

THE CITY OF SAN DIEGO  
**REPORT TO THE CITY COUNCIL**

DATE ISSUED: September 12, 2007 REPORT NO.: 07-141

ATTENTION: Council President and City Council  
Council Meeting of Sept. 18, 2007

SUBJECT: Actions Related to the Construction and Operation of the Bayshore  
Bikeway. PTS Project Number 1901/CIP No. 58-140.0.

REFERENCE: N/A

REQUESTED ACTIONS:

Approval of a Site Development Permit and associated actions for the construction and operation of the 1.8-mile long "Western Salt Segment" of the Bayshore Bikeway which is to be located along the Otay River Berm and the Main Street Dike, and the relocation of an existing haul road utilized by the South Bay Salt Works in the Otay Mesa-Nestor Community Plan area.

STAFF RECOMMENDATIONS:

1. CERTIFY Environmental Impact Report (EIR) No. 1901; ADOPT Final EIR No. 1901; ADOPT the Findings and Statement of Overriding Considerations; and ADOPT the Mitigation, Monitoring, and Reporting Program;
2. APPROVE Site Development Permit No. 3276;
3. APPROVE the Resolution authorizing the Auditor and Comptroller to establish a new fund to receive SANDAG Transnet Major Corridor (MC) funds;
4. APPROVE the Resolution authorizing the Mayor, or his representative, to accept \$3,774,000 in SANDAG MC Transnet funds to fully fund CIP 58-140.0;
5. APPROVE the Resolution authorizing the Auditor and Comptroller to increase the amount of Transnet Bikeway funds (Fund 30301) by \$718,000
6. APPROVE the Resolution authorizing the increase in the FY 2008 budget of CIP 58-140.0 to \$4,658,775;
7. APPROVE the Resolution authorizing the deappropriation and return of previously received Federal and State funds (Fund 38683, not to exceed \$850,000) to the appropriate agencies;
8. APPROVE the Resolution authorizing the Auditor and Comptroller to return excess budgeted funds, if any, to the appropriate reserves;
9. APPROVE the Resolution authorizing the Mayor, or his representative, to expend up to \$4,802,306.13 for purposes of designing and constructing the Bayshore Bikeway, CIP 58-140.0;

10. APPROVE the Resolution authorizing the Mayor, or his representative, to accept an easement deed from M&A Gabae, CLP, for that portion of the bikeway not owned by MTS/SD&AE;
11. APPROVE the Resolution authorizing the Mayor, or his representative, to enter into a license agreement for the use of the MTS/SD&AE right-of-way for purposes of constructing and operating the Bayshore Bikeway; and
12. APPROVE the Resolution authorizing the Mayor, or his representative, to enter into a Construction Contract (BID No. K083903C) with the lowest responsible and reliable bidder contingent upon receipt of all permits.

#### EXECUTIVE SUMMARY:

The proposal is for the construction and operation of a 1.8-mile Class I bike path to be located along the Otay River Berm and the Main Street Dike and the relocation of an existing haul road utilized by the South Bay Salt Works. The bike path would be a segment of the 24-mile Bayshore Bikeway and would connect to an existing bike path segment at 13<sup>th</sup> Street (City of Imperial Beach) on the west side and Main Street (City of San Diego) on the east.

The bike path would be located primarily within the Metropolitan Transit System (MTS) railroad right-of-way. The bike path would be 12-foot wide, including an 8-foot wide paved asphalt path with 2-foot wide paved porous concrete shoulders on each side of the bike path. A chain link fence would be erected on both sides of the bike path along the entire alignment. The proposed project would include the placement of two steel truss bridges above the existing, unserviceable wooden trestle bridges that currently cross the Otay River at these locations. The existing wooden trestle bridges, as well as, the existing wooden railroad rails and ties, are part of the locally historically designated Coronado Railroad Belt Line (CBL) Historical Resources Board (HRB) Number 640.

The proposed project requires a Site Development Permit due to impacts to Environmentally Sensitive Lands (ESL), specifically to sensitive biological resources and for deviations to construct two steel truss bridges where structures are not permitted in special flood hazard areas and to impact Historical Resource No. 640, the Coronado Belt Line (CBL) Railroad. The impacts to the historically designated railroad are related to the removal of the existing wooden ties, capping the existing railroad rails with soil and placement of steel truss bridges on top of the existing wooden trestle bridges.

#### FISCAL CONSIDERATIONS:

All costs are recovered through CIP 58140.0, Bayshore Bikeway, which will be fully funded by Transnet Bikeway and Transnet Major Corridor funds from SANDAG.

#### PREVIOUS COUNCIL and/or COMMITTEE ACTION:

The previously authorized funding (see below) for the Bayshore Bikeway Capital Improvement Project (CIP) No. 58.140.0 was Federal Congestion Management Air Quality (CMAQ) funds. In order to expedite the project approval process and construction to begin during the October 1st to February 15th allowable window this fall (an annual restriction based on endangered species nesting seasons), the decision was made by SANDAG to substitute additional SANDAG Transnet Bikeway and SANDAG Transnet Major Corridor (MC) funds for the Federal funds, thereby removing the need for Federal review and approval time prior to advertising for construction. The project was able to be advertised for bids in July/August, with bids opened August 8, 2007. The SANDAG Transnet MC funds were substituted from another project (SR52 Highway Improvements) which already had Federal FHWA

approval required. The Transnet funds received by these actions are in addition to the City's Transnet allocation.

R-293689 (8/15/2000) Established the CIP/Accepted \$350,000 in Federal CMAQ funding for preliminary engineering C-10288 (9/25/2000) Consultant Contract with Kimley-Horn, and Associates, Inc. R-300662 (7/18/2005) Increased the Federal CMAQ funding by \$500,000 to \$850,000, and authorized Amendment #1 to Consultant Agreement with Kimley-Horn.

#### PLANNING COMMISSION ACTION:

This information is unavailable at this time. The Planning Commission will be acting on matter on September 6, 2007.

#### HISTORICAL RESOURCES BOARD ACTION:

On August 23, 2007, HRB voted 7:0:1 to support the preservation of the bridges, those areas proposed for preservation of lines and ties in place, and the interpretive programs, with further research and consideration given to preserving more ties in place through capping and limiting the chain link fence to 3feet-6 inches. There was clarification that there should be consideration of both technological and economic factors in determining the feasibility of capping more of the resource. Their motion to preserve the ties in place through capping has not been implemented. This situation is considered unsafe and presents significant safety issues for future users of the bike path because the wooden ties are in various states of deterioration and are expected to continue to deteriorate. If the ties were to remain in place the bike path would be expected to experience surface pavement deterioration (potholes, cracks, and surface level changes) over time, as the ties continue to deteriorate and crumble under the bike path surface, creating voids under the bike path users and an uneven path surface. The US Fish and Wildlife Service required a 7-foot security fence to provide a barrier between the bike path and adjacent sensitive habitat.


#### COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

Otay Mesa-Nestor Planning Group - The planning group voted to approve the project, with no conditions, on September 18, 2002.


Save Our Heritage Organization (SOHO) - The City has worked with SOHO to redesign the project to response to their input and concerns. Specific project features that have been incorporated include: 1) maintaining the existing railroad trestle bridges in their current condition and in a manner that maintains the ability to view the structures from various locations; 2) maintaining the existing steel rails in place; and 3) providing interpretive facilities regarding the history of the CBL on the proposed bikeway segment. Their request to leave the wooden ties in situ has not been implemented. This situation is considered unsafe and presents significant safety issues for future users of the bike path because the wooden ties are in various states of deterioration and are expected to continue to deteriorate. If the ties were to remain in place the bike path would be expected to experience surface pavement deterioration (potholes, cracks, and surface level changes) over time, as the ties continue to deteriorate and crumble under the bike path surface, creating voids under the bike path users and an uneven path surface.


#### KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

City of San Diego Engineering and Capital Project Department, Applicant  
MTS/SD&AE, Owner  
M&E Gabae, CLP, Owner  
South Bay Salt Works, Lessee  
Har Construction, Inc.  
Adkan Engineers  
JCF BRIDGE & CONCRETE  
JD PAVING  
LSI  
MTGL Incorporated  
San Diego Erosion Control  
Varanus (Biological) Monitoring Services

  
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Acting Director  
Development Services Department

  
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Acting Deputy Chief of Land Use and  
Economic Development

  
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Patti Boekamp  
Director  
Engineering and Capital Project  
Department

  
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Richard Haas  
Deputy Chief of Public Works

ATTACHMENTS:

Planning Report No. PC-07-101

Historical Resources Board Report No. HRB-07-056