



# Citizens for East Shore Parks

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June 25, 2007

(resending September 25, 2007 as the whole letter was not presented at the September 24, 2007 meeting)

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City of Berkeley  
Parks, Recreation and Waterfront Department  
2180 Milvia Street, 3rd Floor  
Berkeley, CA 94704

Dear Berkeley Parks and Recreation Commission Members:

Citizens for East Shore Parks (CESP) thanks you for your consideration of the proposed Aquatic Park Improvements Program (APIP), to be funded by the Coastal Conservancy. The APIP includes improvements to wildlife habitats and changes to the hydrology. We strongly support some of the features of the APIP, but have serious concerns about other features, as discussed below.

## **Habitat Enhancements – Native Plantings, Roost Sites, Freshwater Habitats, and Removal of Invasive Plants**

*We urge you to prioritize habitat enhancements (native plantings, waterbird roost sites, freshwater habitat improvements, and removal of invasive plants) by designating them as part of Phase I of the APIP. The native plantings should be designed to (1) enhance existing roosting habitats for ducks and herons, (2) provide screening that would reduce disturbance of waterbirds by park visitors, and (3) improve habitat values of freshwater habitats along the east side of Aquatic Park. Phase I of the APIP should also include (4) creation of new, unvegetated roosting islands for shorebirds and (5) a program to remove non-native invasive plant species.*

The Park provides a seasonal deep-water home to hundreds of waterbirds each fall and winter, but the degraded vegetation limits the habitat value of many park areas for feeding, resting, and screening from visitors. Habitat values for waterbirds should be enhanced by native plantings on Bird Island and the lagoon shorelines. The plantings should be designed to enhance roosting habitat for ducks and herons and provide screening that would reduce disturbance of waterbirds by park visitors.

In addition, native plantings of the freshwater wetland areas (marshes, seasonal wetlands, and six creeklets along the east side of the Park) should be designed to enhance habitat values for red-winged blackbirds, marsh wrens, herons, egrets, and other marsh birds. These enhancements should also include buffer plantings to reduce disturbance of marsh birds by park visitors.

Supporting organizations include: Golden Gate Audubon Society—Sierra Club—Save the Bay—Oakland Waterfront Coalition—Berkeley Partners for Parks—California Native Plant Society—Ecology Center—Environmental Defense—Citizens Committee to Complete the Refuge—Friends of Aquatic Park—Oceanic Society—Regional Parks Association—Urban Creeks Council—CA State Parks Foundation—Citizens for the Albany Shoreline — Contra Costa Hills Club (Letterhead created by word processor)

In addition, the freshwater wetlands along the railroad tracks at the southern entrance could be expanded into areas that are currently occupied by asphalt.

We also recommend creation of rocky islands (designed to prevent the growth of vegetation) that would provide suitable, low-maintenance roosting habitat for shorebirds. Most shorebird species (unlike ducks and herons) require roost sites with little or no vegetation, and such sites are in short supply at Aquatic Park.

Enhancement of the health of native vegetation is the primary habitat recommendation of the 2003 Aquatic Park Natural Resource Management Study, which advises that any habitat enhancement project must address the park's invasive non-native plants, both initially and over the long term. The 2004 Waterbird Disturbance Study by Avocet Research Associates specifically recommends the planting of vegetative screening along the eastern shore of the Main Lagoon to improve refuges for the roosting waterbirds. In addition, the Baylands Ecosystem Habitat Goals report (2000) (p. 123) recommends restoration of shorebird roosting sites and seasonal wetlands in the Berkeley area.

### **Reducing Visitor Impact**

*We strongly support park improvements that would improve opportunities for nature interpretation, while reducing disturbance of waterbirds by park visitors.*

The geometry of the park makes it ideal for bringing visitors close to the waterbirds with minimal impact, and we are pleased that Phase I funding may be spent on a series of overlooks. Terraced seating with maps and interpretive signage could accommodate multiple groups and classes, if suitably designed and landscaped, while encouraging visitors to access the water at defined locations. These viewing spots would also increase visitor safety by bringing more eyes onto isolated portions of the park. Thoughtful re-landscaping of the park would minimize human impact on the birds, while increasing the number of visitors to this regional biologic resource.

### **Hydrology Changes**

*We provisionally support improved tidal exchange with San Francisco Bay, but only if: (1) the project includes strong, enforceable assurances that the project will not increase flooding and water quality problems in Aquatic Park (e.g., by increasing stormwater runoff into the lagoons); and (2) complies with Regional Water Quality Control Board Order 70-14. We see the possible misuse of the recommended slide gates (where the two main storm drains connect to Aquatic Park) as a major issue.*

We understand that improved tidal exchange with the waters of San Francisco Bay would remedy some water quality problems that afflict Aquatic Park. Better circulation would lessen the conditions of low dissolved oxygen that occur in late summer and early fall, and could (if properly designed and managed) reduce wet season impacts of the existing stormwater inputs by allowing for more rapid restoration of bay salinity conditions between storm events. At the same time we have some major misgivings regarding use of the park as a flood management utility, as described below.

***Dry Weather Conditions.*** The hydraulic modeling work done indicates that dramatically better tidal exchange could be achieved by restoring the capacity of the five existing tide tubes, and increasing the tidal exchange capacity of the major storm drains at each end of the park, the Strawberry Drain at the north and the Potter Street Drain at the south.

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We concur with the consultant recommendation for electrically activated gates where each of these storm drains tie into Aquatic Park, so as to increase tidal exchange in dry weather, and to limit the amount of stormwater entering the park during rainfall events.

***Wet Weather Considerations.*** In rainy periods the same Strawberry and Potter Street drains that can provide improved tidal exchange also serve their original purpose of carrying large quantities of stormwater runoff to the Bay. Currently, some of this stormwater enters Aquatic Park at the Potter Street end. During high flow periods, stormwater also comes into Aquatic Park from the Strawberry storm drain. All this is in addition to inputs from smaller storm drains that empty into the park between the Strawberry and Potter Street Drains.

Stormwater poses a real hazard for Aquatic Park in three ways. One is flooding. As you know, the water level in Aquatic Park is normally only one to three feet below the elevation that would cause flooding to paths, play areas, and buildings. Only limited amounts of stormwater can be accommodated without flooding the park and threatening the shoreline vegetation that provides roosting and screening for the park's waterbirds.

A second danger from excessive stormwater has to do with the biological health of the organisms that live in the lagoons. These are essentially marine organisms, and can tolerate only a limited amount and duration of low salinity stormwater. Excessive stormwater can also lead to dissolved oxygen problems. This is because stormwater discharged to the lagoons normally forms a layer on top of the denser salt water, and this can cut off atmospheric oxygen transfer to the marine layer.

Finally, there is the toxicity always found in urban runoff, especially the first flush for a given storm event.

One means of minimizing stormwater impacts to Aquatic Park is to see that the gates recommended to limit stormwater inputs during rainy periods are reopened between storms to permit tidal exchange. This would allow bay conditions of salinity to be restored rapidly. This should be possible with the electrically activated slide gates recommended by the consultants, ideally using automated controls.

***Potential Problems in Wet Weather.*** The city's staff and consultants have repeatedly stated that the slide gates recommended for the project are to be operated so that the amount of stormwater entering the park is no greater than at present. Compliance with Water Board Order 70-14 (which was issued on February 26, 1970 and does not expire) would mean blocking stormwater from entering the Model Yacht Basin via the Potter Storm Drain. We support closing those connections during each rainstorm, as was the case until 10 years ago. However, we are concerned that if the City chose (during storm events), it could use the wider opening to add more stormwater into the lagoons in an effort to limit flooding upstream.

The City's Public Works Department, which would presumably have operational control over the gates, has historically seen Aquatic Park as a stormwater retention basin. Its 1994 study called for putting more stormwater into Aquatic Park, and constructing a pump station there for discharge to the bay to manage the water level. We certainly accept the good intentions of the Parks and Recreation Commission, but we are concerned that it will not have the final say, as the Public Works Department

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will be making the key decisions about operation of slide gates during storm events.

We see the possible misuse of the recommended slide gates as a major issue. If it can be resolved that stormwater would be blocked from directly entering the park's lagoons, consistent with Water Board Order 70-14 – either through binding assurances from the city or through a design modification – we would be happy to give the hydrology portion of the project our support.

### **Trash Removal**

*We strongly recommend that the APIP include trash removal devices to reduce the large quantities of urban trash that currently occurs in Aquatic Park and the Bay near the two large storm drain outfalls.*

Aquatic Park and the Bay near the two large storm drain outfalls receive large quantities of urban trash, including plastic bags, Styrofoam cups, and a wide variety of other pollutants from the City of Berkeley. Many of these last essentially forever in the Bay and the oceans. We urge the City to include in its plans provision for trash removal devices. There are designs on the market that have no moving parts, last for 50 years, and are designed to be cleaned with standard vector trucks. We are heartened that the City may seek to update the current filtration systems to state-of-the-art structures and offer our wholehearted support for such efforts.

In closing, we thank the Commission members who have participated throughout the past year for their dedication to this complex series of proposals. We especially applaud the diligent, thoughtful, and focused work of project manager Heather McMillan, and consultants Laurel Marcus and Tom Burke, for the candor and professionalism that has marked the public process for this project.

Thank you to the Commission for considering our comments.

Sincerely,



Robert Cheasty  
President

cc: Larry Kolb, Patricia Jones

*The mission of the Citizens for East Shore Parks is to preserve and enhance the natural resources, and recreational and educational opportunities of the east shore of San Francisco Bay, creating a necklace of shoreline parks from the Oakland Estuary to the Carquinez Strait.*

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