

SAN FRANCISCO BAY RESTORATION AUTHORITY

Staff Recommendation
June 18, 2021

SHORELINE PARK - BURLINGAME

Project No. RA-025
Project Manager: Natasha Dunn

RECOMMENDED ACTION: Authorization to disburse up to \$500,000 to the SPHERE Institute (SPHERE) 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 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](#)

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 five hundred thousand dollars (\$500,000) to the SPHERE Institute 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 in San Mateo County (Exhibit 1). Prior to commencement of the work, the grantee

shall submit for the review and written approval of the Executive Officer of the Authority the following:

1. A detailed work program, schedule, and budget.
2. Names and qualifications of any contractors to be retained for the work.
3. A plan for acknowledgement of Authority funding.

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 \$500,000 to the SPHERE Institute (SPHERE) 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.

SPHERE has completed the conceptual design work for the project and has begun work on the detailed design stage. With the Authority grant, SPHERE will conduct studies, advance the plans and designs, conduct community engagement, prepare required environmental documentation, negotiate a lease with State Lands Commission (SLC), and prepare permit applications necessary for regulatory review.

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:

Despite the fact that the project site is currently fenced off and the Bay Trail is in disrepair, local residents of all demographics still flock to the edges of the parcel to fish, jog, bicycle, and enjoy the Bay. It consists of fill placed in former tidal baylands which converted baylands to uplands. Consequently, disturbance-adapted, upland ruderal habitat occupies the majority of the 9.4 acre site (e.g., fennel, Italian thistle, and various non-native annual grasses). A few non-native shrubs and trees are scattered around the site's periphery. A small surface area (approximately 0.5 acres) of U. S. Army Corps of Engineers' jurisdictional seasonal wetlands also occur at the site in depressions formed via differential settlement of the fill material. They support shallow ponding

(less than 1 foot) for several months in the rainy season. These wetlands are dominated by non-native herbaceous species such as Italian rye grass, bristly ox-tongue, and Harding grass.

The site provides relatively poor habitat for wildlife due to the dominance by weedy ruderal habitat and absence of native trees and shrubs. Due to the site’s isolation from higher-quality habitat by the bay and nearby urban development, few non-flying animals are present. Urban-adapted mammals, are expected to be present, including natives such as the raccoon and non-natives such as the black rat. A number of bird species use the site, but most are regionally common, typically urban-adapted species, including native bushtit, red-winged blackbird, American crow, and house finch, as well as the non-native European starling and Eurasian collared-dove. In addition, Cooper’s hawk and red-tailed hawk occasionally hunt on the site.

The site is located along the Pacific Flyway, however it does not provide high-quality stopover habitat due to the prevalence of weedy vegetation and lack of trees and shrubs. Fennel provides invertebrate food for some migrant songbirds in fall, but it serves as poor roosting habitat, providing little cover and thereby subjecting those birds to high predation risk.

PROJECT FINANCING

San Francisco Bay Restoration Authority	\$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	\$1,479,850
Project Total	\$4,499,371

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 grants.

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

Under section 66704.5 (a), the Authority may award grants to public and private entities, including, but not limited to, owners or operators of shoreline parcels in the San Francisco Bay area, excluding the Delta primary zone, for eligible projects in the counties within the authority’s jurisdiction. SPHERE is a 501 (c) (3) private nonprofit corporation and the project is located in San Mateo County, along the shoreline, in the Authority’s jurisdiction.

Consistent with section 66704.5(b)(1), the project will “Restore, protect or enhance tidal wetlands, managed ponds or natural habitats on the shoreline in the San Francisco Bay area” by restoring tidal marsh and marsh-upland transition zone habitats along the Burlingame shoreline.

Consistent with section 66704.5(b)(3), the project will “Provide or improve public access or recreational amenities that are a part of a project to restore, enhance, or protect tidal wetlands, managed ponds, or natural habitats” by developing boardwalks for nature viewing, Water Trail

launch sites, safe fishing access points and the improvement of a section of the Bay Trail for bikers, joggers, and walkers.

Consistent with Section 66704.5(e), this recommended grant will be used to support planning for the project, which is an eligible project as described above.

CONSISTENCY WITH MEASURE AA PROGRAMS AND ACTIVITIES:

This authorization is consistent with Measure AA’s Vital Fish, Bird and Wildlife Habitat Program since the project will significantly enhance or restore 3-3.5 acres of tidal marsh and transition zone habitats, which will support a high diversity of shorebirds, waterfowl and other wildlife.

This authorization is consistent with Measure AA’s Shoreline Public Access Program since the project will upgrade a section of the Bay Trail, construct boardwalks and trails for nature viewing, and install kayak and kitesurfing Water Trail launch sites and a fishing area. The project will also provide an education center and program educational events. An interpretive program will be installed throughout the park to engage the community about sea level rise, native habitats and other topics. Wayfinding and interpretive signage will be designed to provide the most inclusive experience possible and allow users of diverse ages, backgrounds, and abilities to engage with the site and learn from their experiences.

CONSISTENCY WITH MEASURE AA PRIORITIZATION CRITERIA:

1. **Greatest positive impact.** The project will restore a tidal marsh ecosystem including a tidal marsh-upland transition zone in one of the few remaining suitable locations along the western shoreline of the Bay north of the San Mateo Bridge. The restored tidal marsh ecosystem will provide improved habitat for native marsh-associated flora and fauna and improved bay water filtration functions compared to the existing condition. The park will benefit local community members of all backgrounds by providing safe and inviting amenities for fishing, boating, kitesurfing/windsurfing, kayaking/paddle boarding, jogging, bicycling, birdwatching, picnicking, educational events, etc.
2. **Greatest long-term impact.** The park will be a permanent fixture on Burlingame’s bayfront, specifically designed to be resilient to the effects of sea level rise. The project will provide the following key park infrastructure features above the projected 100-year coastal flood elevation in 2100: an education center, boardwalk and gathering spaces, two Water Trail access sites, and the central portion of the Bay Trail located on the created higher topography. The created tidal marsh ecosystem will be designed to be resilient to sea level rise. The Resiliency Figures 1 and 2 in Exhibit 2 show how the created tidal marsh habitats (mudflat, low marsh, mid-high marsh) are projected to transition upslope onto marsh-upland transition zone as sea level rises.
3. **Leveraging resources and partnerships.** The project is a public-private partnership directly between SPHERE (a non-profit) and the SMRCD (a local government entity) and involves close collaboration with additional government agencies such as the City of Burlingame (the

local government, CEQA lead agency and building permit issuer), the SLC (landowner), and the EPA (providing a \$500,000 planning grant to the project). Additionally, the project team has been approved to work with the Bay Restoration Regulatory Integration Team (BRRIT) for permit coordination and to ensure all impacts are mitigated. This unique partnership also allows the project site to be developed into a public nature-based park with wildlife habitat instead of the hotel proposed by developers.

4. **Economically disadvantaged communities.** The project is located within an economically disadvantaged community as defined by the San Francisco Bay Restoration Authority Guidelines (census tract and block group) and will benefit nearby disadvantaged communities by encouraging Bay access and providing recreational amenities and educational opportunities. In order to inform and engage disadvantaged communities in the area, the project team is implementing a community outreach plan with San Mateo Resource Conservation District and Green Foothills. The latter is a grassroots community organization that addresses major challenges to the immigrant Latino residents in the community and advances environmental justice and social equity in land use decisions and policy.
5. **Monitoring, maintenance, and stewardship.** Restoration ecologist consultants will prepare a Tidal Marsh Habitat Restoration and Monitoring Plan. This document's monitoring plan will set forth a 10-year monitoring program (as required by the BRRIT), which will articulate the project's habitat restoration goals tied to quantitative, measurable success criteria metrics. Monitoring will document temporal trends toward achievement of the success criteria and guide site management recommendations. Metrics will include: habitat-based metrics (including surface area of restored habitat types and temporal succession/change in their spatial distribution; vegetation composition and percent cover; and physical, geomorphic processes including sedimentation, slough channel evolution, and tidal flushing); water quality metrics (including salinity, pH, and dissolved oxygen); and bird use monitoring to document changes in bird use over time. The monitoring program will be carried out by a qualified restoration ecologist, a restoration hydrologist, and a wildlife ecologist. This team will prepare reports that summarize the methods, results and recommendations for adaptive management, as needed, to achieve the quantitative success criteria.
6. **Coastal Conservancy's San Francisco Bay Area Conservancy Program.** The project is consistent with the San Francisco Bay Area Conservancy Program's Criteria, as follows:
 - a. It is supported by several local/regional plans, including the:
 - California Water Action Plan (2016 update)
 - Baylands Ecosystem Habitat Goals Report (1999)
 - Baylands Goals Science Update (2015)
 - State Coastal Conservancy's 2018 – 2022 Strategic Plan:
 - Enhanced San Francisco Bay Area Water Trail Plan (2011)
 - San Francisco Bay Trail Plan (1989)
 - San Mateo County General Plan (1986)
 - b. Planning for the project can be implemented immediately by SPHERE, is supported by in-kind funds from SPHERE, and leverages funds from EPA and the Wildlife Conservation Board.

- c. The project is urgently needed because the opportunities and benefits of restoring habitat and improving public access to the Bay will diminish over time as the site continues to degrade.
7. **San Francisco Bay Conservation and Development Commission’s Coastal Management Program.** The project meets the following priorities of the program: habitat restoration, climate change resilience, and creating resource-compatible public access.
- a. **Fish, Other Aquatic Organisms and Wildlife Policy:** Conserve and restore the Bay’s tidal marshes, tidal flats and subtidal habitat to assure benefits to fish and other aquatic organisms and wildlife for future generations.
 - b. **Public Access Policy:** To ensure the optimum use of the Bay for recreation, enhancing access of waterfront parks by improving Bay Trail segments that connect to the waterfront and interpretive programs that inform visitors about the wildlife and habitat values present in the park.
 - c. **Appearance, Design and Scenic Views:** Designs should provide, enhance or preserve views of the Bay and shoreline, especially from public areas.
8. **San Francisco Bay Joint Venture’s Implementation Strategy.** The project was presented to the San Francisco Bay Joint Venture in February 2021 and has been adopted as a planning project. The project is consistent with the SFBJV Implementation Strategy in that it restores and enhances bay habitat already in public ownership and uses funding partnerships (EPA and Wildlife Conservation Board funds).

COMPLIANCE WITH CEQA:

The proposed planning work for the project 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 will file a Notice of Exemption upon approval of funding.