

## PARKS, RECREATION, AND WATERFRONT COMMISSION

### Regular Meeting

Wednesday, October 16, 2024, 7:00 P.M.  
Frances Albrier Community Center - auditorium  
2800 Park Street, Berkeley, CA 94702

### Agenda

The Commissions may discuss any items listed on the agenda, but may take action only on items identified as Action.

1. **Call to Order** (Chair).
2. **Roll Call** (Secretary).
3. **Land Acknowledgement:** The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.
4. **Action: Approval of Agenda** (Chair).
5. **Action: Approval of Minutes** for September 11, 2024 (Chair).\*
6. **Public Comment.**
7. **Chair's Report.** (Kawczynska).
8. **Director's Report:** Special events, community engagement, capital project update.
9. **Discussion/Action:** Rose Garden Plaque approval\* (Ferris).
10. **Discussion/Action:** Councilmember Kesarwani's Referral to PRW Commission re: Naming the Harrison St Skate Park in Honor of Terrance McCrary\* (Ferris).
11. **Discussion:** Waterfront Parking and Transportation Demand Management Study\* (Kawczynska).
12. **Discussion:** Aquatic Park Dreamland Area Project / Survey\* (Ferris).
13. **Information Reports\*:** Recent PRW Council Reports.
14. **Future Agenda Items:** CEQA/Tom Bates Sports Complex; Waterfront Specific Plan; Public Art in Aquatic Park (Lavvorn); PRW Commission Workplan 2024; Citywide Accessibility Plan; Locations for Dog Parks.
15. **Communications.**\* Eastshore Alliance Fútbol Club, 9-12-2024; C Fred, 10-03-2024; E Diehm, Memo from Center for Biological Diversity – Burrowing Owl, 10-10-2024.
16. **Next PRW Commission meeting:** Wednesday, November 13, 2024.
17. **Adjournment.**
  - \* document is attached to agenda packet and on the commission website.
  - \*\* document will be provided at the meeting.

**ADA Disclaimer:** This meeting is being held in a wheelchair accessible location. To request disability-related accommodations to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

**SB343 Disclaimer:** Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Parks Recreation & Waterfront Department Office at 2180 Milvia Street, Berkeley, CA.

**Communications Disclaimer:** Communications to Berkeley boards, commissions or committees are public record and will become part of the City’s electronic records, which are accessible through the City’s website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** All communications to the Commission should be received at least 10 days before the meeting date. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the commission or committee for further information.

**Commission Information:** The agenda packets for the Parks and Recreation Commission and the Waterfront Commission are available for review at [www.cityofberkeley.info/commissions](http://www.cityofberkeley.info/commissions); the Berkeley Main Library and the Parks Recreation & Waterfront Department Office at 2180 Milvia Street –3<sup>rd</sup> Floor, during their normal business hours. If you have questions, call Commission Secretary, Roger Miller at 981-6704 at 2180 Milvia Street, Berkeley, CA 94704 or by email at [rmiller@cityofberkeley.info](mailto:rmiller@cityofberkeley.info).

**MISSION STATEMENT – PARKS AND WATERFRONT:** Reviews and advises the City Council on issues related to all City/public parks, open space, greenery, pools, programs, recreation centers, the Waterfront, and resident camps: their physical conditions, policies, projects, programs, planning efforts, activities, and funding; early childhood education programs; and animal care issues in parks.

**COMMISSION MEMBERS**

<b>Mayor-</b>	<b>District 3 -</b> Gianna Ranuzzi	<b>District 6 -</b> Lilitiana Cardile
<b>District 1 -</b> Reichi Lee	<b>District 4 -</b> Erin Diehm	<b>District 7 -</b> Alyssa Hurtado
<b>District 2 -</b> Claudia Kawczynska	<b>District 5 -</b> Brennan Cox	<b>District 8 -</b> Allan Abshez

**Current assignments**

Subcomm on dogs and parks (06-12-2024)

Liaison - Civic Center Planning – Erin Diehm  
Liaison - Civic Arts in Parks – Brennan Cox

## 2024 Commission Meeting Dates

Name of Commission: Parks, Recreation, and Waterfront Commission

Commission Secretary: Roger Miller

Location: Frances Albrier Community Center, 2800 Park St

Month	Meeting Day and Date (2 <sup>nd</sup> Wednesday per month)	Time	Notes
<b>2024</b>			
<b>January</b>	Wednesday, January 10	7:00 p.m.	Regular Mtg
<b>February</b>	Thursday, February 15	5:30 p.m.	Regular Mtg/Corp Yard Rm
<b>March</b>	Wednesday, March 13	7:00 p.m.	Regular Mtg
<b>April</b>	Wednesday, April 10	7:00 p.m.	Regular Mtg
<b>May</b>	Wednesday, May 8	7:00 p.m.	Regular Mtg
<b>June</b>	Wednesday, June 12	7:00 p.m.	Regular Mtg
<b>July</b>	Wednesday, July 10	7:00 p.m.	Regular Mtg
<b>August</b>	No meeting		
<b>September</b>	Wednesday, September 11	7:00 p.m.	Regular Mtg
<b>October</b>	Wednesday, October 16	7:00 p.m.	Regular Mtg
<b>November</b>	Wednesday, November 13	7:00 p.m.	Regular Mtg
<b>December</b>	No Meeting		
<b>2025</b>			
<b>January</b>	<i>Wednesday, January 8</i>	<i>7:00 p.m.</i>	<i>Regular Mtg</i>

**PARKS, RECREATION AND WATERFRONT COMMISSION  
Regular Meeting**

Wednesday, September 11, 2024, 7:00 P.M., Frances Albrier Community Center, 2800 Park St

**Minutes - Draft**

The Commissions may discuss any items listed on the agenda, but may take action only on items identified as Action.

1. **Call to Order** (Chair): 7:10pm
2. **Roll Call** (Secretary): Present: Abshez; Cox; Diehm; Kawczynska; Lee (arr. 7:36pm). Absent: Hurtado; Ranuzzi.
3. **Land Acknowledgement**: Read by Diehm.
4. **Action: Approval of Agenda** (Chair): M/S/C (Cox/Abshez/U) to add Diehm as a presenter for item 10 along with the chair and to approve the rest of the agenda. Ayes: Abshez; Cox; Diehm; Kawczynska. Noes: None. Absent: Hurtado; Lee; Ranuzzi.
5. **Action: Approval of Minutes** for July 10, 2024 (Chair).\*: M/S/C (Kawczynska/Abshez/U) to list Lee as absent in roll call and to approve the July minutes. Ayes: Abshez; Cox; Diehm; Kawczynska; Lee. Noes: None. Absent: Hurtado; Ranuzzi.
6. **Public Comment**: a) Steve Morros, North Bowling Green; b) Linda Currie, North Bowling Green; c) Sylvia Soriano, North Bowling Green; d) Kimberly Schroder, North Bowling Green; e) Ben Rosenthal, North Bowling Green; f) Bonnie Borucki, North Bowling Green; g) Kelly Hammargren, Land Acknowledgement; h) Naomi Friedman, Cesar Chavez Park; i) Ted Steen, Tom Bates and Gabes Catalfo Fields.
7. **Chair's Report**. (Kawczynska): Started dredging in Waterfront; D & E Dock replacement will start in two weeks (Kawczynska).
8. **Director's Report**: Special events, community engagement, Recreation summer program recap.\*\* (Chu)
9. **Discussion/Action**: Ohlone Greenway safety improvements (Chair).\* Item was discussed. No action taken. Public Comment: a) Naomi Friedman; b) Linda Currie; c) Community Member (name unknown).
10. **Discussion/Action**: Update on Stormwater Master Plan (Chair/Diehm). Item was discussed. No action taken.
11. **Discussion/Action**: Update on Measure Y, Parks Tax Ballot Measure (Chair). Item was discussed. No action taken.
12. **Discussion/Action**: Update on Testing at Cesar Chavez Park (Chair). Item was discussed. No action taken.
13. **Action**: Commission meeting minutes from June 2024 (Chair).\*: M/S/C (Kawczynska/Diehm/U) to update June minutes to reflect: a) Diehm was present for the meeting and voted Aye on all Action taken; b) change verbiage in item 7 from "for four years" to "for review every four years"; reflect that Lee was absent (excused) in roll call and change to absent for all votes. Ayes: Abshez; Cox; Diehm; Kawczynska; Lee. Noes: None. Absent: Hurtado; Ranuzzi.
14. **Action**: Potential October Meeting Date Change or Special Meeting (Chair). M/S/C (Abshez/Kawczynska/U) to move 10/9/24 meeting to 10/16/24 so the commission can review the Waterfront Specific Plan. Ayes: Abshez; Cox; Diehm; Kawczynska; Lee. Noes: None. Absent: Hurtado; Ranuzzi.
15. **Information Reports**\*: Recent PRW Council Reports; Waterfront Story Map.
16. **Future Agenda Items**: Public Art in Aquatic Park (Lavvorn); PRW Commission Workplan 2024; Citywide Accessibility Plan; Locations for Dog Parks.

**17. Communications.** \* Letter re: Berkeley Marina BCDC Permit & Violation History.

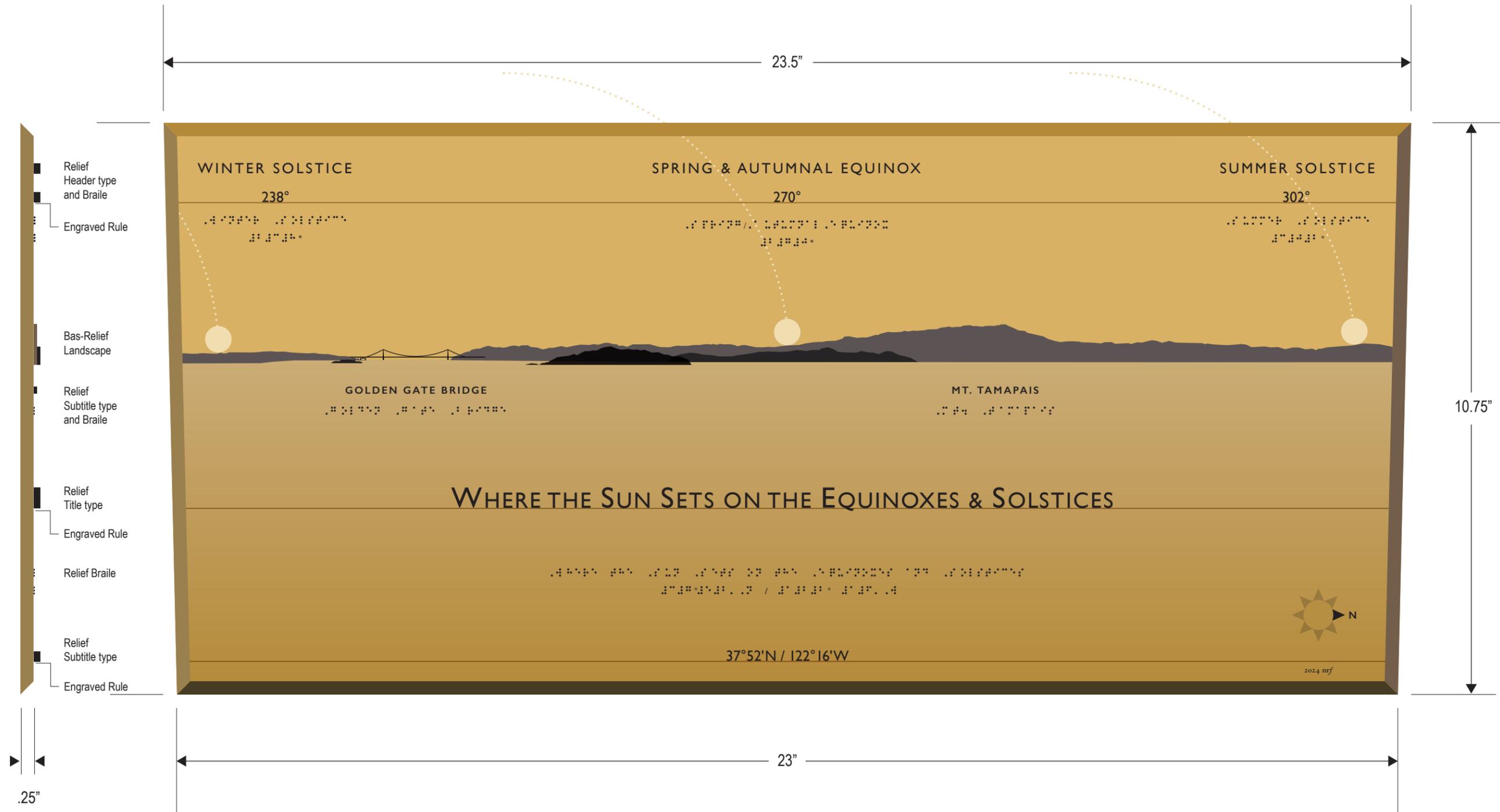
**18. Next PRW Commission meeting:** Wednesday, October 16, 2024.

**19. Adjournment.** 8:43pm.

\* document is attached to agenda packet and on the commission website.

\*\* document will be provided at the meeting

- Commissioners in attendance: 5 of 7 appointed.
- Public in attendance: 11
- Public speakers: 9





Rashi Kesarwani  
Councilmember, District 1

CONSENT CALENDAR  
October 15, 2024

TO: Honorable Mayor and Members of the City Council

FROM: Councilmember Rashi Kesarwani (Author)

SUBJECT: Naming the Harrison Street Skate Park in Honor of Terrance McCrary

RECOMMENDATION

Referral to the Parks, Recreation and Waterfront Commission to officially name the Harrison Street Skate Park in honor of Terrance McCrary, Jr., former skateboard counselor in training with our Recreation Division's Skate Camp and Berkeley resident killed by gun violence.

BACKGROUND

Terrance McCrary Jr., also known as T-Mack, was born on September 15, 1993. By all accounts he was a vibrant, big hearted person who had a passion for skateboarding and art.<sup>1</sup> He graduated from Berkeley public schools, attended Berkeley City College and worked at 510 Skateboarding skate shop on Telegraph avenue as a way to fuel his interests. Terrance also worked at the Harrison Skate Park as a counselor in training with the city's recreation division and was a mentor to younger kids who shared his love for skating. On August 14, 2016 at the age of 22, Terrance was killed while attending a party in Uptown Oakland. Two other attendees got into a fight; one of them pulled a gun on the other shooting him dead and taking Terrance's life as well. Terrance continues to live in the hearts of those whose lives he touched and have a presence within the skateboarding community.

Every year the McCrary family, in conjunction with the City of Berkeley's Recreation Division, hosts an annual T-Mack Skate Jam with free food, music and prizes in honor of Terrance, celebrating his life, memory, and passion for skateboarding. It is a moment to celebrate life and bring the skateboarding community together while also recognizing the pain and devastation of gun violence.

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<sup>1</sup> Berkeleyside Obituary written by friend Delency Parham, August 15, 2016: <https://www.berkeleyside.org/2016/08/15/in-loving-memory-of-terrence-mccrary-1993-2016>. See also

While currently there is a sign at the Harrison Skate Park honoring Terrance's life and contributions to the skateboarding community at the park, it is officially known as the Harrison Skate Park. Officially naming the skate park after Terrance would be a way to further honor his life and tie the annual T-Mack Skate Jam celebrations permanently to this park.

CURRENT SITUATION AND ITS EFFECTS

Built in the early 2000s, Harrison Skate Park, located at 711 Harrison Street, is an 18,000 square foot park designed for skateboarders of all levels. It contains a large oval bowl, a fun box, and dedicated areas for beginners. The City of Berkeley's Recreation Division hosts summer camps and events for youth at all skill levels. Operating hours are 8 a.m. to 9:30 p.m.

ENVIRONMENTAL SUSTAINABILITY

There is no significant environmental impact of naming the skate park after Terrance McCrary, Jr.

FISCAL IMPACT

Officially naming the skate park after Terrance would require new signage in multiple locations. Parks, Recreation and Waterfront Director Scott Ferris estimated the costs at less than \$5,000.

CONTACT PERSON

Councilmember Rashi Kesarwani, 510-981-7110

Attachments:

Flyer for 2023 T-Mack Skate Jam



Recreation Division Presents



# T-MACK SKATE JAM

Saturday, September 16th, 2023

Berkeley Skate Park, 711 Harrison St

11:30 - 3:00PM

Terrence McCrary Forever

**FREE EVENT FOR ALL**

**Free Food / Music / Good Vibes**

This is an annual event celebrating the life and memory of Terrence McCrary Jr. Terrence grew up riding the Berkeley Skate Park and was a Counselor-in-Training for the Recreation Division's Skate Camp in 2012.

This event will feature a skate jam, raffle prize giveaways, art creations, live music (DJ and music artist) and refreshments.

Sponsored By 510 Skateboarding, Skate XP, Deluxe Distribution

Refreshments will be donated by the McCrary family



Agenda Item 11. Waterfront Parking & TDM Study

**Waterfront Baseline Parking Conditions – Draft Report**

[https://berkeleyca.gov/sites/default/files/documents/BerkeleyWaterfront\\_BaselineConditions\\_DRAFT\\_v3\\_09\\_27\\_2025\\_2.pdf](https://berkeleyca.gov/sites/default/files/documents/BerkeleyWaterfront_BaselineConditions_DRAFT_v3_09_27_2025_2.pdf)

**Waterfront Parking & Transportation Demand Management Toolkit – Draft Report**

[https://berkeleyca.gov/sites/default/files/documents/Berkeley%20Waterfront\\_TDM%20Toolkit\\_DRAFT%20\\_2024-09-26.pdf](https://berkeleyca.gov/sites/default/files/documents/Berkeley%20Waterfront_TDM%20Toolkit_DRAFT%20_2024-09-26.pdf)

**Waterfront Specific Plan Community Meeting Presentation, 9/30/24**

<https://berkeleyca.gov/sites/default/files/documents/WSP%20Community%20Meeting%20Presentation%20-%2009-30-24%20final.pdf>

Jim McGrath  
2301 Russell Street  
Berkeley, CA 94705  
October 8, 2024

Liza McNulty  
City of Berkeley  
2180 Milvia  
Berkeley, CA 94704

Subject: Kittelson & Associates Technical Memorandum dated September 27, 2024

Dear Ms. McNulty:

#### SUMMARY

This memorandum is simply not credible. There is a saying in use since 1854 which seems appropriate to describe this effort. “Figures won’t lie; but men that draw up the tables may.” The draft Technical Memorandum by Kittelson & Associates is another effort by the City of Berkeley and their consultants to avoid disclosing to the public what the likely impacts on existing recreational uses a proposed ferry terminal at Berkeley marina would have. The public process for this effort has been deeply flawed, information has been withheld, and frequent mistakes litter the available reports. The entire effort needs to be redone in a credible manner.

#### THE PUBLIC PROCESS REMAINS FLAWED AND MANIPULATIVE

Throughout the effort to turn a portion of the recreational marina into a commuter terminal, the city has constrained and biased the public process. Surveys which the city claimed showed support for a ferry terminal were restricted, giving those surveyed only the option of a pier **with** a ferry terminal rather than a stand-alone recreational pier. In discussions about allocation of the T1 bond funds, restoration of Berkeley Pier was a popular option that didn’t make the cut. The public process excluded any options to simply restore the recreational pier.

That continues with the September 30, 2024, “listening session.” First city staff spoke for 55 minutes, showing a long power point presentation that covered far more than the Kittelson Memorandum. Those wishing to comment were placed in breakout rooms, where they could not hear the concerns of other stakeholders. The city tried to control the dialogue, asking a series of scripted questions that did not seek input from the public on the flawed Kittelson report, but pivoted to how the city should adopt transportation control measures to make it harder to drive to the marina.

Berkely has already restricted public parking at three different lots: Seawall Drive Lot, L Lot, and J/K Lot. The public is not allowed to park at the J/K lot during weekends—the time when the two South Basin lots are often full, and the J/K lot is across the street. Thus, the city has already

restricted access to over four hundred parking spaces. Reopening those lots to public use would provide ample parking for continued and increased recreational use as Berkeley's population increases by over 20% and fishing is restored as a key recreational activity. Surveys done during the WSP effort showed that 92% of the people who arrive at the marina do so by car. (Page 23, power point for Community Workshop #2) People are currently turned away from the marina because of those closures on some weekend days. The city has accepted many loans and grants which were intended to increase public access to the marina; it is simply unacceptable to restrict automobile use, the dominant form of existing access, to try to create a commuter terminal.

There are other areas of the project where the public process has not been forthcoming. There are substantive controversies over the proposal for a ferry terminal which are critical to the question of feasibility.

1. Will WETA agree to let Berkeley charge riders for parking?
2. Will any ferry service be electric?
3. Will Berkeley be responsible for subsidizing operations?

On September 30, the staff presented those issues as settled. City staff stated unequivocally that there would be electric ferries, and that Berkeley would not pay for operation of the ferry. One of the subjects of the meeting was charging all visitors for parking. In fact, none of these issues is resolved.

Currently, there are no electric ferries in operation with the capacity or the speed to meet the specifications for turn around demanded by WETA. While WETA staff and Board members have made vague promises to move towards electric ferries, they only operate a single electric ferry on a short route where speed is less important. All written statements in WETA documents that address electric ferries provide the qualification that electric ferries will be used—if **feasible**. Since WETA has not budgeted for electric ferries, and is seeking grants for new ferries, it cannot be said with certainty that an electric ferry will be used if Berkeley service is initiated. The technology simply does not exist at the scale or speed required.

While the FAQ posted on the web site and statements at the meeting claim that Berkeley will not pay for operations, documents about Berkeley service presented to the WETA Board do not agree. WETA planning documents estimate the annual subsidies required for a Berkeley terminal at \$9 to \$12 million, in documents that stated that Berkeley would be expected to pay half. With the present marina budget generating only about \$7 million a year, requiring Berkeley to pay \$4.5 million to \$6 million annually for creating a ferry terminal raises a fundamental issue of feasibility—and about the credibility of city claims. No fiscal analysis of operations which looks at the allocations of Regional Measure 3 has been released.

Charging ferry patrons for parking is similarly unresolved. WETA studies have identified costs as a major factor in ferry ridership and has lowered fares well below the actual cost or the

expected farebox return to compete with BART. Such efforts have relied on Federal pandemic relief funding which has been exhausted. Surveys that are posted on the WETA website reveal that many riders will return to BART if fares go up. Even a small daily parking fee of \$5 per car would increase round trip costs by 50% and reduce ridership. As with subsidies that may be required, this goes to the heart of feasibility.

I reviewed the current MOU between Berkeley and WETA which was amended on May 14, 2024. There are no provisions in that MOU that require service by electric ferries, allow Berkeley to charge for parking, or make WETA solely responsible for operational costs. WETA documents simply defer resolution of these questions to later stages. Presenting these as settled issues is, at best, misleading.

THE KITTELSON MEMORANDUM DOES NOT PROVIDE THE NECESSARY INFORMATION TO ESTABLISH THE REQUIRED BASELINE OR ADDRESS THE REQUIREMENTS OF THE BAY PLAN

Consultant products used in the initial feasibility study and cited by city staff are factually wrong and misleading. Indicative of the seriousness of these errors is the information presented at the May 3, 2023, Community Workshop that covered parking at the marina. That presentation, on page 24, claims that parking utilization in the two South Basin lots is 5%. City staff repeated this claim in their presentations to the Planning Commission on June 7, 2023. Neither the methodology used to make that claim, or the underlying data were released. A similar drawing is repeated as Figure 4, but now claims, without explanation, that the utilization is below 80% which is “low utilization.” It lists the two South Basin lots as “anecdotally high” on weekends. Analysis and the underlying data are missing.

It is misleading to characterize evidence of crowded parking at the marina as “anecdotal.” After maps were released showing South Basin lots as 5%, recreational users began to take counts and photographs of parking use. I have submitted multiple photographs to the city showing that during weekday afternoons those two lots are 60 to 80 percent full. Those photographs also show weekend conditions where every parking space is occupied, cars are parked along the aisles, and drivers are waiting for a space to open. A sample photograph from July 28, 2024, is attached showing cars parked along the east curb because all parking spaces are occupied. Earlier studies support the conclusion that the marina is often very crowded. A Memorandum from the Nelson\Nygaard Team dated September 11, 2018, notes:

...satellite data ...indicated peak **parking demand met or exceeded 85%** om the Central Parking Lots during the days when the Waterfront is especially popular ...During weekdays, centrally located lots, particularly the J & K Lot and the L & M Lot, **experience as much as 89% and 93% occupancy**...Since re-opening, **South Cove East lot experiences as much as 90% occupancy**...

That 2018 report also documented the contribution of the small ferry operations as contributors to the crowded parking in the South Basin. This comment establishes the problem of ferry

parking and the issue of enforcement: **“Ferry customers continue to park in South Coast East, J&K, and L&M Lots due to a lack of enforcement.”**

Information gathered by the city after 2021 but not released with the Memorandum also support this conclusion. While most of the forms used to check parking only record parking at 10:00 am and 8:00 pm and were intended to determine whether overnight parking remained a problem, the few counts taken during recreational times showed crowding. For example, the form for Sunday, May 7, 2023, notes that it is a sunny day and at 10:00 am Spinnaker Circle, Spinnaker Way, Launch Ramp, J and K, South Basin, Skates and No and O lots all full at 10:00 am and **all lots full at 2:00 pm**. Other forms showed “Sunday Swim” and 77 of 96 spaces full at 10:00 am. Other data collected in Spring 2024 has been withheld from public scrutiny (page 16), arguing that it was not used “due to the comparatively limited number of data points.”

Faced with such substantial evidence that the marina parking lots that might be affected by a ferry terminal already support recreational use during both weekdays and weekends that occupy most of the parking areas, six years into studies, the city decided to commission only 5 new detailed parking counts. Those counts have not been released, but such a minimal sample cannot be said to establish substantial evidence of the existing recreational baseline, which depends heavily on parking.

This is not an inconsequential shortcoming. As noted in my letter of April 18, 2024, the City of Berkeley is required to develop a baseline of existing conditions under the California Environmental Quality Act (CEQA) and comply with the Bay Plan. Neither are addressed in the memorandum. Further, the development of a baseline must be supported by substantial evidence, not by assumptions.

A baseline of existing conditions would show that Berkeley marina is home to many different forms of recreation, and once also supported a substantial fishing effort on Berkeley Pier with up to 100,000 anglers in a year. Those different activities occur at different times, on different areas within the marina, and use different areas to park. They include:

- Dog walking, walking, and nature observation at Cesar Chavez Park and throughout the marina
- Sailing, both day trips and more extended trips, with parking supporting different docks
- Commercial recreation, i.e. restaurants
- Doubletree Hotel
- Kite flying at Cesar Chavez Park
- Water sports staged from the South Basin and adjacent to the H’s Lordships Restaurant
- Swimming, staged from the South Basin and adjacent to the H’s Lordships Restaurant
- Viewing the water along Seawall Drive and South Basin East lot
- Sportfishing, staged from the South Basin west parking lot.
- Summer sailing and environmental education programs (June 3 through October 2)
- Adventure playground

- Fishing from land that used to occur from the pier
- Educational programs, family picnics and barbecues, and beach combing at Shorebird Park

The Memorandum makes no attempt to quantify these uses or distinguish the existing parking use or mode split—e.g. the baseline condition—in different areas of the marina. The Memorandum does not include the actual data, or explain the methodology used. It appears to combine different recreational parking data to average use and support the argument that full parking lots in one area of the marina do not preclude recreational use. This is misleading, and an unacceptable statistical practice. It is axiomatic when developing time series for analysis that different populations of data, that is, different recreational activities, be kept separate so as not to obscure the value of the data. When different populations of data are combined inappropriately, it destroys the underlying value of the data. The data, which is extremely limited, also appears to be averaged over time, obscuring the temporal nature of the demand. For example, there are organized swims from the South Basin and from H’s Lordships cove on Sunday morning and Tuesday afternoons after work hours. As many as 127 swimmers register for those swims, and the South Basin East lot fills up by 10:00. Neither the intensity of that activity, or the mode split, is disclosed in the document. To some degree, it is shocking how little City staff and consultants seem to understand about the recreational activities at the marina.

Any ferry terminal project must obtain permits from BCDC, as well as many other agencies. To obtain a permit from BCDC, the city and WETA must either comply with the Bay Plan, or have the relevant policy changed. The policy in question would only allow a ferry terminal in Berkeley marina if the land is not needed for current or future recreational needs, **and** if parking by ferry patrons does not usurp parking needed by the many recreational users listed above. The Memorandum—and nearly every city document on the ferry—avoid any mention of that Bay Plan policy. The treatment of discrete parking data by combining parking uses in different areas of the marina, and at different times, is not just inappropriate treatment of statistical data, it provides no evidence about the question of ferry patrons usurping recreational parking. The city and Kittelson attempt to substitute different standards, with city staff arguing that if there is a parking spot available anywhere in the marina, recreational use is not usurped. The city also characterizes the current weekday parking at the two South Basin Lots as “low utilization” a term adopted by the city that has no regulatory relevance. It does not provide either information about the baseline required by CEQA or show that the existing, at times crowded parking, would not be usurped by ferry patrons, as it has in the past. That is the regulatory standard under the Bay Plan. The Memorandum makes no attempt to define this new term, “low utilization” in a way that bridges the analytical gap between the current parking use by recreational activities and the Bay Plan standard. Kittelson uses a different approach, arguing on page 39, that “It seems that the existing parking facilities at the Waterfront are able to accommodate the Marina’s current recreational uses, and with tailored TDM strategies, could be **minimally impacted** by the introduction of ferry service to the Waterfront.” Of course, neither of those is the regulatory standard.

## THE KITTELSON MEMORANDUM AVOIDS DISCLOSING INFORMATION ABOUT EXISTING PATTERNS AND INSTEAD RELIES ON ASSUMPTIONS THAT ARE NOT SUPPORTED BY SUBSTANTIAL EVIDENCE

As noted above, Berkeley is required to develop a baseline of existing conditions, supported by substantial evidence. Rather than gather such readily available substantial evidence, the study relies on assumptions that lack substantial evidence to support their use. Information about sportfishing, ferry ridership, and bicycle use at the 10 Bike Link lockers is readily available but is not used to establish baseline or mode share. Instead, assumptions are made to support the narrative that ferry service would not usurp recreational parking. The City of Berkeley receives revenue from each passenger and trip on both charter vessels and the small ferry operations. I obtained the raw data on revenue by submitting a public records act request. This information can readily be used to develop a times series of ridership, which then can focus direct investigation of mode split, i.e. how many passengers arrive by car. Such information would not support the wildly optimistic assumption that only 40% of passengers arrive by driving alone. Information derived from an existing operation is more accurate than assumptions. As noted above, survey data indicated that 92% of those who visit the marina use a car. A claim that only 40% arrive by driving alone is a justification used to support a preconceived notion and is not supported by substantial evidence. Collecting, but withholding, information about parking on only two summer weekdays does not constitute substantial evidence.

Only the Genentech ferry still operates out of Berkeley marina. Since it is mitigation for the traffic and air quality impacts generated by development at Oyster Point, information on effectiveness and costs should be available through the required mitigation monitoring reports. There is no evidence that the consultant effort examined either city ridership records or mitigation monitoring reports to develop a realistic mode share estimate. Again, no effort is made to provide substantial evidence of existing activities, and unsubstantiated assumptions are substituted for real analysis.

Rather than collect any information about bicycle use by surveys, or measuring use at the Bike Link lockers, the Memorandum presents a pre TDM baseline of 16% arriving by bicycle. That is a fantasy. The most recent census data on bicycle use, the US Census American Community Survey, showed that only 6% of commute trips in Berkeley are by bicycle, and the average travel distance to the marina is far greater than the parts of Berkeley east of the freeway. I have been in Berkeley marina more than 100 days so far this year. If 16% of those coming to the marina came by bicycle, that means that about 30 bicyclists would be present on weekend days when every space in the parking lot, including the aisles, is full. That is not the case. I almost never see bicycles parked anywhere except Cal Sailing Club and one or two at the Yacht Club. The bike lockers can only be used with a cell phone app; thus, actual use data is available but has not been collected. There are many ways to measure actual bicycle use rather than make assumptions; in addition to direct measurement by survey or rubber hose counting devices, examination of cell phone geographic location data has become common. But the Memorandum makes no effort to measure use, examine available passenger data or bike locker

use data, or validate this assumption. Such a wildly optimistic assumption does not constitute substantial evidence.

There is an additional problem with the approach of not maintaining distinctions between the kinds of users who now go the marina, the facilities they use, and the time that they use different parking lots. Travel for social and recreational purposes is fundamentally different than travel for commuting purposes. The number of passengers per car is higher for social and recreational travel than for commuting, and it is far more difficult to change the mode of access of recreational trips. By combining all purposes into a single set of assumptions about mode split, the Memorandum obscures real differences in behavior and feasibility. Some aspects of that are acknowledged in the report—recreational trips often feature cargo that cannot be shifted to mass transit or bicycles. Things like kayaks, sea kayaks, sails, stand-up paddle boards. Apparently, the consultants are not aware that the South Basin is a staging area for bicycles and other uses. There is a literature that examines these issues. The gold standard is the American Community Survey, cited above to show that only about 6% of trips occur by bicycle. The other standard is the National Household Travel Survey, which in 2017 determined that 91% of commute trips occur with personal vehicles. It may well be different in Berkeley—but substituting a set of self-serving assumptions for analysis and data collection does not provide the substantial evidence required to assess the impact of a ferry terminal under the regulatory standards.

#### THE STUDY FAILS TO USE THE CURRENT ESTIMATES OF MID-CENTURY RIDERSHIP BY WETA, UNDER-ESTIMATING IMPACTS

The Kittleson Memorandum uses 1,830 boardings, or 915 departures from Berkeley to assess impacts on recreational parking. This ignores the most recent estimates by WETA. A document presented to the WETA Board in April 2023, in Table 11, titled “2050 Daily Ridership Forecasts”, uses a forecast of 4,000 passengers for 2050. I have called this forecast to the city staff attention, but it is ignored in the document. 4,000 passengers as used in that report means 2,000 departing passengers from Berkeley marina. That is 800 passengers arriving by driving alone at the unsubstantiated projection in the report, 1,200 passengers arriving by driving alone under a more realistic mode split.

#### THE REPORT USES AVERAGES OF PARKING USE THROUGHOUT THE MARINA TO EVALUATE THE IMPACT ON RECREATION RATHER THAN FOCUS ON THE LOTS MOST LIKELY TO BE IMPACTED

As noted above, recreational and commercial activities occur in different areas of the marina, at different times and using different areas to park. The methodology used in the Kittelson report is never explained clearly, and there is no quantitative analysis or disclosure of the underlying data. That alone makes the report inadequate. However, it appears that parking utilization at different times and locations are averaged to try to minimize the likely impact on recreational use. Evidence of this is seen in Figure 10, where parking is amalgamated into three districts reflecting different lots which each serve different recreational users.

Ferry passengers will seek to park as close to the proposed terminal as possible, that occurred when the two small ferry services started. As noted above, as many as 1200 passengers driving alone may try to use a new ferry service. That will overwhelm the proposed allocation of 250 spaces of seawall lot that has been offered to them, the remainder of seawall lot (70 spaces), South Cove East and West lots (182 spaces), Skates lot (137), and only accommodate half of those looking for a space to park.

## CONCLUSION

The Kittleson Memorandum is inadequate in multiple different ways. It presents conclusions without showing the underlying data or the approach that is used. It avoids any discussion of the regulatory standards that apply to permits and CEQA documents, substituting assumptions for evidence. With multiple sources of evidence suggesting that parking lots in the central area are full on weekends and nearly full on many weekdays, only includes five new days of data collection have been completed. Available information that shows higher utilization of parking areas has been withheld. The study includes numerous errors—ignoring WETA plans for as many as 2,000 departing passengers. Earlier mistakes are not corrected and remain on the web site. The entire parking study, through two different consultants, is biased and inadequate and must be redone.

Very truly yours,

Jim McGrath

Enclosure

Copies: City Council, Paul Buddenhagen



**Aquatic Park Dreamland Playground Area Improvements Project**

***Community Survey***

Please help by taking part in our initial survey: <https://forms.gle/Poyaag4GMUcqExqC6>

***Community Workshop #1 Presentation, 10/8/24:***

[https://berkeleyca.gov/sites/default/files/documents/Aquatic%20Park%20Community%20Meeting%20%231\\_2024-10-08\\_0.pdf](https://berkeleyca.gov/sites/default/files/documents/Aquatic%20Park%20Community%20Meeting%20%231_2024-10-08_0.pdf)

***Additional Project Information***

<https://berkeleyca.gov/your-government/our-work/capital-projects/aquatic-park-dreamland-playground-area-improvements>

**PARKS, RECREATION AND WATERFRONT COMMISSION  
RECENT COUNCIL REPORTS**

The following recent PRW council reports can be accessed from the City Council Website by using the following URL's:

**September 24, 2024 (regular)**

6.-Grant Application: Reconnecting Communities Pilot (RCP) Discretionary Grant Program for the Santa Fe Railroad Trackbed to Park Conversion Project

URL: <https://berkeleyca.gov/sites/default/files/documents/2024-09-24%20Item%2006%20Grant%20Application%20%20Reconnecting%20Communities%20Pilot.pdf>

**October 1, 2024 (regular)**

2.-Grant Application: Regional Measure 3: 2025 Safe Routes to Transit and Bay Trail Program for the Bay Trail Extension

URL: <https://berkeleyca.gov/sites/default/files/documents/2024-10-01%20Item%2002%20Grant%20Application%20Regional%20Measure%203%20%202025%20Safe%20Routes.pdf>

3.-Grant Contract: Housing and Urban Development (HUD) for the African American Holistic Resources Center Project

URL: <https://berkeleyca.gov/sites/default/files/documents/2024-10-01%20Item%2003%20Grant%20Contract%20%20Housing%20and%20Urban%20Development%20%28HUD%29%20for%20the%20African%20American.pdf>

**October 15, 2024 (regular)**

20.-Councilmember Taplin's Referral regarding Cal Sailing Club's six historic J-Dock berths

URL: <https://berkeleyca.gov/sites/default/files/documents/2024-10-15%20Item%2020%20Councilmember%20Taplin%E2%80%99s%20Referral%20regarding%20Cal%20Sailing.pdf>

22.-Naming the Harrison Street Skate Park in Honor of Terrance McCrary

URL: <https://berkeleyca.gov/sites/default/files/documents/2024-10-15%20Item%2022%20Naming%20the%20Harrison%20Street%20Skate%20Park.pdf>

Dear Parks and Recreation Commission of the City of Berkeley,

The Eastshore Alliance Fútbol Club (EAFC) is a non-profit organization formed in 2023 through the merger of Spurs FC and Mavericks SC, two clubs that have been a part of the community for over 50 years and long-time renters with the city of Berkeley. EAFC serves over 1,000 youth ages 3-19 from families in Berkeley, El Cerrito, Albany, Richmond, San Pablo, and surrounding areas. Our mission is to "provide the optimum environment to elevate the player experience while fostering growth, development, and positive change within our community." Our program serves a diverse community throughout the East Bay, including many with limited access to parks, green space and recreation. Our club supports families with needs-based financial assistance, and last year we supported over 120 players with \$160,000 of Financial Aid and this year we're trending towards 140 players with \$185,000. For many, our program provides access to physical activity on recreational fields that their neighborhoods and school environments may lack.

Our organization's greatest challenge in successfully serving our communities is access to field space. Eastshore Alliance's Competitive, pre-competitive (Junior Allies), Grassroots, and Mini Allies programs currently serve over 1,000 youth across 65+ teams on an annual basis. Each of these teams have practice 2-3 week depending on the program and age, resulting in a need for 80 - 100 field slots each week. To clarify, a field slot is access to a full-size field for a 90-minute session that is shared between a number of teams. Assuming we have access to a field from 4 - 9, we could get three field slots there. Access to that field Monday through Friday would bring us to 15 field slots. So, we need access to 5-7 full-size fields to provide the optimum field environment to elevate the player experience. Our two biggest limitations are fields not having lights so we are unable to run sessions later in the day which makes it very difficult for the high-school aged players in the club, as well as the natural grass fields that are closed due to inclement weather (the City of Berkeley's grass fields were closed for 4 weeks this spring 2024, which can add up to 25 - 33% of the season for some teams). While it is possible to overload the fields with multiple teams, these are less than ideal conditions when it comes to actually teaching the game and for player development and conditioning. You would not limit a baseball team from the batter's box to the pitcher's mound, nor would you limit a basketball team from the hoop to the free throw line, so why should soccer be treated any differently?

Options for practice and game fields are limited: there is currently only one non-school facility in the Berkeley / El Cerrito/ Albany area with all-weather fields available for rent by the community, and that is the Tom Bates Sports Complex. As mentioned above, during this year's wet season EAFC needed to cancel the majority of practices for four consecutive weeks, reserving limited turf fields for more competitive teams. This year alone, there were times where fields were shared by up to ten teams at a time.

For rental of school fields, soccer clubs must go through districts to utilize the fields. There are often several charges associated with renting fields, including restroom and custodial fees that make rentals complicated and at times, unaffordable. School fields at Berkeley High, El Cerrito High School, Richmond High School, and Kennedy High School for example are more difficult to rent and access, and are frequently locked.

Eastshore Alliance FC would like to work with the City to create a plan of improving and eventually converting fields to turf in the coming years. In the immediate short-term, there needs to be a

solution to the goose feces and massive holes in the Tom Bates east and west grass fields and the Gabe catalfo fields, these both pose an immense risk to the health and safety of our children. Then, next steps would be upgrading both of these locations to have turf and lights, thereby improving the playing surface, allowing for rentals into the evening and during the winter months, and guarantee play during the rainy seasons, not to mention additional revenue for the city through more rentals and the potential for tournaments. We understand that turf fields are more costly to develop than grass fields. That said, we also understand that climate-related uncertainty will make it more difficult to predict and assume when grass fields will be available. We also know that our ever-growing programs will put additional pressure on limited turf fields in the coming years. EAFC is interested in discussing how organizations such as ours may be able to help raise funds for the development of new turf fields in other locations and / or the conversion of grass fields to turf as described above, as well as funding for field maintenance and lighting.

Thank you for your time and consideration and we look forward to learning about next steps and how we can partner to best serve the community.

Best,

Ted Steen

Eastshore Alliance Fútbol Club  
Executive Director of Finance and Administration  
Head Coach - 2012B Orange  
[ted.steen@eastshorealliancefc.org](mailto:ted.steen@eastshorealliancefc.org)



## Miller, Roger

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**From:** cafred1@juno.com  
**Sent:** Wednesday, October 2, 2024 6:36 PM  
**To:** Miller, Roger  
**Subject:** Letter for the Parks, Recreation, & Waterfront Commission Meeting Pack et

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

10-2-2024

Hello Roger Miller,

Please include this letter in the packet for the next meeting of the Parks, Recreation & Waterfront Commission.

Please confirm receipt.

thanks you,

Clifford Fred

10-2-2024

Clifford Fred

Berkeley Calif.

To the City of Berkeley Parks, Recreation & Waterfront Commission,

THE PROPOSED OHLONE GREENWAY MODERNIZATION & SAFETY PROJECT VIOLATES BERKELEY'S 1986 MEASURE 'L' –  
THE BERKELEY PUBLIC PARKS AND OPEN SPACE PRESERVATION ORDINANCE

Measure 'L' - The Berkeley Parks and Open Space Preservation Ordinance, was adopted by Berkeley voters in November 1986 by a vote of 21,946 to 18,854. It is codified in BMC Chapter 6.42.

Measure 'L' states, "Shall an ordinance be adopted to require voter approval of non-recreational uses of parks or open space and require acquisition of open space controlled or leased by the City if acquisition is the only means of preserving the open space?"

Measure 'L' is still in effect today.

In 1996, the City of Berkeley wanted to place temporary buildings on Civic Center (Provo) Park for various city bureaucratic functions while the Civic Center building on Milvia Street went through extensive renovations and a seismic upgrade. Because of Measure 'L', the City had to put a measure on the November 1996 ballot - Measure X - to get the public's approval.

The last of the "where as's" at the start of the Full Text of Measure X" states,

"Where as Measure 'L', BMC Chapter 6.42 requires voter approval to use public parks for purposes other than park or open space uses,"

"Shall the MLK Jr. Civic Center Park be used for a period to expire no later than June 30, 2001 for the purpose of temporarily housing City of Berkeley offices in portable buildings, as well as associated site preparation and maintenance activities in order to allow the abatement of seismic hazards at the site of the MLK Jr. Civic Center Building at 2180 Milvia Street if the Council finds after a public hearing that there is no other feasible alternative to relocate City employees during such seismic work?"

Measure X failed 17,476 to 23,151. Thus, the City could not install temporary offices in Civic Center Park, and subsequently leased commercial property around downtown instead.

The proposed Ohlone Greenway Modernization & Safety Project (being prepared under the auspices of the Public Works Department) would take away open space in Cedar Rose Park, so as to expand the bicycle, electric bicycle, & electric scooter right of way. This is a violation Berkeley's Measure 'L'. As noted above, Measure 'L', adopted by Berkeley voters in November 1986, requires a vote of the people before any park or open space under the city's control can be used for other purposes. A bicycle/ electric scooter/ e-bike pathway or roadway is not a park use, it's a transportation use. The Ohlone Greenway is clearly for transportation, not recreation.

The December 8, 2023 Ohlone Greenway Project - Project Information Sheet (page 2) states that "this pathway receives relatively high volumes of pedestrian and bicycle traffic."

The December 2023 Project Information Sheet further states (page 2) that "the proposed pathway improvements are also included in the 2016 Berkeley Strategic Transportation (BeST) Plan, which designates the Project as a priority & a signature project, as the BeST Plan seeks to increase mobility, user safety, access to commercial districts & opportunity areas, choices for mode of transportation & environmental sustainability/resiliency."

The December 2023 Ohlone Project Information Sheet could not have made it clearer. The Purpose of the Ohlone Pathway is "transportation." The purpose of the Project is to improve the "transportation" function of the Pathway.

Measure 'L' clearly prohibits the expansion or widening of the bicycle/e-scooter/e-bicycle paths in Cedar Rose Park, thus shrinking the available public open space in Cedar Rose Park, without an affirmative vote of Berkeley voters at a regularly scheduled election.

#### MEASURE 'L' COVERS ALL CITY PARKS & ALL CITY CONTROLLED OPEN SPACE

Please note that Measure 'L' is still in effect, & covers all City parks & city owned or controlled open space. The argument that some City officials have been making that Measure 'L' was only meant to apply to the Berkeley Waterfront is faulty.

The rival waterfront November 1986 ballot Measures – 'P' & 'Q' – only applied to the then privately owned Santa Fe lands. They had nothing to do with public open space. The group of local citizens who gathered the signature & campaigned for Measure 'L' were different from the group of local citizens who gathered the signatures for Measure 'P', & who campaigned for Measures 'P' & 'Q'. (Measure 'Q' was placed on the ballot by the City Council.)

The people who drafted, gathered signatures for, & campaigned for Measure 'L' also drafted, gathered signatures for & campaigned for Measure 'M' on the November 1986 ballot. Measure 'M' would have required a vote by the citizens for Berkeley before the Berkeley Unified School District could convert any open space owned or controlled by the School District to other purposes. However, the votes did not approve Measure 'M'.

The late John Cecil led the drafting of & campaigns for Measures 'L' & 'M'. I remember perfectly well that he was not involved in the Berkeley Waterfront planning process, nor with the Measure 'P' or 'Q' campaigns.

#### CURRENT USE OF CEDAR ROSE PARK FOR BICYCLE, E-BIKE & E-SCOOTER TRANSPORTATION VIOLATES MEASURE 'L'

In addition, the current use of the pathway at the east end of Cedar Rose Park for bicycle, electric scooter & electric bicycle transportation violates Berkeley's 1986 Measure "L". As the above language from the Ohlone Project December 2023 Project Information Sheet makes clear, the purpose of the Ohlone Pathway is "transportation." Yet there was never a vote of the citizens of Berkeley at a regularly scheduled election to allow any part of Cedar Rose Park to be used for bicycle/e-bicycle/e-scooter transportation.

Please communicate to the City's Public Works Department & to other city officials that based on Measure 'L', the proposed Ohlone Greenway Project cannot include widening the bicycle, e-bicycle, e-scooter pathway in Cedar Rose Park, unless the City is prepared to first put the matter on a general election ballot for voter approval.

Please also communicate to the City's Public Works Department & to other city officials that Measure 'L' prohibits the existing use of any part of Cedar Rose Park for bicycle, e-bicycle, & e-scooter transportation, unless first approved by the voters.

#### MEASURE 'L' PROTECTS THE NATIVE PLANTS ADJACENT TO THE OHLONE PATHWAY IN THE FORMER SANTA FE RIGHT OF WAY

The City acquired the former Santa Fe Right of Way between Peralta & Gilman after the trains stopped running & Santa Fe abandoned the track in 1981. Whether or not the native plants that have long been cultivated on either side of the Ohlone Pathway are considered a park, these areas clearly meet the definition of public "open space."

Thus, Measure 'L' protects the native plantings on either side of the Ohlone Pathway. The native plants on either side of the Ohlone Pathway cannot be dug up for the purposes of widening the Pathway – as proposed in the Ohlone Greenway Project & which the Project defines as "transportation," without voter approval.

MEASURE 'L' & THE BERKELEY MARINA PLANNING PROCESS A considerable amount of development is being proposed in the Berkeley Marina Planning Process. The Berkeley Marina is still mostly open space, except for an existing hotel, two open restaurants & one closed restaurant, & various other relatively small structures.

Measure 'L' needs to be carefully considered before any new construction can be approved at the Berkeley Marina or on the Berkeley Pier.

Thank you,  
Clifford Fred



For Immediate Release, October 10, 2024

Contact: Jeff Miller, Center for Biological Diversity, (510) 499-9185  
Jacqueline Covey, Defenders of Wildlife, (202) 772-0287, [jcovey@defenders.org](mailto:jcovey@defenders.org)

### California Burrowing Owls One Step Closer to Permanent State Protections

SACRAMENTO, Calif.— The California Fish and Game Commission unanimously voted today to protect western burrowing owls throughout California as a “candidate” species under the California Endangered Species Act.

Burrowing owls statewide will be protected while the California Department of Fish and Wildlife conducts a full status review, which could last 12 to 18 months. The commission will then vote on whether to protect the burrowing owls as endangered or threatened under state law.

“At long last there’s a glimmer of hope for California’s rapidly disappearing burrowing owls, who desperately need protection,” said Jeff Miller, a senior conservation advocate at the Center for Biological Diversity. “Burrowing owls have dwindled and vanished at an alarming rate around the state as their homes are bulldozed for irresponsible sprawl development. I’m thrilled they’re safeguarded for now and look forward to these adorable little owls getting permanent protection.”

“After decades of effort to safeguard declining burrowing owl populations in California, the species has finally been afforded interim state protections where they’re most needed — at least for the time being,” said Pamela Flick, California program director with Defenders of Wildlife. “With burrowing owls no longer found in one-third of their former territory statewide, these temporary protections aren’t coming a moment too soon.”

In March, the Center for Biological Diversity, Defenders of Wildlife, Burrowing Owl Preservation Society, Santa Clara Valley Audubon Society, Urban Bird Foundation, Central Valley Bird Club and San Bernardino Valley Audubon Society filed a petition with the state commission seeking endangered or threatened status for imperiled burrowing owl populations.

Burrowing owls, the only owl species that nests and roosts underground, have suffered significant habitat loss due to sprawl development, conversion of grasslands to agricultural lands, large-scale wind and solar energy infrastructure development, and killing and removal of ground-dwelling squirrels and other mammals whose underground burrows the owls use for nesting and roosting. The owls are also killed by rodenticides and collisions with wind turbines and cars.

Protecting burrowing owls under the California Endangered Species Act would require state and local agencies to manage these threats. That would include ending the state policy that allows owls to be removed from lands slated for development. It could also require more robust mitigation for habitat loss.

#### Background

Burrowing owls have been eliminated as a breeding species from almost all of the California coast and are rapidly nearing localized extinction in the Bay Area, where fewer than 25 breeding pairs remain. Only about 225 breeding pairs are left in central-western and southwestern California. Burrowing owl numbers are also declining in the Central Valley, which has fewer than 1,500 breeding pairs, mostly in the southern Central Valley.

The state’s strongholds for the species are the Imperial Valley, which has an estimated 4,000 breeding pairs, and the southern Central Valley with around 1,000 pairs. A formerly large population in the Altamont Pass area in eastern Alameda and Contra Costa counties is down to a few hundred pairs and declining rapidly.

Burrowing owls have been eliminated or are nearly wiped out as a breeding species from nearly one-third of their former range in California.



Western burrowing owl. Credit: Alan Vernon. [Image is available for media use.](#)

*The Center for Biological Diversity is a national, nonprofit conservation organization with more than 1.7 million members and online activists dedicated to the protection of endangered species and wild places.*

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