

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT Parks and Recreation	(2) MEETING DATE 2/24/2015	(3) CONTACT/PHONE Shaun Cooper, 781-4388	
(4) SUBJECT Hearing to adopt a resolution: 1) Certifying the Final Environmental Impact Report (Clerk's File) prepared for the Bob Jones Pathway project pursuant to CEQA; and 2) Approving the Bob Jones Pathway project between the Octagon Barn, on South Higuera Street and Ontario Road staging area. District 3.			
(5) RECOMMENDED ACTION It is recommended that the Board adopt a resolution: 1) Certifying the Bob Jones Pathway project Environmental Impact Report pursuant to Section 21000 et seq. of the Public Resources Code Section (CEQA); and, 2) Approving the Bob Jones Pathway project between the Octagon Barn, on South Higuera Street and the Ontario Road staging area.			
(6) FUNDING SOURCE(S) Parks Public Facilities Fees; Transportation Grants	(7) CURRENT YEAR FINANCIAL IMPACT \$0.00	(8) ANNUAL FINANCIAL IMPACT \$0.00	(9) BUDGETED? N/A
(10) AGENDA PLACEMENT <input type="checkbox"/> Consent <input type="checkbox"/> Presentation <input checked="" type="checkbox"/> Hearing (Time Est. <u>60 min</u>) <input type="checkbox"/> Board Business (Time Est. <u> </u>)			
(11) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions <input type="checkbox"/> Contracts <input type="checkbox"/> Ordinances <input type="checkbox"/> N/A			
(12) OUTLINE AGREEMENT REQUISITION NUMBER (OAR) N/A		(13) BUDGET ADJUSTMENT REQUIRED? BAR ID Number: <input type="checkbox"/> 4/5 Vote Required <input checked="" type="checkbox"/> N/A	
(14) LOCATION MAP Attached	(15) BUSINESS IMPACT STATEMENT? No	(16) AGENDA ITEM HISTORY <input type="checkbox"/> N/A Date: <u>1/26/10, 5/6/14</u>	
(17) ADMINISTRATIVE OFFICE REVIEW Morgan Torell			
(18) SUPERVISOR DISTRICT(S) District 3			

County of San Luis Obispo



TO: Board of Supervisors

FROM: Parks and Recreation / Shaun Cooper, 781-4388

DATE: 2/24/2015

SUBJECT: Hearing to adopt a resolution authorizing: 1) Certification of the Final Environmental Impact Report (Clerk's File) prepared for the Bob Jones Pathway project pursuant to CEQA; and, 2) Approval of the Bob Jones Pathway project between the Octagon Barn, on South Higuera Street and Ontario Road staging area. District 3.

RECOMMENDATION

It is recommended that the Board adopt a resolution:

- 1) Certifying the Bob Jones Pathway project Environmental Impact Report pursuant to Section 21000 et seq. of the Public Resources Code Section (CEQA); and,
- 2) Approving the Bob Jones Pathway project between the Octagon Barn, on South Higuera Street and the Ontario Road staging area.

DISCUSSION

The Bob Jones Pathway will provide a primarily Class I (off-street) multi-use pedestrian/bicycle pathway for recreational and alternative transportation use that will connect the community of Avila Beach with the City of San Luis Obispo. The County operates and maintains approximately 2.5 miles of existing Bob Jones Pathway extending from the County's Ontario Road staging area westward to Avila Beach. The Bob Jones Pathway – San Luis Obispo to Ontario Road project will ultimately develop an approximately 4.5 mile segment of a mostly Class I (off-street) multi-use bicycle/pedestrian path from the Octagon Barn located on South Higuera St., just south of the City of San Luis Obispo, to the staging area of the existing Bob Jones bike path at Ontario Road within the Avila Valley area (see Exhibit A- Vicinity Map). The project includes construction of three bridges over San Luis Obispo Creek. The proposed project is primarily within the Agriculture and Rural Lands land use categories and begins at the south-western edge of the City of San Luis Obispo, approximately 2,000 feet south of the intersection of South Higuera and Los Osos Valley Road, and follows an alignment along South Higuera, San Luis Obispo Creek, in between Monte Road and Highway 101, and crossing under Highway 101 to Ontario Road. The project is expected to provide an alternative transportation corridor as well as an important recreation corridor for residents of and visitors to San Luis Obispo County.

On January 26, 2010, the Board of Supervisors approved an agreement with Pacific Municipal Consultants (PMC) to prepare an Environmental Impact Report (EIR) for the Bob Jones Pathway project. The EIR addresses the environmental impacts that may be associated with the request to construct this segment of the Bob Jones Pathway and includes issue areas such as: Aesthetics; Agricultural Resources; Biological Resources; Cultural Resources; and Land Use.

There were several public outreach meetings throughout the EIR process. The Draft EIR was released for public review on August 19, 2013. At least thirty comment letters were submitted to the County based on the Draft EIR. Many of these comments expressed concerns with the environmental impacts related to specific portions of the proposed project and some of them included suggested revisions to the project design. Because of this, the County studied additional route alternatives and included them in a Revised EIR Alternatives Section. These revisions include alternative routing between Baron Canyon and the Highway 101 Crossing along the SLO Creek Farms property

(corner of Monte Road and San Luis Bay Drive), the Land Conservancy farm along Monte Road, San Luis Bay Drive, and an undercrossing alternative to Highway 101. The Revised Draft EIR Alternatives Section was released for public review in October of 2014. Approximately one dozen comment letters were submitted to the County based on the Revised Draft EIR. Most of the comments expressed support for the new alternative included in the Revised Draft EIR.

The recommended project alignment for the Bob Jones Pathway project is the environmentally superior alternative, which is alternative 6. This alternative: incorporates improved user safety by eliminating at grade crossings on South Higuera Street; reduces the visual impacts and controversy by eliminating the pedestrian/bicycle bridge over Highway 101; and reduces impacts associated with farming conflicts. This recommended route provides the best balance in addressing community concerns, meeting the project objectives, and minimizing environmental impacts.

The San Luis Obispo County Parks and Recreation Commission unanimously recommended that the County Board of Supervisors certify the Bob Jones Pathway project Environmental Impact Report and approve the Bob Jones Pathway project, between the Octagon Barn, on South Higuera Street and Ontario Road staging area, at its January 22 meeting. Six members of the public spoke in favor of recommending approval of the project and certification of the EIR. One property owner, Mr. Bunnell sent an e-mail to the Commissioners expressing his disapproval of the project being located on his property.

Discussions regarding the location of the pathway on Mr. Bunnell's property took place during the preliminary design phase project. In early 2007, Mr. Bunnell made inquiries regarding his property and the pathway project including the possibility of: abandoning Cloveridge Lane and allowing some additional development on his property, as well as some specific provisions related to the proposed path including clearing the creek of excess growth and flood debris on an annual basis to minimize flooding impact on Bunnell Ranch and the pathway; fencing to be provided to prevent the public from trespassing on the Bunnell Ranch including an automatic security gate at the main ranch entrance; locating the pathway adjacent to the highway fence and property line, and all existing fences and utilities be relocated at no expense to the owner. On March 1, 2007, County staff met with Mr. Bunnell to review the project and gather his input regarding locating the pathway on his property. At this meeting, Mr. Bunnell noted that he would be interested in being compensated for locating the pathway on his property. On April 19, 2010, Mr. Bunnell submitted a letter stating that he only allowed the County to study a possible path through his property with the understanding that he would have no obligation to agree to an easement. He also outlined the issues he wanted considered regarding the Bob Jones Pathway project EIR including; study of an alternative route along Ontario Rd; potential additional flooding caused by pathway development; potential traffic conflicts with trail users; removal of agricultural land; liability; and trespass. These issues were addressed in the EIR.

Due to federal grant funding limitations, negotiations, for trail easements, with property owners is not allowed until the environmental documents are complete, including certification of the EIR by the Board of Supervisors. County staff will work with the necessary property owners to negotiate the required pathway easements once the environmental documents are complete and authorization has been granted by our funding agency to proceed with property negotiations.

Implementation of the project will require obtaining easements on private property. According to the County Parks and Recreation Element Policy 3.12: "Where public lands are not available or adequate to accommodate a public trail, a trail dedication in easement or fee across private property shall be considered and may be obtained only in the following instances: 1) from a willing seller or donor; 2) as part of a New Town or Specific Plan that would create urban uses, or; 3) as a condition of a project approval, subject also to Policy 3.13." In the case that some property owners are not willing to sell or donate their land for an easement for the proposed pathway, the County will likely have two options: construct only the portions of the proposed pathway that have secured easements and provide a safe and logical route of travel with a clear destination, or; wait until property ownership changes or current owner changes their mind, allowing completion of the preferred pathway alignment.

The next phases of work for this project include the completion and approval of the National Environmental Policy Act (NEPA) environmental documents, engineering, permitting, easement/ right-of-way acquisition, and construction of the first segment. The timing of subsequent phases of the project is dependent on additional funding sources and property acquisition.

OTHER AGENCY INVOLVEMENT/IMPACT

Review of the Environmental Impact Report included: The Land Conservancy of San Luis Obispo County, Caltrans, California Department of Fish and Wildlife, US Army Corps of Engineers, US Fish and Wildlife, Regional Water Quality Control Board, Air Pollution Control District, County Parks and Recreation Commission, County Agricultural Commissioner's Office, Avila Valley Advisory Counsel, County Planning, County Public Works, and County Counsel.

FINANCIAL CONSIDERATIONS

The preliminary cost analysis for the ultimate construction of the project, based on a 2008 Engineers Estimate is approximately \$10 million. Construction cost estimates will vary based on the final design and constraints of the project. Possible constraints include: bridges at creek crossings; acquisition of easements and right-of-ways; and environmental impacts. A portion of the funding for subsequent phases of the project has been secured. Parks Public Facilities Fees have been designated, and transportation grant funds have been secured for engineering for the Bob Jones Pathway project. Additional construction funding will continue to be sought through various grant funding sources.

Based on a 2003 feasibility study, annual operation and maintenance costs are estimated at \$10,000/ mile (except for flood prone areas, which are \$15,000/ mile). Annual maintenance costs for the project are estimated to run between \$40,000 and \$50,000. The operation and maintenance costs will come from the Department's operating budget.

RESULTS

Certification of the Bob Jones Pathway project EIR and approval of the project will enable the Bob Jones Pathway project to continue moving forward with the ultimate goal of constructing a multi-use bicycle/pedestrian pathway between the Land Conservancy of San Luis Obispo County's Octagon Barn south to the County's Ontario Road Staging Area, supporting the County's vision of providing a healthy and livable community.

ATTACHMENTS

1. Exhibit A- Vicinity Map
2. Exhibit B- Project Findings
3. Exhibit C- CEQA Findings
4. Exhibit D- Bob Jones Pathway Project
5. Exhibit E- Minutes from the Parks and Recreation Commission meeting on January 22, 2015
6. Exhibit F- Clerk's File EIR Report (also handed out to the Board February 6, 2015 under separate cover)
7. Exhibit G- Resolution
8. Exhibit H- Mitigation Monitoring and Reporting Plan (EIR Appendix A)