



Midpeninsula Regional
Open Space District

R-19-99
Meeting 19-19
July 24, 2019

AGENDA ITEM 9

AGENDA ITEM

Wetland Creation Credits as Mitigation for the Ravenswood Bay Trail Project

GENERAL MANAGER'S RECOMMENDATION *deur*

Authorize the General Manager to enter into an agreement to purchase 0.050 acres of wetland creation credits for \$75,000 with the San Francisco Bay Wetland Mitigation Bank to mitigate for wetland impacts resulting from the Ravenswood Bay Trail Project.

SUMMARY

The Ravenswood Bay Trail Project (Project) (MAA 02-002) will close a critical 0.6-mile gap in the San Francisco Bay Trail, linking Ravenswood Open Space Preserve (Preserve) with University Avenue in East Palo Alto and Menlo Park. The Project is located adjacent to and within the baylands, a sensitive habitat area that is highly regulated. The Project was designed to minimize impacts; however, the Project will result in some unavoidable impacts to wetlands. A Mitigation and Monitoring Plan (MMP) was prepared to describe this mitigation approach to support the permit applications for the Regional Water Quality Control Board (RWQCB), U.S. Army Corps of Engineers (USACE), San Francisco Bay Conservation and Development Commission (BCDC), and U.S. Fish and Wildlife Service (USFWS). The RWQCB, USACE, and USFWS have conditioned their project permits to require the Midpeninsula Regional Open Space District (District) to fully mitigate all project impacts, including the implementation of wetland enhancement and revegetation activities and the purchase 0.050 acres of tidal wetland creation credits from the San Francisco Bay Wetland Mitigation Bank at a cost of \$75,000. The budget includes sufficient funds for the recommended action.

DISCUSSION

The Ravenswood Bay Trail Connection is a 1.3-mile trail construction and repair project that includes closing a 0.6-mile critical gap in the existing Bay Trail system. The project consists of an asphalt trail with decomposed granite shoulders, wood boardwalk and a prefabricated steel bridge. Although project impacts on habitats under the jurisdiction of USACE, RWQCB, BCDC and species under the jurisdiction of USFWS have been minimized to the greatest extent possible, the project will result in minimal permanent and temporary impacts to wetlands due to the project's construction.

To mitigate for these impacts, an MMP was prepared by the District's environmental consultant, H.T. Harvey & Associates, in consultation with the permitting resource agencies. The MMP details the overall mitigation approach and describes how enhanced habitats will be established, maintained, and monitored, along with standards for success and the required course of action if

mitigation goals are not achieved. Habitat impacts will be mitigated concurrently with project impacts through a combination of on-site habitat enhancement to benefit the salt marsh harvest mouse and California Ridgway's rail and purchase of wetland creation credits.

While the majority of mitigation provided by the project will enhance existing wetlands and waters, the permanent loss of 13 square feet of wetlands due to the placement of the boardwalk piers is conditioned to be mitigated at a ratio of one to one through the purchase of compensatory credits at the San Francisco Bay Wetland Mitigation Bank (Bank) to fulfill requirements of the RWQCB's no-net-loss policies. The Bank utilizes mitigation funds to create tidal wetlands within privately owned land in Redwood Shores, CA. The minimum acreage available for purchase is 0.050 acres, or 2,178 square feet. Therefore, the project is ultimately creating a net gain of 2,165 square feet of wetlands within the baylands. The cost for purchasing this wetland creation credit through the Bank is \$75,000.

FISCAL IMPACT

The Fiscal Year (FY) 2019-20 adopted budget includes \$1,976,760 for the Ravenswood Bay Trail Project (MAA02-002). There are sufficient funds in the project budget to cover the recommended action.

Ravenswood Bay Trail MAA02-002	Prior Year Actuals	FY2019-20 Adopted Budget	Estimated Future Years	Total
District Funded (Fund 30):	\$256,826	\$551,849	\$1,589,452	\$2,398,127
Grants and Donations Amount:	\$512,374	\$1,424,911	\$818,043	\$2,755,328
Project #MAA02-002 Budget:	\$769,200	\$1,976,760	\$2,407,495	\$5,153,455
Spent-to-Date (as of 06/30/2019):	(\$769,200)	\$0	\$0	(\$769,200)
Encumbrances*:	\$0	(\$1,901,760)	(\$2,407,495)	(\$4,309,255)
Wetland Mitigation Bank Credits:	\$0	(\$75,000)	\$0	(\$75,000)
Budget Remaining (Proposed):	\$0	\$0	\$0	\$0

*Includes year 1 of recently approved H.T. Harvey and Associates Contract and proposed Ravenswood Bay Trail Granite Rock Company Contract.

The following table outlines the Measure AA Portfolio 02 allocation, grants and donations awarded, costs-to-date, and the fiscal impact related to the Ravenswood Bay Trail project (MAA02-002).

MAA02 Portfolio Allocation:	\$5,052,000
Grants and Donations Awarded:	\$2,755,328
Life-to-Date Spent (as of 07/01/2019):	(\$1,638,769)
Encumbrances (as of 07/01/2019)*:	(\$4,309,255)
Wetland Mitigation Bank Credits:	(\$75,000)
Portfolio Balance Remaining (Proposed):	\$1,784,304

*Includes year 1 of recently approved H.T. Harvey and Associates Contract and proposed Ravenswood Bay Trail Granite Rock Company Contract.

BOARD COMMITTEE REVIEW

The Real Property Committee held a meeting on February 16, 2016 in the City of East Palo Alto to provide committee members and the public with a status update on the Project and trail easement acquisition from the San Francisco Public Utilities Commission to close the Bay Trail gap. On November 16, 2016, the Board of Directors (Board) approved the conceptual trail alignment and certified the Initial Study and Mitigated Negative Declaration (IS/MND) (R-16-146).

PUBLIC NOTICE

Public notice was provided as required by the Brown Act.

CEQA COMPLIANCE

The Project was evaluated as part of the IS/MND and is consistent with the IS/MND, certified by the Board on November 16, 2016 (R-16-146).

NEXT STEPS

If approved, and once all project approvals have been secured, the General Manager will enter into a purchase agreement for \$75,000 with the Bank to purchase 0.050 acres of wetland creation credits to mitigate for wetland impacts resulting from the Ravenswood Bay Trail Project.

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