

San Francisco Bay Conservation and Development Commission

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TO: Design Review Board Members

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SUBJECT: **Park at 410 Airport Boulevard in Burlingame, San Mateo County;
First Pre-Application Review**
(For Design Review Board consideration July 12, 2021)

Project Summary

Project Proponents

The SPHERE Institute (SPHERE) and the San Mateo Resource Conservation District (SMRCD)

Project Representatives

Al Franzoia, State Lands Commission (Property Owner); Greg Boro and Will Johnson, SPHERE Institute, and Amy Kaesar and Joe Issel, San Mateo Resource Conservation District (Project Proponent); Karen Verpeet, Rachel Visscher, and Joe Howard, H. T. Harvey & Associates; Max Busnardo, H. T. Harvey & Associates (Design Consultant); Luke Tillman and Chris Bowles, cbec Eco Engineering (Eco-Hydraulic Engineers).

Project Location (Exhibits 6 - 11)

The approximately 9.4-acres site, known as the Park at 410 Airport Boulevard, is located on the Anza peninsula in Burlingame, San Mateo County. The site is bounded to the south by the office buildings and Bay View Place and Airport Boulevard roadways; to the southeast by Burlingame Point development; to the east by Sanchez Creek; to the north by the Bay; and to the west by Kincaid's Restaurant and parking. The land is owned by the State Lands Commission.

Project Overview

The project proposes to develop a bayfront park and educational facility centered around a newly constructed tidal marsh. The project proposes to provide a variety of site improvements that would support diverse recreational activities, including fishing, kitesurfing, kayaking, walking, jogging, biking, picnicking, nature viewing, and educational events. This project received Measure AA funding from the San Francisco Bay Restoration Authority to conduct community engagement, prepare detailed design plans, prepare regulatory permit applications and environmental review documents, and prepare a long-term lease application for the State Lands Commission (SLC). The project is currently going



through pre-application meetings with the Bay Restoration Regulatory Integration Team (BRRIT) to obtain agency feedback on the project design.



Aerial image of existing site at 410 Airport Boulevard in Brisbane.

Project Site

Site History (Exhibits 3, 4, and 7)

The majority of the land at this site was once water and historic tidal flats, located near Ssalson, the traditional indigenous homeland of the Ramaytush Ohlone. The site was filled in the mid- to late 1960s by the Anza-Pacific Corporation out of illegal fill that was placed into the Bay. Concrete debris and slabs from the original San Mateo Bridge created the perimeter wave break of the Anza peninsula and additional fill materials were placed to create the interior of the 146-acre peninsula. As part of a settlement agreement in July 1972 between the Anza-Pacific Corporation and the SLC, the State was given 46 acres of the Anza Peninsula including the 9.4-acres at the project site. Public Trust lands are required to be held in trust for all Californians, and they are required to serve statewide and regional goals.

The Anza Peninsula in Burlingame has specific public access guidelines that were considered by the Commission on January 7, 1982 and adopted on January 21, 1982. These guidelines were revised based upon input from the Design Review Board and public hearing on December 17, 1981 prior to their adoption.

The SLC has received a variety of development proposals for the site over time, including hotel developments and commercial buildings, but the site has remained largely undeveloped and fenced off from the public. As recently as 2014, the Sherman boat was berthed in Sanchez Creek and operated as a restaurant. As part of the restaurant, a small parking lot and gangway were constructed on the site and remain today, but the Sherman and supporting infrastructure located in Sanchez Creek have largely been removed from the site.

In 2018, the SLC and the City of Burlingame conducted a Public Trust Needs Assessment to determine the best use for developing the site. Much of the public feedback was focused on passive and recreational uses, such as open space and restoration, Bay and water access, and park space for the site. Additionally, the public strongly desired that the future development at the site include and improve the Bay Trail and also create a San Francisco Bay Water Trail access point for water-related recreation. Some members of the public requested that the site be considered for windsurfing and kitesurfing due to the unique wind conditions at the site. In addition, some short-term maintenance needs were identified for the site, such as debris removal, filling voids in the Bay Trail, removal of hazards along the shoreline, etc. The SLC finalized a Public Trust Needs Assessment for the site on October 16, 2018 and granted a short-lease agreement to SPHERE. In 2019, SPHERE was granted a short-term lease from the State Lands Commission, which ends on October 23, 2022. This lease agreement allows site investigations, design development, community outreach and CEQA approval, and requires the maintenance of the existing public access trail segment on the northern and eastern portions of the site and allows for long-term planning for a future park on the site.

Existing Conditions (Exhibits 10 - 11)

The Bay Trail runs along the northern and eastern edges of the site atop the non-engineered fill with erosion and settling issues that have created uneven surfaces. In some areas along the wave break, weathering has deteriorated materials and exposed rebar in the concrete slabs. Despite the deteriorated condition, this stretch of the Bay Trail is well-used by the public for walking, jogging, viewing, and fishing. The northern section of Bay Trail is mostly unpaved and the eastern portion along Sanchez Creek is paved and has some railings. The abandoned parking lot and remnant infrastructure from the Sherman are located along Sanchez Creek, and are used as informal gathering areas for fishing. There is an operating FAA tower for the San Francisco International Airport located on the site in the northeast section. The interior of the site is fenced off and inaccessible to the public. Views to the Bay from Airport Boulevard are blocked due to existing vegetation, but views are less obstructed along Bay View Place. There are open views to the Bay from the existing unimproved Bay Trail.

Existing habitats on site include weedy upland habitat over a majority of the site, some seasonal wetlands, and non-native trees and shrubs. The upland area that is fenced off from the public, is mainly used by feral cats and birds, including urban-adapted species such as native bushtit, red-winged blackbird, American crow and house finch, non-native collard-dove, some migrant songbirds, and some hawks that hunt on the site. Mudflats and subtidal habitat are present Bayward of the wave break and in Sanchez Creek. There are a number of special-status fish species likely to occur in the Bay and Sanchez Creek near the project site, including longfin smelt, Central California Coast steelhead, green sturgeon, white sturgeon, and Pacific herring. Additionally, some native shorebirds are also likely to be found feeding on mudflats near the site.

Social and Environmental Context

The Commission has developed a Community Vulnerability Mapping Tool to help inform its analysis of how socioeconomic indicators and contamination burdens contribute to a community's vulnerability to climate change. The mapping tool collects information at the level of Census blocks, and is used by the Commission Staff to help identify certain Equity Priority Communities. These communities include those disproportionately affected by environmental pollution and hazards that can lead to negative public health effects, exposure, or environmental degradation, and those with higher concentrations of people with socioeconomic characteristics indicative of a higher degree of social vulnerability.

According to the mapping tool, the project site is located within a 2020 census block (estimated population of 1,401 people) associated with "lower contamination vulnerability" and "low social vulnerability." The moderate social vulnerability indicator is mainly based upon a high number of renters and people with limited English proficiency. However, it is important to note there are some areas to the southeast of the project site along Airport Boulevard that are characterized as having high social vulnerability. Additionally, as part of the Public Trust Needs Assessment the SLC also recognized that environmental justice issues related to the uses at this site included concerns around having available low-cost access to public lands and resources, reducing the impacts of climate change, and sea level rise preparedness and adaptation. The city updated its General Plan in 2019 which is resulting in renewed interest for development on Anza Peninsula. The City is also undergoing a flood protection planning process that will incorporate adaptation strategies for the entire waterfront.

Staff visited the site on the morning of Wednesday June 16, 2021. The sky was clear and sunny, and the tide was around the higher low tide for the day. During the two hours on site, staff observed 15 people walking or running along the water, three cyclists, and four fishermen at Sanchez Creek.

Proposed Project

Public Nature and Recreation Park (Exhibits 12 – 32, 35, 39 - 43)

The purpose of the project is to construct a public nature and recreation park along the bayfront in Burlingame. The project proposes to create a tidal wetland and park area with improvements for fishing, kite boarding, kayaking, walking, jogging, biking, picnicking, nature viewing, and an educational center. The project proposes to balance the cut and fill on site by contouring the landscape adjacent to the roadways with the fill excavated to create the tidal marsh.

Habitat Features. The project proposes to create a natural tidal marsh along the Bay shoreline to connect visitors to the Bay's ecology. A section of the existing shoreline protection/wave break would be excavated to create a tidal inlet to the newly created tidal marsh. Proposed habitat elements in the project include an approximately one-acre tidal salt marsh, with transition zone habitats surrounding the marsh, buffering it from the public access areas. The slope from the tidal marsh up to the transition zone habitat will be gently angled to allow for marsh transgression as sea level rises in the future. This transition zone could also serve as an educational feature on sea level rise resilience for Bay habitats for the public. The design includes new native plantings throughout the site, with more formal plantings of native plants around the high public use areas such as the Education Center.

Trail Network. The project includes an extensive trail network through the site. The proposed 18-foot-wide Bay Trail would be re-aligned from the existing shoreline edge to a curving spine running east-west through the site along the crest of the transition zone. Other trails include a waterfront promenade (8 feet-wide) on the eastern side of the site along Sanchez Creek, and water access points along both the northwestern corner and eastern side of the site. Trails are designed to provide universal access to the Education Center and all passive recreation areas. A main pathway connection the Education Center to the FAA tower will range in 12-40 feet in width to provide vehicular access to the tower and wider pedestrian access to the kayak dock. Secondary trails (8-12 feet wide) branch off from the Bay Trail to provide access to other areas of the park. Certain sections of the secondary trails (5 feet wide) along the wave break will include unlocked pedestrian access gates intended to slow or limit access in proximity to sensitive habitat or where tides may affect usability at certain times.

Education Center. An Education Center is proposed for the southeast portion of the site overlooking the tidal marsh. The 8,600 square-foot building will have public restrooms on the interior and exterior of the building, a water filling station, and other amenities for Bay Trail and park users. The building height will range from 14 to 32 feet in height. The interior of the building will have two, multipurpose exhibit galleries open to the public with views onto the tidal marsh and these areas may be used for special events. A take-away café is proposed on the eastern side of the building. A deck surrounding the building will have benches and moveable furnishings, and the adjacent eastern lawn area would provide space for picnicking. The Education Center is sited near access to existing utilities on site. A trash enclosure would be located adjacent to the park entry drive and would measure 30 feet by 18 feet, at 9 to 12 feet in height.

Circulation and Parking. Pedestrian and cyclists using the site will largely enter through two Bay Trail connections from the adjacent properties, or near the Education Center. Circulation through the site is organized along the proposed Bay Trail providing connectivity to existing public access areas and office buildings. Vehicles would enter the site primarily from Airport Boulevard into the drop off area outside the Education Center or to the parking area on the southern portion of the site. Vehicles would exit the site on Bay View Place. Additionally, the project team is working on coordinating with Kincaid's and the SLC to add a secondary parking area on the western edge of the site connecting to the Kincaid's parking lot for the kite surf launch. The project would include 33 onsite parking spaces with additional street parking available along Bay View Place and 7 public shore parking spaces required at the adjacent Kincaid's restaurant parking lot. The parking areas will be open to the public from dawn to dusk and gated when closed.

Water-based Recreation. An accessible 6-foot-wide kayak launch is proposed in Sanchez Creek on the east side of the site. A ramp for kite-surfing and windsurfing is proposed in the northwest corner. Project proponents have expressed interest in having the park be designated a Water Trail site. The kitesurfing ramp will not be universally accessible due to the steep nature of the ramp necessary for launching, but there will also be a water access point and overlook that is universally accessible, immediately west of the kitesurfing ramp. A rigging lawn would be located adjacent to the ramp. There are a number of passive recreation areas planned at the site, where users can enjoy a picnic, view the wildlife, and look out over the Bay. Additionally, there are multiple fishing opportunities along the edge of the site.

Views. The views to the Bay from the site would be available from the Bay Trail and other portions of the project site north of the Bay Trail. From the adjacent roadways, views to the Bay would be limited by the berm located on the southwestern portion of the site and the Education Center and trash enclosure in the southeastern corner of the site.

Educational and Interpretive Programming. The details of the potential future education and the interpretive program are still being worked out, but the project team has generally described that Educational programming and events would highlight sea level rise, bay ecology, and other relevant topics. The interpretive program is envisioned to include signage located throughout the outdoor spaces and will cover a variety of topics, including sea level rise/climate change, environmental conditions of the site, different habitat areas, and the site history.

Events. The project proponents envision that some events may occur at the site and that some of the public areas such as the Education Center and associated exterior spaces (northern deck, eastern plaza, and/or eastern lawn) may be temporarily closed to the public during special events. Access to the Bay Trail, water access points, exterior park restrooms on the Education Center, café, parking lots, and western lawns would be available to the public at all times. Events envisioned for the Education Center include, educational events, recreation, performances, community events, private events, and potential corporate/nonprofit/government events.

Sea Level Rise (Exhibits 33 – 34, 44)

A majority of the existing site is at approximately elevation +11 feet NAVD88. The project site is located adjacent to the Bay near an area that FEMA has designated as Zone VE with a Base Flood Elevation of approximately +12 feet NAVD88, however a majority of the project site is elevated and designated as an area with minimal flood hazard (Zone X). Through the new tidal inlet, the interior portion of the site will be opened up to the Bay. The closest station with tide elevations from the SF Bay Tidal Datum Study (FEMA/AECOM) is Station ID #800. Current Mean Higher High Water (MHHW) at the site is at approximately +6.84 feet NAVD88, the 1-year storm (King Tide) is about +8.11 feet NAVD88, and the 100-year storm is about +10.32 feet NAVD88. For planning purposes, the project life is anticipated through the year 2100.

For planning purposes, the Bay Trail and the Education Center were analyzed using the 2018 State of California Sea Level Rise Guidance. The Bay Trail was analyzed using a low risk aversion and high emission planning scenario due to the relatively high adaptive capacity and minimal consequences of flooding. For the proposed park development, the lowest point of the Bay Trail would have an elevation of approximately +11 feet NAVD88 in the northwest corner where it connects to the Bay Trail on the adjacent site. The Education Center was analyzed using the medium-high risk aversion and high emissions planning scenario because this is the most sensitive component of the project with lower adaptive capacity than other features of the park. The Education Center would be at an approximate elevation of +17.2 feet NAVD88. Some public access features, such as the boardwalk to the breach overlook (+9 feet NAVD88) and the spur trail along the wave break out to the breach (+12 feet NAVD88) are anticipated as interim uses until the year 2050 or slightly after, when they are expected to be inundated. The FAA tower is critical infrastructure for the San Francisco International Airport and will need to be adapted in the future by other entities responsible for the tower, and is likely to be

planned based upon the medium-high risk or extreme risk planning scenarios to ensure this structure remains resilient to future sea level rise.

Bay Trail. A majority of the Bay Trail is elevated throughout the site and ranges in elevation between +11 to +21 feet NAVD88, however the lowest section of the trail at the transition to the neighboring Kincaid's property would be vulnerable to flooding. Under the low risk aversion and high emissions planning scenario, sea level rise in 2050 is projected to be 1.1 feet and 3.4 feet through 2100. Using the 2050 projection, the MHHW would be at an approximate elevation of +7.94 feet and the 100-year storm would be +11.42 feet. The Bay Trail would most likely not experience inundation from sea level rise during normal daily tides and may experience approximately five inches of flooding during a 100-year storm event, but would be usable again following this storm event drain off. By 2100, the Bay Trail would remain usable during MHHW (+10.24 feet NAVD88) and daily tides, but could experience approximately six inches of flooding at +11.51 feet NAVD88 during a King Tide event, and approximately 2.72 feet of flooding during a 100-year storm with water levels up to +13.72 feet NAVD88.

Education Center. The Education Center has an approximate elevation of +17.2 feet NAVD88. Under the medium-high risk aversion and high emissions planning scenario, sea level rise in 2050 is projected to be 1.9 feet and 6.9 feet through 2100. Using the 2050 projections, the MHHW would be located at an approximate elevation of +8.74 feet NAVD88 and the 100-year storm would be +12.22 feet NAVD88. The Education Center would not experience inundation from sea level rise during normal daily tides or even during extreme storm events at the projected 2050 water levels. In 2100, the Education Center would not experience flooding during most daily tides or even during most extreme events, however there may be minor flooding (<1") at +17.22 feet NAVD88 during a 100-year storm, meaning the Education Center may have a small amount of flooding.

Shoreline Protection

The project does not propose work on the non-engineered wave break around the northern and eastern portions of the site with the exception of removal of approximately 80 feet to create the tidal inlet for the marsh. Additionally, some improvements will be made in the northwestern corner for the kitesurfing area and in the eastern side for the kayaking areas. The project also includes the creation of some transition zone habitats around the tidal marsh that will provide shoreline protection functions for the public access areas and provide areas for the marsh to transgress with sea level rise.

Community Engagement

As part of the process for gaining a short-term lease agreement from the State Lands Commission, the project team began conducting outreach in early 2018. The community outreach involved presentations to a variety of groups including, environmental NGOs, community and local organizations, hotel groups, neighbors, recreational groups, education groups, and government agencies. Additionally, the project team met with Commission Staff to obtain feedback on the outreach program. Based upon this feedback, the project team included additional community-based organizations and specific recreational groups, such as fishers, to their outreach program. Outreach for this project is still ongoing and the project team has plans for a number of additional future outreach opportunities with groups similar to the types of organizations mentioned above.

In response to some of the community engagement and feedback, the project team updated the design and increased the size of the eastern lawn, expanded fishing opportunities, added new trails out to the wave break, revised the design of the kitesurfing ramp, added bus parking, and shifted the berm to the west to maintain views. The project team also decided to concentrate human focused areas away from the habitat features by removing a trail that was in the transitions zone, removing a boardwalk out over the marsh, and shifting the eastern lawn south towards other human focused areas.

Approval & Construction Timeline (Exhibit 36)

The project team received a short-term lease agreement from the State Lands Commission that allowed them to conduct additional investigations on the site to inform the project design and conduct required maintenance of the existing public access trail around the perimeter of the site. The project needs to obtain a long-term lease agreement from the State Lands Commission prior to seeking regulatory approvals from agencies. Additionally, the project has not yet started the environmental review under the California Environmental Quality Act (CEQA), but the project team is preparing technical documents and studies to support the CEQA assessment. The project team anticipates this will begin in July 2021 and the City of Burlingame will be acting as the lead agency. Local approvals by the City of Burlingame Planning Department could be secured as early as July 2022. The project presented in this staff report and exhibits represents the project proponents preferred alternative. The project proponents anticipate that construction will be phased and begin in 2023 and take approximately three years to complete.

Commission Plans , Policies, and Guidelines

San Francisco Bay Plan Policies

The *San Francisco Bay Plan* (Bay Plan) contains a number of policy sections relevant to the design of the public access areas for this project, including the sections on Public Access, Recreation, Appearance, Design and Scenic Views, Shoreline Protection, Climate Change, and Public Trust.

Public Access Policy No. 2 states, in part, that “...maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline...” These policies also provide specific details on the locations and types of features that should be included in public access areas. Policy No. 10 states, in part, that “[a]ccess to and along the waterfront should be provided by walkways, trails, or other appropriate means and connect to the nearest public thoroughfare” and Policy No. 8 states, in part, that “...improvements should be designed and built to encourage diverse Bay-related activities and movement to and along the shoreline, should provide barrier free access for persons with disabilities, for people of all income levels, and for people of all cultures to the maximum feasible extent, should include an ongoing maintenance program, and should be identified with appropriate signs – including using appropriate languages or culturally-relevant icon-based signage.”

Related to the community input on the amenities included in public access spaces, Public Access Policy No. 5 states that “[p]ublic access that substantially changes the use or character of the site should be sited, designed, and managed based on meaningful community involvement to create public access that is inclusive and welcoming to all and embraces local multicultural and indigenous history and

presence. In particular, vulnerable, disadvantaged, and/or underrepresented communities should be involved.”

In natural areas and where habitat or species may be impacted by public access, Policy No. 4 states, in part, that “[p]ublic access should be sited, designed and managed to prevent significant adverse effects on wildlife...” and that “[s]iting, design and management strategies should be employed to avoid or minimize adverse effects on wildlife, informed by the advisory principles in the Public Access Design Guidelines.” In considering this balance between public access and wildlife, the Commission needs to consider the likely human use of the area, the potential for significant adverse effects (such as impacts to species, impacts on breeding and foraging areas, fragmentation of wildlife corridors, etc.), site specific information, and the best available scientific evidence and expert advice. These effects are also to be considered within a regional context.

In considering public access designs and potential future climate change, Public Access Policy No. 6 states, in part, that “[p]ublic access should be sited, designed, managed, and maintained to avoid significant adverse impacts from sea level rise and shoreline flooding,” and that access should be designed consistent with the physical and natural environment.

The Bay Plan **Recreation** Policy No. 1 states, in part, that “[d]iverse and accessible water-oriented recreational facilities, such as marinas, launch ramps, beaches, and fishing piers, should be provided to meet the needs of a growing and diversifying population... and improved to accommodate a broad range of water-oriented recreational activities for people of all races, cultures, ages and income levels...waterfront parks should be provided wherever possible.” And Policy No. 5 requires that within these parks, the Bay resources should “be described with interpretive signs. Where feasible and appropriate, waterfront parks and wildlife refuges should provide diverse environmental education programs, facilities and community service opportunities, such as classrooms and interpretive and volunteer programs.”

The Bay Plan Recreation Policy No. 3a encourages construction of recreational facilities, such as parks, along the Bay so long as “they are located, improved and managed consistent with the following standards:... (3) Be feasible from an engineering viewpoint.; and (4) Be consistent with the public access policies that address wildlife compatibility and disturbance. In addition:... (7) access to marinas, launch ramps, beaches, fishing piers, and other recreational facilities should be clearly posted with signs and easily available from parking reserved for the public or from public streets or trails... (8) To reduce the human health risk posed by consumption of contaminated fish, projects that create or improve fishing access to the Bay at water-oriented recreational facilities, such as fishing piers, beaches, and marinas, should include signage that informs the public of consumption advisories for the species of Bay fish that have been identified as having potentially unsafe levels of contaminants...”

In regard to water recreation that is proposed onsite, such as the kayak launch and kitesurfing ramp, Recreation Policy No. 3d states, in part, that “[l]aunching lanes should be placed where wind and water conditions would be most favorable for smaller boats.” For the placement of the kayak launch and kitesurfing ramp, the policies state that “(3) Additional launching facilities should be located around the Bay shoreline, especially where there are few existing facilities. These facilities should be available free or at moderate cost. Launching facilities should include adequate car and trailer parking,

restrooms, and public access...(6) Fill for ramps into the water, docks, and similar facilities should be permitted.”

The Bay Plan **Appearance, Design and Scenic Views** policies state, in part, that “all bayfront development should be designed to enhance the pleasure of the user or viewer of the Bay” and that “maximum efforts should be made to provide, enhance, or preserve views of the Bay and shoreline, especially from public areas...” These policies also state, in part, that “[s]horeline developments should be built in clusters, leaving open area around them to permit more frequent views of the Bay.” The entire project is for public access and open space along the shoreline with views to the Bay occurring throughout the site for pedestrians and bikers. Views to the Bay from Airport Boulevard mostly occur near the eastern portion of the site, as the berm area on the southwest of the site is at a height that may block bay views from the south and western sides of the site.

In considering the proposed project design features, such as the transition zone habitat that will provide some shoreline protection for public access areas once the site is opened up to tidal action, the Bay Plan **Shoreline Protection** policies state, in part, that, “[a]ll shoreline protection projects should evaluate the use of natural and nature-based features such as marsh vegetation, levees with transitional ecotone habitat, mudflats, beaches, and oyster reefs, and should incorporate these features to the greatest extent practicable. Ecosystem benefits, including habitat and water quality improvement, should be considered in determining the amount of fill necessary for the project purpose. Suitability and sustainability of proposed shoreline protection and restoration strategies at the project site should be determined using the best available science on shoreline adaptation and restoration.” The policies also state, in part, that “[a]dverse impacts to natural resources and public access from new shoreline protection should be avoided. When feasible, shoreline protection projects should include components to retain safe and convenient water access, for activities such as fishing, swimming, and boating, especially in communities lacking such access. Where significant impacts cannot be avoided, mitigation or alternative public access should be provided.” Finally, the policies state “[t]he Commission should encourage pilot and demonstration projects to research and demonstrate the benefits of incorporating natural and nature-based techniques in San Francisco Bay.”

On the subject of **Climate Change**, the Public Access Policy No. 7 states, in part, that, “[a]ny public access provided as a condition of development should either be required to remain viable in the event of future sea level rise or flooding, or equivalent access consistent with the project should be provided nearby.” The Bay Plan’s Climate Change Policy No. 5 states that “[w]herever feasible and appropriate, effective, innovative sea level rise adaptation approaches should be encouraged.”

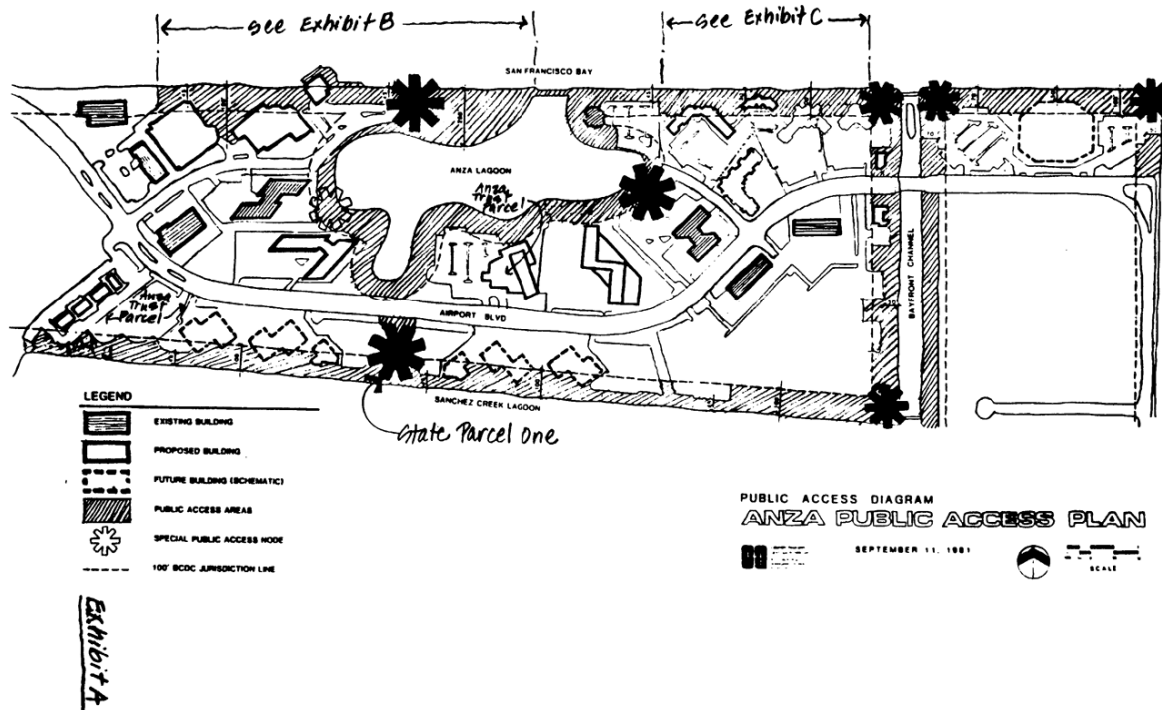
The project site is located on land owned by the State of California and is subject to the Public Trust Doctrine. In regard to the use of the project site, the Bay Plan policies on **Public Trust** state that “[w]hen the Commission takes any action affecting lands subject to the public trust, it should assure that the action is consistent with the public trust needs for the area and, in case of lands subject to legislative grants, should also assure that the terms of the grant are satisfied and the project is in furtherance of statewide purposes.”

As shown on **Bay Plan Map No. 6**, the project site does not have a priority use designation. However, the Map includes a Commission Suggestion for the Burlingame area to “[p]repare precise plan and

development program for the waterfront; include continuous public access to the Bay shoreline for viewing and fishing. Some fill may be needed.”

Burlingame Bayfront Specific Area Plan

The *Burlingame Bayfront Specific Area Plan* adopted by the Commission on January 21, 1982 contains a number of general policies related to the development of the Anza Peninsula in Burlingame that require maximum feasible public access on the Anza Peninsula. Additionally, there are specific policies and public access requirements related to the development of different portions of the Anza Peninsula. For this project, the Bayfront Channel and Bay policies are relevant to this site. These policies state, in part, that “[m]ajor public access areas should be provided next to Fisherman’s Park, on both corners of the entrance to the Bayfront Channel (Sanchez Creek), and on the peninsula between the Bay proper and Anza Lagoon...” and that the public access in this area along the shoreline of the Bay should include public access that averages a minimum of 75 feet in width as measured from the line of highest tide. Additionally, these policies require public that “[p]ublic access along both sides of the Channel should average a minimum of 65 feet in width.”



BCDC Public Access Guidelines for the Anza Area, Burlingame adopted by the Commission January 21, 1982. This version of the development envisioned commercial buildings and a hotel to be developed on the site.

Public Access Design Guidelines

The *Public Access Design Guidelines* state that public access should feel public, be designed so that the user is not intimidated nor is the user’s appreciation diminished by structures or incompatible uses, and that there should be visual cues that public access is available for the public’s use by using site furnishings, such as benches, trash containers, lighting, and signage. The *Public Access Design Guidelines* further state that public access areas should be designed for a wide range of users, should

maximize user comfort by designing for weather and day and night use, and that each site’s historical, cultural, and natural attributes provide opportunities for creating projects with a “sense of place” and a unique identity. The Bay Plan Public Access policies on these Design Guidelines state “The Design Review Board should encourage diverse public access to meet the needs of a growing and diversifying population. Public access should be well distributed around the Bay and designed or improved to accommodate a broad range of activities for people of all races, cultures, ages, income levels, and abilities.”

Board Questions

Staff recommends the Board frame its remarks of the proposed park considering the public access objectives found in the Commission’s Public Access Design Guidelines. Additionally, please provide feedback on the proposed public access park project with respect to the Commission’s policies on sea level rise, and environmental justice and social equity.

The seven objectives for public access are:

1. Make public access PUBLIC.
2. Make public access USABLE.
3. Provide, maintain, and enhance VISUAL ACCESS to the Bay and shoreline.
4. Maintain and enhance the VISUAL QUALITY of the Bay, shoreline, and adjacent developments.
5. Provide CONNECTIONS to and CONTINUITY along the shoreline.
6. Take advantage of the BAY SETTING.
7. Ensure that public access is COMPATIBLE WITH WILDLIFE through siting, design, and management strategies.