

**CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT**

Agenda Date: April 16, 2012
Reviewed by: BP

SUBJECT: Report on East Bay Regional Park District Albany Beach Restoration and Public Access Improvement Project

REPORT BY: Jeff Bond, Community Development Director

STAFF RECOMMENDATION

That Council approve correspondence to the East Bay Regional Park District expressing support for the Albany Beach project and commenting on the Notice of Preparation on an environmental impact report.

BACKGROUND

On June 20, 2011, the City Council approved a resolution of support to the East Bay Regional Park District (EBRPD) for the Albany Beach project. Later in 2011, the District completed the Albany Beach Restoration and Public Access Feasibility Study (available online at www.ebparks.org/planning#albany). Since approval of the feasibility study, the District Board of Directors authorized District staff to seek California Coast Conservancy and U.S. Environmental Protection Agency funding for the project. In addition, the District has contracted with Questa Engineering to complete the design and permitting for the project, including preparation on an environmental impact report.

Furthermore, the District is in the process of acquiring through eminent domain approximately 8 acres of property at Golden Gate Fields along the shoreline for use as a link in the Bay Trail from Gilman to Buchanan. Eminent domain is the process by which a public agency can acquire property when the property owner and the public agency cannot come to terms through negotiation in a conventional real estate transaction. Acquiring property through eminent domain is a complex process that ultimately involves filing a complaint in Superior Court. In this situation, the District's eminent domain action is being challenged by Golden Gate Fields on the basis of a violation of the California Environmental Quality Act (CEQA). A tentative Court ruling has been issued clarifying the procedural steps necessary for the project to move forward.

DISCUSSION

The Beach project will be a significant public improvement to the Albany waterfront. In summary, the project will extend the Bay Trail from Gilman to Buchanan, enhance and expand the beach, dunes and wetlands, stabilize eroding shorelines along the south side of

the neck, and improve public access. In addition, the project includes interpretive exhibits, picnic facilities, restrooms, and parking near the turnaround at the end of Buchanan (Attachment 1). Environmental review and design has begun and is expected to be completed in 2013. Construction of the project is expected to be phased, and could begin in 2013.

The Notice of Preparation is an early procedural step in the environmental review process. A public meeting has been scheduled for April 12, 2012 to provide members of the public an opportunity to provide comments on the project (Attachment 2). No formal action will be taken by the District at the meeting. City staff is planning to attend the April 12 session and will report to the City Council comments received by the District. The City has until April 29 to submit comments to the District.

SUSTAINABILITY IMPACT

The Beach project contributes to the implementation of Climate Action Plan Green Infrastructure Policy Objective GI-1 (Expand and Enhance the City's Green Infrastructure), which calls for enhance the community's urban forest and other landscapes to maximize carbon sequestration, reduce storm water runoff, and augment neighborhood aesthetics. In addition, the project contributed to the implementation of Transportation and Land Use Objective TL-1: (Facilitate Walking and Biking in the Community), which calls for expansion and enhancement of bicycle infrastructure throughout the City

FINANCIAL IMPACT

There is no out-of-pocket cost to the City associated with the District project. Staff time will be required for project coordination and managing construction impacts, which is typical for projects of this type.

Attachments

1. Resolution 2011-34 Endorsing Albany Beach Feasibility Study
2. Project Overview Graphics
3. EBRPD Notice of Preparation of Environmental Impact Report