

ACTION CALENDAR

July 7, 2026

To: Honorable Mayor and Members of the City Council

From: Councilmember Terry Taplin, District 2

Subject: Waterfront Specific Plan Environmental Review Authorization and Near-Term Priority Adjustments

RECOMMENDATION

1. Authorize the City Manager to initiate environmental review of the [Waterfront Specific Plan](#) pursuant to the California Environmental Quality Act (CEQA) and to prepare a Program Environmental Impact Report (EIR), using Scenario 1 (Highest Buildout, approximately 1,215,000 gross square feet) as the maximum development alternative for purposes of the EIR's environmental analysis and Project Description. As staff noted in the [November 18, 2024 Worksession Report](#), analyzing Scenario 1 for CEQA purposes preserves the Council's full flexibility to scale the final plan to Scenario 2 or Scenario 3 at adoption, while ensuring no additional cost or delay would be incurred if the Council later wishes to pursue higher-density development.
2. Defer and hold in abeyance the November 18, 2024 Council direction to prepare a standalone nature-and-recreation-based conceptual plan for César E. Chávez Park, consistent with the ongoing administrative hold on that work pending resolution of [environmental compliance obligations at the former landfill](#) (City Manager Off-Agenda Memorandum, June 5, 2025). Incorporate the park's long-term improvement priorities into the Waterfront Park (WP) zone provisions of the Waterfront Specific Plan as part of the EIR scoping process.
3. Refer \$310,000 to the November 2026 AOO1 process to conduct the EIR.
4. Request that the City Manager return to Council with a certified EIR, a Final Waterfront Specific Plan, and companion Berkeley Municipal Code and General Plan amendments for adoption.

BACKGROUND*About the Waterfront and the Specific Plan*

The Berkeley Waterfront encompasses approximately 100 acres of public tidelands west of Eastshore State Park. It contains the 1,000-berth Berkeley Marina, the DoubleTree by Hilton Hotel, four restaurants, a boatyard, the Adventure Playground, Shorebird Nature Center, and César E. Chávez Park. As entirely public land governed by the California Public Trust doctrine, all uses must be consistent with public trust purposes and are subject to oversight by the Bay Conservation and Development Commission (BCDC), the State Lands Commission, and the U.S. Army Corps of Engineers (USACE).



The Waterfront is currently zoned “Unclassified” in the Berkeley Municipal Code, requiring a lengthy, project-by-project discretionary approval process for any new use.

In 2019, the City Council allocated \$1.101 million to develop a long-term Waterfront Specific Plan providing a vision for the next 25 to 50 years. Work commenced in 2020 with studies on existing conditions and economic demand, followed by six community workshops (430+ participants), 28 focus groups (285 participants), three questionnaires (1,821 responses), two Council work sessions (February 2021, March 2023), and two Off-Agenda Reports (June 2022, January 2024). The draft WSP was published September 8, 2023, and most recently updated November 8, 2024.

On November 18, 2024, the City Council gave direction to: (1) complete the parking and transportation demand management study; (2) prepare a nature-and-recreation-based conceptual plan for César Chávez Park; (3) proceed with the EIR with the highest development scenario; and (4) return to Council with the revised Specific Plan and certification of the EIR. See [November 18, 2024, Worksession Report](#). This referral advances items 1 and 3, and formalizes the ongoing hold on item 2.

The Fiscal Emergency

The WSP was authorized in direct response to a worsening fiscal crisis. The Marina Fund carries a structural operating deficit that has required annual General Fund transfers for several years. As of February 2026, the total unfunded Waterfront capital and major maintenance backlog stands at \$168,984,000, including \$163,344,000 in existing infrastructure needs, a figure that has grown substantially from the \$94 million (non-Pier) estimate cited in the November 2024 Worksession Report, reflecting updated cost estimates and newly identified needs ([PRW Unfunded Capital & Major Maintenance Needs \(February 2026\)](#)), presented to the Environment & Climate Commission, February 25, 2026).

The following summarizes the current status of each capital project referenced in the November 2024 Worksession Report:

- [South Cove Sailing Basin Dredging](#): design phase funded and underway (General Fund). Full construction project remains unfunded: \$15,230,000. The design study will determine final dredge volumes, costs, and permitting strategy in coordination with the Dredged Material Management Office (DMMO).
- [South Cove Seawall Replacement](#): design phase funded and underway (General Fund). Construction remains unfunded: \$5,780,000 per the [March 2025 PRW CIP Update](#).
- J, L, M Dock Replacements: entirely unfunded. Per the [February 2026 PRW Unfunded Capital Report](#): J-Dock full replacement, \$11,500,000; L-Dock major maintenance (floats, decking, waler), \$1,690,000; M-Dock major maintenance, \$1,630,000. Combined unfunded need: \$14,820,000. (For context: D&E Dock Replacement, which was under construction using \$10M in grants and capital funds, is anticipated to be complete early 2026.)
- [F&G Dock Re-Decking](#): completed March 2026. Weathered original wooden decking on F and G docks (constructed late 1990s) was replaced with composite decking. With D&E replacement also complete, F and G were the last remaining docks with original wooden decking.



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- Parking Lot Reconstruction (FGHI area and others): entirely unfunded. Per the [February 2026 PRW Unfunded Capital Report](#): F&G Lot Reconstruction, \$1,000,000; L&M Lot Reconstruction, \$1,390,000; O Lot Reconstruction, \$1,070,000; 199 Seawall Parking Lot, \$8,600,000; Marina Blvd On-Street Parking (South of Virginia Street Extension), \$2,210,000; Launch Ramp Lots Reconstruction and Amenity Improvements, \$2,490,000. Total parking lots unfunded: \$17,290,000.
- Seawall Drive Reconstruction: entirely unfunded. Per the [February 2026 PRW Unfunded Capital Report](#): Seawall Drive Reconstruction (North of University Avenue, including Bay Trail), \$4,500,000; Seawall Drive Improvements (South of University Avenue, including Bay Trail), \$3,200,000; University Avenue between Marina Blvd and Seawall Drive, \$8,000,000. Total streets unfunded: \$15,700,000.
- Bay Trail Improvements: partially funded, partially unfunded. In September 2025, the City Council re-allocated \$1.7M in unspent State Coastal Conservancy grant funds to the [Bay Trail Segment at Shorebird Park](#) (design phase) and recreation improvements at the Gateway Pier and J&K Parking Lot. The broader Bay Trail network remains largely unfunded: Bay Trail Improvements (Adventure Playground to 199 Seawall), \$1,890,000; Marina Blvd Resilient Shoreline & Public Access Improvements (Trail from César Chávez Park to Roundabout), \$4,200,000 per the [February 2026 PRW Unfunded Capital Report](#).
- [César Chávez Park Pathway Improvements](#) — Design complete, construction paused. The Perimeter Pathway Project was paused at the design phase in Spring 2025 due to former landfill compliance requirements. The \$1.7M in previously allocated SCC grant funds was re-allocated to the Bay Trail and Gateway Pier improvements in September 2025. Per the [February 2026 PRW Unfunded Capital Report](#): Phase 1 (Perimeter Pathways Improvements and Amenities), \$4,250,000; Phase 2 (Interior Pathways Improvements and Amenities), \$3,200,000. Both phases remain entirely unfunded.

Two recent developments have provided partial operating relief. First, the 2024 voter-approved Parks Tax increase shifted more than \$1.5 million in costs for Waterfront parks and landscaped areas off the Marina Fund. Second, the City Council adopted targeted [Marina fee increases in January 2026](#), generating an estimated additional \$247,500 per year. See also the [Marina Fund Update presented to the Budget & Finance Policy Committee, October 28, 2025](#).

These measures are meaningful steps, but they are not structural solutions. The Marina Fund's single largest revenue source is the DoubleTree Hotel, and its weak recovery in the post-COVID regional hotel market continues to create significant budget uncertainty. Berth fees represent 46% of all Marina Fund revenue, leaving the fund highly concentrated in a single category. As staff noted in the January 2026 fee increase report, the measures adopted thus far are "one part of the City's strategy" with the WSP's commercial development framework as the long-term structural instrument for achieving Marina Fund self-sufficiency.

Development Scenarios

The [November 2024 Worksession Report](#) presented three development scenarios for Council consideration:



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Scenario 1: Highest Buildout: 1,215,000 GSF total, adding approximately 835,000 GSF of new development, including two new hotels (+535K GSF), four to five food-and-beverage establishments (+100K GSF), and additional marine, recreation, and community uses (+200K GSF).

Scenario 2: Moderate Buildout: 985,000 GSF total, adding approximately 605,000 GSF of new development, including two new hotels (+415K GSF), four to five food-and-beverage establishments (+75K GSF), and additional uses (+115K GSF). Projected to generate approximately \$3.5M/year in additional revenue.

Scenario 3: Low Buildout: 760,000 GSF total, adding approximately 380,000 GSF of new development, including one hotel (+220K GSF), three to four restaurants (+60K GSF), and additional uses (+100K GSF). Projected to generate approximately \$2.2M/year in additional revenue.

Staff recommended Scenario 2 for the Plan description, while noting that Scenario 1 should be studied under CEQA because there is no additional cost to studying the maximum scenario first, but there would be cost and delay if a lower scenario were studied and the Council later wished to pursue higher-density development. Council directed staff on November 18, 2024, to proceed with the EIR using the highest development scenario (Scenario 1), which this referral reaffirms.

Completed: Waterfront Parking and Transportation Demand Management Study

Pursuant to item 1 of the November 18, 2024 Council direction, Kittelson & Associates, Inc. has completed the [Water Transportation Pier-Ferry Project Parking and Transportation Demand Management Plan](#) (Final Draft, March 7, 2025) and [Revised Draft Addendum](#) (May 7, 2025). The Addendum incorporated additional Waterfront Monitor data collected April–August 2024 and responded to public comments raised at the Parks, Recreation and Waterfront Commission meeting of March 12, 2025. This work follows and builds upon the earlier [Parking & Mobility Framework](#) prepared by Nelson\Nygaard in January 2022 as part of the then-named Berkeley Marina Area Specific Plan process.

The study was conducted in two phases. The first phase established existing conditions through hourly parking counts collected by Quality Counts on five days in 2024 (April 6, April 11, August 1, August 22, and August 24), supplemented by a Waterfront Monitors dataset collected over 554 days from May 2021 through February 2024. The second phase developed a suite of TDM and parking management strategies to respond to increased demand from the Pier Ferry project and WSP commercial development, using Scenario 1 as the planning horizon.

Key findings of the completed study include:

- Total public parking capacity: 1,541 spaces across 13 lots. On weekdays, peak demand occurs at 2 PM with approximately 560 spaces occupied (36% utilization). On weekends, peak occurs at 2 PM with approximately 717 spaces occupied (47% utilization).
- Even on the single busiest Saturday in the dataset (April 1, 2023), overall Waterfront public parking was 75% occupied with 306 spaces remaining. Certain lots reached higher utilization, but system-wide capacity was not exhausted.



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- For Pier Ferry operations, the study designates the Seawall Drive Lot (250 dedicated spaces) as the primary ferry rider lot, with Marina Blvd and Skates/N Lot as overflow. At weekday peak, 83 spaces remain available at Marina Blvd and 74 at Skates/N Lot. On weekends, 59 spaces remain at Marina Blvd and 73 at Skates/N Lot: sufficient to accommodate overflow without impacting recreational users.
- Without TDM measures, weekday ferry rider parking demand is projected at 421 spaces. With TDM strategies in place, demand drops by 65 spaces to 356, well within the available capacity of the designated lots.
- TDM strategies recommended in the study build on the 2022 Nelson\Nygaard framework: demand-based paid parking implemented waterfront-wide, a Parking Benefit District to manage and reinvest revenue, valet parking on high-demand days, improved bicycle and pedestrian access via University Avenue, expanded transit, and Waterfront-wide wayfinding with dynamic signage. *Nottate bene*: the aforementioned TDM strategy recommendations are present in the Nelson/Nygaard framework however, this council item makes no recommendations regarding TDM measures.

The completed study satisfies the November 2024 Council directive and provides the transportation demand management analysis for the Final WSP (Section 2.5.3). The City already charges \$1/hour and \$6/day for Waterfront parking, establishing an operational precedent for the demand-based pricing strategies the study recommends.

César E. Chávez Park: Administrative Hold

The City Manager's [June 5, 2025 Off-Agenda Memorandum](#) reported that the standalone conceptual plan for César Chávez Park is on hold pending resolution of ongoing environmental compliance obligations at the former landfill underlying the park. In 2025, the San Francisco Bay Regional Water Quality Control Board issued a regulatory compliance letter requiring the City to initiate a comprehensive work plan of environmental testing and reporting; for any excavation work of one foot or deeper below the surface, worker safety protocols and equipment requirements have raised project costs beyond existing funding. For further context, see the [César Chávez Park Closed Landfill Improvement Project page](#). This referral formalizes the administrative hold and incorporates park improvement priorities into the WP zone provisions of the Waterfront Specific Plan through the EIR scoping process.

REVIEW OF EXISTING PLANS, PROGRAMS, POLICIES AND LAWS

Berkeley General Plan (Open Space and Recreation Element): Supports preservation of public access and recreational uses while ensuring fiscal responsibility for public infrastructure.

Marina Enterprise Fund: City financial policy requires the Marina Fund to operate on a cost-recovery basis. The [January 2026 fee increases](#) (+\$247,500/year) and the Parks Tax cost-shift (\$1.5M+) are stabilizing measures; the WSP is the long-term structural solution.

Vision 2050 (Climate Action Plan): Revenue generated under the WSP funds sea-level rise adaptation, habitat restoration, and green infrastructure investment across the 100-acre plan area.



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Public Trust Doctrine / California Tidelands Law: All uses must be consistent with public trust purposes. The WSP Allowable Land Use matrix was developed in consultation with BCDC and State Lands Commission staff.

California Environmental Quality Act (CEQA): The WSP will be subject to a Program EIR per CEQA Guidelines Section 15168. Studying Scenario 1 provides a legally defensible maximum-impact ceiling for environmental analysis while preserving the full range of plan-adoption options.

Berkeley Municipal Code / Zoning Ordinance: Adoption of the WSP and companion zoning amendments will replace the “Unclassified” designation with a Waterfront District, streamlining revenue-generating project approvals.

ACTIONS / ALTERNATIVES CONSIDERED

1. Maintain all November 2024 direction without modification: Rejected in part. The parking study is complete; its directive has been fulfilled. The César Chávez Park standalone plan is already on administrative hold due to former landfill compliance; formalizing this hold removes resource ambiguity. EIR authorization and Scenario 1 direction are reaffirmed.
2. Substitute Scenario 2 as the EIR study basis: Rejected. Staff explicitly noted in November 2024 that studying Scenario 1 first costs nothing extra and preserves the City Council’s options. Studying a lower scenario and later revising upward would incur additional cost and delay.
3. Discontinue the Waterfront Specific Plan: Rejected. The Marina Fund’s structural deficit demands a revenue solution, and the WSP is five years and \$1.1 million in the making. Abandonment would leave the Waterfront in “Unclassified” zoning indefinitely.
4. Pause for additional community engagement on César Chávez Park: Rejected. Extensive community engagement has already occurred over four years. Park priorities will be carried through the EIR scoping process at no additional delay or cost.

RATIONALE

Why Scenario 1 for the EIR

The November 18, 2024 Council direction was clear: proceed with the EIR using the highest development scenario. That direction was correct, and this referral reaffirms it. As staff stated in the [November 2024 Worksession Report](#), if the maximum scenario is analyzed and found to have manageable impacts, Council retains full authority to scale the final plan to Scenario 2 or Scenario 3 at the time of adoption. The reverse is not true: if a lower scenario were studied and the Council later wished to pursue higher density, a supplemental environmental review would be required, adding cost and delay. Studying Scenario 1 now is not a commitment to Scenario 1. It is the fiscally responsible and legally sound way to keep options open.

The [February 2026 unfunded capital report](#) confirms that the capital backlog is not shrinking, but has grown. The total unfunded Waterfront infrastructure need now stands at \$168,984,000, including \$15.7M in unfunded streets (Seawall Drive alone), \$17.3M in unfunded parking lots, \$14.8M in



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unfunded dock work (J, L, M), and \$21M in South Cove dredging and seawall work. The F&G re-decking was recently completed, and the D&E dock replacement is nearing completion, but these were funded through grants and one-time capital appropriations that are not recurring. The [targeted fee increases adopted in January 2026](#) are necessary and appropriate interim measures, but at \$247,500 per year, they represent a fraction of what is needed. Scenario 1 represents the full revenue-generating potential of the Waterfront. Council should have that complete picture before making a final plan decision.

Parking Study: The Concern Has Been Answered

The most frequently raised objection to the Waterfront Specific Plan has been parking. The completed [Kittelson study](#), supplemented by the [May 2025 addendum](#), answers that objection with data. Even at peak Saturday demand (the busiest day in three years of monitoring), the Waterfront's 1,541 public spaces were 75% occupied with 306 spaces remaining. Weekday utilization at peak is 36%. The study's TDM modeling, run against Scenario 1, projects that demand-based pricing, overflow lot designation at Marina Blvd and Skates/N Lot, and multimodal access improvements can absorb ferry rider demand without impacting existing recreational users.

César Chávez Park

The administrative hold on the standalone park conceptual plan is the right outcome, and not only because of the [former landfill compliance obligations](#). As the [February 2026 unfunded capital report](#) makes clear, César Chávez Park's pathway improvement program alone, two phases, \$7.45M combined, is entirely unfunded. That funding will not materialize without a financially healthy Marina Fund. The park is not being abandoned; it is being secured by the same revenue-generating plan that makes every other Waterfront capital investment possible.

ENVIRONMENTAL SUSTAINABILITY

The Waterfront Specific Plan is, at its core, an environmental investment. The revenues generated by commercial development in the Waterfront Commercial (WC) subareas will fund sea-level rise adaptation infrastructure, habitat restoration in the Waterfront Park (WP) zone, upgrades to Shorebird Nature Center, Bay Trail improvements, and implementation of the multimodal access and TDM improvements identified in the Kittelson study.

The Program EIR will subject all development scenarios to full CEQA analysis, including biological resources, sea-level rise vulnerability, water quality (BCDC/USACE), air quality, greenhouse gas emissions, and traffic. The transportation demand management analysis, calibrated to Scenario 1, will inform EIR mitigation measures, which will become binding conditions of project approval for any future lease or entitlement.

The Berkeley Waterfront is public tidelands. Its ecological health and its fiscal health are not competing values. Both depend on the same outcome: a well-funded, well-managed Waterfront with the resources to invest in the habitat, infrastructure, and public amenities that make this one of the great urban waterfronts in the Bay Area.

FISCAL IMPACTS



Financial Element	Impact / Status
EIR Preparation	Covered by existing WSP budget appropriation (\$1.101M, 2019). Potential scope amendment to project consultant contract; no new General Fund appropriation anticipated at this time.
Marina Fund — Current Deficit	Structural operating deficit requiring annual General Fund transfers for several years. Partially offset by: (1) 2024 Parks Tax shifting \$1.5M+ in costs off the Marina Fund; and (2) January 2026 Marina fee increases generating an estimated additional \$247,500/year. Doubletree Hotel post-COVID recovery remains uncertain. See Marina Fund B&F Policy Committee presentation, October 28, 2025 .
Capital Infrastructure Backlog	Per the February 2026 PRW Unfunded Capital Report : Total unfunded Waterfront needs, \$168,984,000. Key components: docks (J, L, M) \$14.82M; South Cove dredging and seawall \$21.01M; parking lots \$17.29M; streets/Seawall Drive \$15.7M; Bay Trail and shoreline improvements \$15.23M; César Chávez Park pathways (two phases) \$7.45M. Note: F&G dock re-decking was completed March 2026; D&E dock replacement nearing completion.
Marina Fund — WSP Revenue Potential	Scenario 1 at full buildout represents the maximum revenue-generating capacity of the Waterfront. Scenario 2 alone was projected to generate \$3.5M/year in additional lease and TOT revenue. Scenario 1 represents a higher ceiling that Council can evaluate through the EIR process before making a final plan decision.
Parking & TDM	Kittelson study complete; no additional appropriation required. TDM implementation costs to be identified in the WSP implementation plan. Existing paid parking (\$1/hour, \$6/day) provides a revenue foundation for TDM program self-funding.
César Chávez Park	Standalone conceptual plan deferred per June 5, 2025 Off-Agenda Memorandum . Pathway improvements (Phase 1: \$4.25M; Phase 2: \$3.2M) fully unfunded per February 2026 PRW Unfunded Capital Report . Park improvements incorporated into WP zone provisions of the adopted WSP.

CONTACT

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