with The San Francisco Bay Clean Water, Pollution Prevention and Habitat Restoration Measure (Measure AA).
3. The grantee is not required to enter into a project labor agreement per Resolution 22 because the proposed authorization is for planning work.

PROJECT SUMMARY:

Staff recommends that the Authority authorize disbursement of up to \$991,499 to the SPHERE Institute (SPHERE) to augment the grant of \$500,000 previously authorized by the Board to conduct site studies and community engagement, prepare detailed plans and detailed designs, prepare regulatory permit applications and environmental review documents, and prepare a long-term lease application for the Shoreline Park – Burlingame Project. The Shoreline Park – Burlingame Project (project) will transform a 9.4-acre vacant parcel of State-owned bayfront land into a public nature and recreation park and will include restoration of approximately 3-3.5 acres of tidal marsh and transition zone habitats in one of the few remaining suitable locations along the City of Burlingame’s heavily developed shoreline (Exhibit 1). The project will create much-needed nature and park amenities for the public.

The Authority awarded partial funding in the amount of \$500,000 to SPHERE at its June 18, 2021 meeting for design, outreach, CEQA, and permitting work. Based on direction included in the board authorization, the project now includes bird safety as a design component for the educational center (Exhibit 4). The previous, partial funding authorized in June 2021 did not allow SPHERE to fully fund the project. SPHERE has obtained funding from other sources, but still faces a shortfall, and is thus seeking additional Authority funding to augment the previous grant.

The proposed grant will augment the previously authorized funding, helping SPHERE to complete the project by continuing to conduct studies, advance the plans and designs, conduct community engagement, prepare required environmental documentation, negotiate a lease with the State Lands Commission (SLC), and prepare permit applications necessary for regulatory review. SPHERE plans to raise the final needed funds through fundraising.

The site and surrounding land were created around 1960 by illegal placement of approximately 150 acres of fill in San Francisco Bay by the Anza Corporation. Following a lawsuit, this land was divided between the Anza Corporation and the SLC. The project site is land owned by the SLC, which is a 9.4-acre parcel. In 2017, the SLC received proposals from developers to turn the parcel into a hotel. Following a multi-year Public Trust Needs Assessment, SLC agreed to a proposal from SPHERE and the San Mateo Resource Conservation District (SMRCD) to develop a public nature-based park instead. SLC currently has a lease with SPHERE through October 2023 and has agreed to enter into negotiations on a 49-year lease for the project

SPHERE will oversee the design and permitting of the site, including managing preparation of detailed construction drawings, the SLC long-term lease application, California Environmental Quality Act (CEQA) documents, regulatory agency permit applications, and all required materials for the City of Burlingame approval and permits. SPHERE will conduct sea level rise modeling and soil sampling to inform designs to ensure protection of the restored tidal marsh and that suitable soil substrate exists to achieve habitat restoration goals. SPHERE will also prepare a 10-year monitoring program to ensure success of the project and to address regulatory requirements. Additionally, SPHERE, in collaboration with the SMRCD and Green Foothills, has been performing community engagement and will continue to conduct outreach, provide project updates, solicit feedback, and generate public interest in the park (Exhibit 3). The construction phase of the project (which is not part of this grant) will be managed by SMRCD, and will include earthwork, revegetation, and installation of recreational facilities and an education center.

Outcomes of the project include restored tidal marsh, a marsh-upland transition zone to provide space for landward transgression as sea level rises, and key park amenities including an education center, boardwalks and trails for nature viewing, an upgraded Bay Trail segment, two Water Trail access sites and a safe fishing access area (Exhibit 2).

SPHERE is a non-profit organization with extensive experience as a government contractor supporting agencies in their administration and operation of programs. The project is a public-private partnership between SPHERE and the San Mateo Resource Conservation District, a local public entity with a long track record in providing comprehensive, integrated services for wildlife, water, climate and agriculture within San Mateo County. Additionally, SLC, the landowner, will serve as an advisory partner.

To implement the project, SPHERE and SMRCD have formed partnerships with stakeholders throughout the region, including regulatory agencies, local and statewide non-profit organizations, local community groups, private companies, and local citizens. Partners have recognized the project's advancement of a wide array of public benefits, including ecological restoration, climate change adaptation, social justice, recreational opportunities, bay access, community engagement and education (Exhibit 3). From regulatory agencies through kayaker and kitesurfer clubs, various partners are aware of the project, support it, and have provided input on its design. Green Foothills, the lead on the project's community outreach plan, also supported the project's application to the SLC, providing a petition of support from over 1,250 residents and helping to coordinate letters of support from community groups. These partnerships, and new ones, will ensure the park is enjoyed and activated by the local communities and visitors.

Site Description:

The site description remains the same as in the staff recommendation dated June 18, 2021 (Exhibit 4)."

PROJECT FINANCING

San Francisco Bay Restoration Authority (current proposal)	\$991,499
San Francisco Bay Restoration Authority (awarded in 2021)	\$500,000
EPA Water Quality Improvement Fund (awarded)	\$500,000
Wildlife Conservation Board (awarded)	\$500,000
SPHERE	\$1,519,521
Not-yet-funded project costs	\$488,350
Project Total	\$4,499,370

The Authority authorized \$500,000 for the project in June 2021. Matching project funds come from SPHERE, an EPA Water Quality Improvement Fund grant, and a Wildlife Conservation Board grant. The balance of funding will come from fundraising efforts, private partnerships and through applying for additional grants.

CONSISTENCY WITH AUTHORITY’S ENABLING LEGISLATION, THE SAN FRANCISCO BAY RESTORATION AUTHORITY ACT:

The consistency with Authority’s enabling legislations remains the same as in the staff recommendation dated June 18, 2021 (Exhibit 4).

CONSISTENCY WITH MEASURE AA PROGRAMS AND ACTIVITIES:

The consistency with Measure AA programs and activities remains the same as in the staff recommendation dated June 18, 2021 (Exhibit 4).

CONSISTENCY WITH MEASURE AA PRIORITIZATION CRITERIA:

The consistency with Measure AA prioritization criteria remains the same as in the staff recommendation dated June 18, 2021 (Exhibit 4).

COMPLIANCE WITH CEQA:

Augmenting the grant for the proposed project does not affect the prior determination that the project, which has not changed since the Authority authorized a grant in June 2021, is statutorily exempt from the requirement to prepare an environmental document under the California Environmental Quality Act and categorically exempt from CEQA under 14 Cal. Code of Regulations Sections 15262 and 15306, as it only involves preparation of feasibility and planning

studies for possible future actions that have not yet been approved, adopted or funded, and basic data collection, research and resource evaluation activities that will not result in serious or major disturbance to an environmental resource. The planning studies will consider environmental factors. Staff previously filed a Notice of Exemption following the June 2021 board authorization.