

**To:** Parks and Recreation Commission

**From:** Megha Bansal, Public Works Department

**Date:** December 19, 2017

**Subject:** Baylands Boardwalk Improvement Project Informational Update

### **RECOMMENDATION**

No action to be taken. This report provides an update on the Baylands Boardwalk Improvement Project (CIP PE-14018) and clarifies the Parks and Recreation Commission's (PRC) comments discussed in a meeting on September 26, 2017.

### **BACKGROUND**

The project replaces the existing boardwalk at the Lucy Evans Baylands Nature Interpretive Center (Interpretive Center) with a new accessible boardwalk of the same length and on the same alignment as the existing boardwalk.

On August 22, 2017, staff presented the preliminary design to the PRC (<http://www.cityofpaloalto.org/civicax/filebank/documents/61237>), and on September 26, 2017, the PRC voted 4-3 to recommend approval of the Park Improvement Ordinance (PIO) to Council for the project (<http://www.cityofpaloalto.org/civicax/filebank/documents/61961>). Staff would like to provide design updates and clarify PRC's comments, including the comments received on the California Environmental Quality Act (CEQA) document, the Architectural Review Board (ARB) comments, design changes, and agencies permitting status.

### **DISCUSSION**

The key discussion points from the PRC meeting on September 26, 2017 are described below.

1. Boardwalk Deck Height: The PRC was concerned that a higher boardwalk structure would not provide the same experience to the public. The proposed project is in the San Francisco Bay Conservation and Development Commission's (BCDC) jurisdiction and the BCDC has permit authority for the project. BCDC has adopted policies that mandate that

projects located within their jurisdiction be designed to be resilient to accommodate projected sea level rise. The proposed boardwalk deck elevation of 13.5 feet was determined in consultation with BCDC to comply with these policies. A lower height was initially contemplated but BCDC staff requested a deck elevation of 13.5 feet, which is the same height as the Interpretive Center, and is approximately 3.6 feet (major portion of the boardwalk) to 4.3 feet (where the boardwalk is collapsed) higher than the existing boardwalk. The project's design team indicated to BCDC staff that 13.5 feet elevation is feasible from an engineering and geotechnical perspective and the facility has been designed accordingly. For context, the existing boardwalk deck is approximately 2.1 feet above the ground surface, whereas the proposed boardwalk will be approximately 5.7 feet above the ground surface. The CEQA document and the submitted permit applications are all based on the 13.5 feet design elevation. The City's consultants believe that a proposal to change the deck height to a lower elevation would, at a minimum, delay the permit process for several reasons. A lower bridge elevation may or may not be permissible because that would not be compliant with BCDC's policy, and the applications with the proposed 13.5 feet elevation have been submitted to the agencies. Additionally, from the user's perspective, the elevated boardwalk would provide a better view of a larger marsh area.

2. Closer access to marsh at overlooks: The PRC asked staff to consider providing closer access to the marsh by including overlooks with stairs down to the marshland. This design would not provide equal access as required to comply with Americans with Disabilities Act (ADA) standards. If the structure is closer to the marsh, it would not comply with the above-referenced BCDC policies, and it would require revisions to the shade study to assess the potential impact on vegetation growth below the wider structure section. This change would result in revision and resubmittal of permit applications, potential updates to the approved CEQA document, and potentially further delay the project.
3. Raptor Deterrent Rollers: The PRC are concerned about people using the raptor deterrent rollers as handrails, which potentially could lead to slipping hazards as the rollers move. The rollers are planned to be attached to the top of the railing to prevent raptors from perching per the United States Fish and Wildlife Service (USF&WS) input. The PRC suggested adding a handrail to provide additional public safety and stability for the users. Per

PRC's input, staff is adding wooden handrails on both sides of the boardwalk.

4. CEQA review: Pursuant to CEQA, an Initial Study/Mitigated Negative Declaration (IS/MND) was prepared and circulated for public review from September 15 - October 16, 2017. Staff received one comment from the Santa Clara Valley Water District (SCVWD) on October 25, 2017. Although, the SCVWD does not have any rights or facilities within the proposed project limits, they recommended that the work be routinely inspected to verify that spill prevention and response measures are properly implemented. No other comments were received during the CEQA circulation.
5. Architectural Review Board (ARB) review: The ARB recommended approval of the project to Council on October 19, 2017 (<http://www.cityofpaloalto.org/civicax/filebank/documents/62441>). Key comments from the ARB are summarized below.

- a) Deck staining is not preferred if it is not a requirement per the Site Assessment and Design Guidelines of the Palo Alto Baylands Nature Preserve. Staining would not last longer and will become a long-term maintenance issue. The Design Guidelines state that all wood elements should be allowed to weather to gray or stained with Olympic 911 natural gray color. The ARB noted that the renovated Interpretive Center's deck is not stained.
- b) Specify types and grades of redwood suitable for the marsh environment.
- c) Explore alternates to Alaskan Yellow Cedar. Alaskan Yellow Cedar was suggested by the Regional Water Quality Control Board (RWQCB) due to its durability and suitability to the marsh environment.
- d) Remove the glass viewing panels because the marsh features will be visible from between the railing pickets.
- e) Install handrail on one side of the boardwalk if not on both sides.
- f) Use stainless steel fasteners instead of galvanized fasteners as they will last longer in the marsh environment.
- g) Refine construction details.

6. Design Changes:

- a) Based on the PRC and ARB input, staff is adding a wooden handrail on both sides of the boardwalk. The handrail will be 2x6 redwood, attached to the inside face of the railing and located approximately 4-6 inches below the top of the railing.
  - b) Based on the ARB input, the deck material will not be stained.
  - c) Stainless steel fasteners would be significantly more expensive than the proposed galvanized fasteners. However, staff may consider adding stainless steel fasteners to the project as an additive alternate bid item.
7. Regulatory requirements and biological resources: This project requires permits and guidance from the following regulatory agencies before construction. All permit applications were submitted in September/October of this year:
- a) United States Army Corps of Engineers (USACE) Section 404 Nationwide Permit
  - b) California RWQCB Section 401 Certification/ Waste Discharge Requirements
  - c) San Francisco BCDC permit
  - d) USF&WS consultation

Northern coastal salt marsh supports some of the rarest wildlife species in the San Francisco Bay due to its past conversion for other land uses, and this plant community is considered highly imperiled by the California Department of Fish and Wildlife. The salt marsh at the Palo Alto Baylands Nature Preserve provides a particularly high-quality example of this plant community and supports some of the more robust populations of two critically endangered species remaining in the South Bay – the California Ridgway’s rail, which nests in cordgrass, dense stands of pickleweed, and marsh gumplant and it is frequently seen right along the boardwalk, and the salt marsh harvest mouse, which occurs in pickleweed habitat. These species are listed as endangered under both the California and federal Endangered Species Acts. Thus, it is imperative that the project avoids substantial adverse impacts to this sensitive community and its associated species.

## **RESOURCE IMPACT**

Funding for design services for this project is included in Capital Improvement Program (CIP) project (PE-14018) – Baylands Boardwalk Improvements Project.

## **POLICY IMPLICATIONS**

The project is consistent with the Comprehensive Plan goals, policies and programs.

## **SCHEDULE AND NEXT STEPS**

Project schedule is as follows:

- 35% design: Complete
- IS/MND 30-day circulation: September/ October 2017
- PRC recommendation for PIO approval: September 26, 2017
- ARB recommendation for project approval: October 19, 2017
- CEQA approval and Notice of Determination: November 2017
- Council review of the PIO: January 2018 (tentative)
- Agency permits/review: September 2017- Summer 2018
- Complete design/bid project pending permits: Summer 2018
- Boardwalk construction (best case): September 2018 -January 2019\*
- Boardwalk construction (worst case): September 2019 -January 2020\*

\*To avoid nesting birds in the Baylands, the construction window is limited to five months from September 1 through January 31, pending permits.

## **ENVIRONMENTAL REVIEW**

Pursuant to the California Environmental Quality Act (CEQA), an Initial Study and Mitigated Negative Declaration (IS/MND) was prepared and circulated for public review from September 15, 2017 to October 16, 2017. The IS/MND may be viewed at

<http://www.cityofpaloalto.org/news/displaynews.asp?NewsID=4113&TargetID=319>

The MND concludes that, with mitigation incorporated, the project will have no significant environmental impacts.