



Shore Lines

News from Citizens for East Shore Parks

Summer 2010

The people of Albany have spoken . . .

Give us parks and open space on the Albany Waterfront!

The Albany community has come together for open space and recreation on the Albany Waterfront, envisioning only minimal “green” development for its shoreline. In April the Albany City Council unanimously voted to accept the *Voices to Vision Report* and to treat it as a living planning document that reflects Albany residents’ waterfront vision.

Albany began the intensive two-year process to develop a community vision for the waterfront at the urging of environmentalists, including Citizens for East Shore Parks, the Sierra Club, Golden Gate Audubon Society, Citizens for the Albany Shoreline, and other community leaders. The community’s vision is not far off from the vision promoted for 15 years by environmentalists—85 percent open space with about 15 percent of the land for development including a hotel and some retail, built on the east side of the site at least 700 feet away from the water.

The *Voices to Vision* process included questionnaires, interviews, and public workshops where everyone in Albany, plus outsiders, got the chance to articulate the waterfront they imagined. Two sets of hands-on workshops gave participants a shared opportunity to craft their preferred waterfront design. Starting with a plain waterfront model, they added park, open space, housing, retail, hotel, commercial, or racetrack to design their own future waterfront—with an eye to replacing revenue that would be lost if the racetrack were to close.

The long awaited results

According to Fern Tiger, the consultant running the project, Albany residents overwhelmingly want to maximize open space (at least 75%), while still maintaining the revenue that the city and school district now see from the operations of the racetrack, with minimal development (less than 26%).

Much more information is available at www.voicestovision.com/.

What about Horse Racing?

Golden Gate Fields (GGF) still runs horseracing, and according to the track owners will continue to do so for the foreseeable future.

The result of GGF’s bankruptcy case was that ownership transferred from Magna Entertainment to Magna International Development. However, most Albany residents are looking forward to a day when the track would be replaced with other uses.

Only about 9 percent of the participants favored keeping the racetrack at the Albany



photo: Larry Tong

Environmentalists Support

Environmentalists uniformly supported the final *Vision* report and urged the city council to vote to use it as a guide when considering future development proposals. CESP President Robert Cheasty supported the report and remarked that potential development plans need to take into account that the Albany Waterfront sits in the middle of the Eastshore State Park and should not obstruct flow from the Park. He also urged preserving Fleming Point in recognition of its historical significance as the last remaining part of the original shoreline in the East Bay. Norman LaForce, Chair of the San Francisco Bay Chapter of the Sierra Club, complimented the City for its foresight in creating this process that provides a vision for guiding potential developers to respond to the community’s interests.

One of the best things about this process is that community members found they have more in common than differences about the waterfront. Congratulations to all who participated in creating a vision to protect Albany’s shoreline for future generations!

— Robert Cheasty and Patricia Jones

On the Horizon for CESP

from Patricia Jones, Executive Director

Dear Friends of Shoreline Parks,

It's been awhile since we've sent out a newsletter and we have plenty of news to share about happenings along our East Bay shorelines.

First, kudos to our dedicated volunteers who helped gather far more than enough signatures to qualify the State Parks and Wildlife Conservation Trust Fund Act of 2010 initiative. Look for a major campaign to pass the State Parks Measure in November. Story on page 5.

One most satisfying victory was the conclusion of the 2-year Albany Waterfront Visioning process. The people of Albany stated clearly their preference for parks and open space on their shoreline—at least 75% open space, with “minimal green” development to replace existing revenue. The final action report sets the bar high to guide potential developers in understanding what the community would support. I'm pleased that community members found they have more in common than differences about the waterfront.

In Richmond, although we didn't achieve our ambitious goal of solely park and recreation uses at Terminal 4 on the San Pablo Peninsula, the outpouring of support for public access prompted the City Council to scuttle the port and heavy industry designations currently in the General Plan in favor of public uses. While still waiting for the City Council to protect the North Richmond Shoreline in the Richmond General Plan, we have been able to stop an ongoing attempt to 'up-zone' the undeveloped parcels, which would inflate the value of the land making it much harder to afford to purchase for parkland.

In Emeryville, CESP alerted our allies and agencies to convince the City

Council to remove plans for a shoreline trail in its General Plan. While we support public access, this trail would have been built in sensitive habitat in Emeryville Crescent Marine Reserve tidal marsh within the Eastshore State Park. Stay tuned because the City is still retaining its option to “study” a trail.

Remember all of those signs around the Berkeley Meadow? The restoration is finally complete! An official dedication of the Meadow is scheduled later this summer.

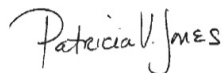
After a long delay, there is movement on a design for the Brickyard (the area near Sea Breeze) in Eastshore State Park. California State Parks has hired a new consultant to design and work with stakeholders to move this process forward.

Public hearings have begun to plan a unique urban park along the Oakland Shoreline. Gateway Park will be at the base of the new Bay Bridge East Span where the bike trail will touch down.

Congratulations to Rich Walkling, CESP Board member who was appointed to the East Bay Regional Park District's Advisory Committee by Director Whitney Dotson.

Our successes depend upon the financial support we get from our friends. Your tax-deductible contributions are crucial to the work that CESP does to create a world-class necklace of shoreline parks along San Francisco Bay. We are always grateful for your help.

Cheers!



Executive Director
510-524-5000

PS: I know you want to hear about shoreline updates, but it is too expensive for us to send them by mail. The most cost-effective way to send timely information is via email. If we don't have your email address, please send it to me at: pjones@eastshorepark.org. We promise not to inundate with you with frivolous messages and we don't share our mailing list.

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News from Citizens
for East Shore Parks

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

CESP's ongoing fight to protect Point Molate

In January 2009, CESP filed a second lawsuit to protect Point Molate. We sued the City of Richmond, Upstream Point Molate LLC, the U. S. Navy, and the two Indian tribes involved in the proposed development project. Our case claims a breach of the terms of the settlement of our first lawsuit against this developer and Richmond. We also pointed to flaws in the Early Transfer arrangement and potential exposure to the City for clean-up costs.

Since the lawsuit was filed, two major things have happened. The first involves court-mandated settlement discussions between CESP, the developer and the city for the past year. The second involves the release in July and subsequent comment period for the long awaited Pt. Molate Casino Draft Environmental Impact Report (DEIR).

To help with CESP's comments on the DEIR, CESP hired scientific experts who made several site visits to check the validity of statements in the DEIR. We included the concerns expressed by others along with our own comments in critiquing the DEIR. We concluded that the DEIR was inadequate in addressing all the issues we had identified. The developers asked to meet with us to better understand our objections and the environmental mitigations we wanted. After multiple meetings we have seen significant movement by the developer toward mitigating the environmental impacts of the project.

As always, we seek to recruit the opposition to our vision of the public benefits of maximizing open space for the entire Richmond shoreline.

During this same time, CESP continued settlement discussions with Richmond and the developers. These settlement discussions have now ranged far beyond what could ordinarily be enforced in a lawsuit such as the one we filed here (CEQA lawsuit). What we seek in settlement is beyond what the City could legally require of a developer in any such legal action.



Regarding the tenor of the settlement discussions, we have been pleased to see the tribes' interest in the stewardship concepts we promote and their willingness to discuss a partnership for expanding shoreline access, open space, and environmental protections. We are not accustomed to such responsiveness from developers.

Further, regarding the limits of seeking just open space at Point Molate, under the Base Closure process legislated by Congress, bases are intended to be reused and to provide an economic benefit to the surrounding community. Richmond is within its rights and within the purpose of the law to approve development that will create economic growth at this former naval facility. It is only a question of when and how much.

Some who oppose the casino or any project on Point Molate believe the only way to win is to forever stop any project whatsoever. That is beyond the scope of our CEQA lawsuit and we do not believe a "stop everything" strategy will be successful at Point Molate.

CESP's guiding principle is to protect the environment to the degree possible. We see Pt. Molate as part of the Richmond shoreline, a vital part of the whole. If, through these negotiations, it is possible to confine the development to a limited footprint, to protect the ecological values at Point Molate, and to gain community benefits and additional extraordinary mitigations for the

remaining shoreline areas around Point Molate, we will consider that a win for our litigation. In fact, that is all that can be expected from the lawsuit.

It is now up to CESP to determine if these offered mitigations and protections are sufficient to constitute a win in our CEQA lawsuit context. While we still need to examine the details, weigh the evidence, and confirm timing and enforceability, we believe there has been much progress over the past year of negotiations.

Some skeptics say that trusting the developer is risky and that the promises will not be kept. We keep an open mind and will be reporting the final result of our negotiations shortly.

Thank you for your consideration and support.

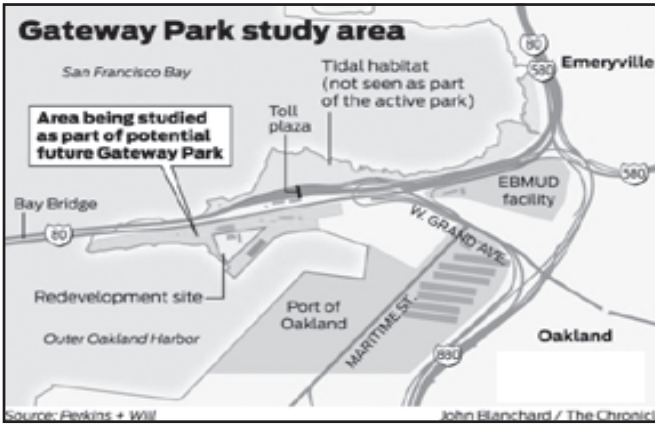
—Robert Cheasty, CESP President

Bay Area Photo Contest!

Submit your great shots of people in nature in California's Bay Area at www.baynature.org/photocontest. Winners will have a chance of getting their photos published in Bay Nature, plus there will be cash and other prizes. Entry is free. Contact: Ingrid Hawkinson, ingrid@baynature.org, (510) 528-8550 x 207. Deadline is October 20, 2010.

This newsletter was made possible in part by grants from The Goldman Fund, The San Francisco Foundation and the Tides Foundation.

New shoreline park in the making



The foot of the Bay Bridge in Oakland creates an unspectacular end to the 8.5 miles of shoreline parks decorating the East Bay. That may soon change.

The construction of the new Bay Bridge East Span promises to transform not only San Francisco Bay but also the surrounding shoreline. A working group of nine public agencies is exploring ideas for turning the desolate area into a world-class park.

The area being studied for the park is a 1.5 mile-long strip south of the Bay Bridge and adjacent to the Port of Oakland. The land, currently owned by several entities, is nothing more than “maintenance yards and parking, stray buildings and scrub.” It does not include the current tidal habitat north of the toll plaza, which may remain closed to public access. The site near the convergence of three major highways will be highly visible to commuters. The park is expected to draw visitors as the only starting point for bicycle and pedestrian access to the new Bay Bridge.

The planning process began with a public workshop in February to identify goals and activities to take place in the park. Hundreds of people responded to an online survey with their ideas, such as a museum and educational facility to tell the story of transportation around the Bay, a model for Bay edge restoration and site sustainability, a design that links West Oakland and Emeryville and serves these neighborhoods’ needs, a venue for festivals and concerts, and much more. A June workshop provided an opportunity to review some initial park design concepts.

While CESP is excited about opportunities for new shoreline open space, public access, educational and recreational assets for Oakland and the whole region, we must also be vigilant to protect the shoreline from over-development. In the first round of concepts, we have already seen proposals to extend a trail through the

protected tidal habitat on the north side of the bridge, as well as wind turbines and a ferris wheel on the shoreline. This is a great opportunity for shoreline supporters to get involved and help monitor the design of this great new park.

To learn more and review the first conceptual plans visit the website at www.BayBridgeGatewayPark.org.

—Pierre Thompson

Richmond General Plan--we need 1 more vote!

It's not too late to urge Richmond to create a legacy of open space and wildlife habitat along its shoreline. The City Council is finally looking closely at the Draft General Plan and starting to make decisions about zoning changes. We've already seen one victory. The new draft Plan specifies mostly park and recreation land uses for the derelict Terminal 4 at Point San Pablo.

But the future of the North and South Richmond Shorelines is still unclear. The City Council has directed staff to find funding for a specific plan for the South shoreline.

In March, City Council was one vote shy of protecting the North shoreline on a motion by Tom Butt to change the zoning to ensure that this area would be used primarily for parks and recreation, while maintaining economic value for the property owners.

What can you do?

We need **one more vote** on City Council. Please write or call the four councilmembers who continue to block protecting this irreplaceable shoreline

Berkeley Meadow work is done

Restoration of the 72-acre Berkeley Meadow to create seasonal wetlands, coastal prairie and coastal scrub atop an old landfill is complete. It took five years to minimize impacts to wildlife and to create a diverse and thriving habitat for plants and animals in this urban area.

About 30 acres were cleared of non-native vegetation and debris, and capped with about 28,000 cubic yards of clean imported soil. This will create a new barrier to isolate landfill garbage from wildlife that uses the restored habitat. The soil was contoured to provide a more natural looking surface and planted with native vegetation. Special measures were taken to protect another seven acres of existing wetlands and a nesting location for the Northern Harrier, also known as the marsh hawk.



photo: Bob Lewis

and urge them to change the zoning to a Mixed Use called “Community Low Intensity Commerce and Recreation” that would include open space, parks and recreation, public, cultural and institutional, and agriculture.

Urge them to prioritize open space and public shoreline access for all residents over the speculative investments of land developers. Include your name and address in communications with council members. All phones are in (510).

Nathaniel Bates, 300 Sea View Dr, Richmond 94801, 235-7044 (hm), 620-6743 (work), 620-6824 (fax), natbates@comcast.net

Ludmyrna Lopez, 440 Civic Center Plaza, Richmond 94804, 778-8462 (voice mail), Lopez.Ludmyrna@comcast.net

Jim Rogers, 162 Lakeshore Court, Richmond 94804, 867-5725 (cell), 444-4460 (fax), elirapty@aol.com

Maria Viramontes, P.O. Box 266 Station A, Richmond 94808, 236-5977 (hm), 236-9260 (fax), maria_viramontes@ci.richmond.ca.us

State Parks on ballot

The State Parks and Wildlife Conservation Trust Fund Act of 2010 (State Parks Measure) has qualified to be on the November 2010 ballot.

California has 278 state parks spread across 1.4 million acres with more than 280 miles of coastline, 625 miles of lake and river frontage, nearly 15,000 campsites and 3,000 miles of hiking, biking and equestrian trails.

Voter approval of the State Parks Measure will create a new \$18 surcharge to be assessed as part of California's annual vehicle registration. The fee will provide California vehicles with free year-round day-use access to all state parks.

The surcharge will generate \$500 million annually that will be placed in a trust fund dedicated specifically to state parks and wildlife conservation and cannot legally be used for other purposes.

Budget cuts forced nearly 150 of the state's 278 state parks to close or reduce services last year, and chronic under funding is forcing the more than \$1 billion maintenance backlog to continue to grow. This measure will provide the stable and adequate source of funding needed to keep state parks open and contributing to our economy, the public's health and education.

We will need your help to ensure that the public approves the ballot measure. Please help us spread the word to Save Our State Parks. To learn more, visit www.calparks.org/takeaction/

Eastshore State Park enhanced

The State Coastal Conservancy has awarded \$355,000 to City of Berkeley to construct a half-mile extension of the San Francisco Bay Trail within Eastshore State Park and a water access ramp for non-motorized vessels at the Berkeley Marina. The trail will run due west and become part of a longer planned trail and a greater project that will include new park amenities, bus stops, and lighting. The water access ramp should be popular with wind surfers and kayakers.



Earth Day at Albany shoreline

Volunteers came out on a perfect Bay area sunny day to show their Albany shoreline some love by cleaning it up to honor Earth Day. Families, groups and children joined in the scavenger hunt for stuff and proudly brought it back to be weighed. We collected 575 pounds of garbage and 53 pounds of recyclable materials.

There were also eight creek clean-up sites in Richmond and San Pablo where about 300 volunteers collected 4,800 pounds of garbage and 200 pounds of recyclables. In Albany, the clean-up was sponsored by CESP, the Watershed Project, City of Albany, the Sierra Club and the UVa Club of San Francisco.

Albany beach study

East Bay Regional Parks District has started a feasibility study to examine the restoration and protections of Albany Beach and dune habitats, expansion of dune areas behind the beach, installation of compatible public access improvements, enhancement of water access to San Francisco Bay, closing the gap in the San Francisco Bay Trail, and stabilization of shoreline erosion areas.

When completed, the results will be presented to the Board and environmentalist groups like CESP will be invited to comment. There will be opportunities for greater public participation in later stages.

For more information contact Chris Barton at EBRPD, (510) 544-2627.

New start for Brickyard design

New movement will begin in August on a design for the Brickyard—the area near Sea Breeze—in Eastshore State Park. California State Parks has hired a consultant to design a “recreation development that could include: a park visitor center, operations facility, café/restaurant/market/deli, rest-rooms, recreation concessions, turf areas for informal recreation, picnic facilities, benches and seating; a waterfront promenade with stairs to the water, internal trails, and parking up to 200 cars.” Bringing in a new consultant signifies fresh approaches will be brought to this stagnated process.

Aquatic Park habitat improved

CESP and Golden Gate Audubon Society (GGA) have been closely following the City of Berkeley's program to enhance the habitat for birds and other wildlife at Aquatic Park. Parks Superintendent Susan Ferrera attended two CESP meetings to inform the Board of the City's progress. Earlier this spring, members of GGA toured the Park with Ferrera to view the changes. Berkeley Parks staff has removed small non-native black acacia trees and other invasive plants from a 200-foot section on the eastern side of the main lagoon.

Birders and other park visitors will now find nearly 50 newly planted natives including Coast Live Oak, California Buckeye, Western Redbud, and Toyon. A small grove of redwoods occupies a grassy area alongside the main walkway. Other measures have been taken to protect wildlife habitat. Work has been suspended for the nesting season and will resume in September. The improvements, being done in phases, follow the recommendations of studies posted on the city's website www.ci.berkeley.ca.us. Search on “Aquatic Park”.

Newly installed fences have caused some concern. However they are temporary and were recommended by the studies to protect the night herons. Willows will be planted later.

—Mike Lynes, GGA

Progress at North Richmond Shoreline

On June 1, work began on the preliminary design and EIR for the initial Breuner Marsh habitat restoration and development of public access and recreational facilities on the North Richmond shoreline. The project will be completed over multiple years to minimize harm to special-status species habitats.

The first phase will include planning for restoration of tidal saltmarsh and coastal scrub habitats, along with recreation improvements involving a small staging area, new bridge over Rheem Creek, picnic area and improvements to existing shoreline trails. The recreation improvements will center on extending the San Francisco Trail from Goodrick Avenue, across the Breuner property and Giant Marsh to the Bayview Trail at Point Pinole Regional Shoreline. Additional bridges and/or boardwalks will be required to mitigate harm posed to sensitive habitat areas by any trail improvements.

The restored tidal marsh, including a transition zone which will function as future marsh with sea level rise, may be 30-40 acres, and the total area for restoration, including enhanced upland grasslands and coastal scrub will likely be more than 50 acres. In addition to



the Clapper Rail, the fully protected Salt Marsh Harvest Mouse is known to be present and will benefit from the wetlands restoration efforts.

Newly-hired trainees from Richmond will be part of the Questa Engineering team working on this project. CESP looks forward to seeing the North Richmond Shoreline rehabilitated for wildlife and the public to enjoy.

—Ena Kaur and Patricia Jones

Bay Trail mitigation lawsuit

Last year CESP filed a lawsuit with co-plaintiffs Daniel Doellstedt and Trails for Action Committee (TRAC) challenging the State Lands Commission's failure to require Bay Trail mitigation before awarding Chevron a new 30-year lease for continued operation of the Long Wharf in Richmond.

Doellstedt is a bicyclist who was critically injured when he was forced to ride on the shoulder of I-580 near the Richmond-San Rafael Bridge to connect with the Bay Trail.

The cost of designing and building a trail segment is expected to reach \$16 million. CESP feels the Commission failed to consider Long Wharf alternatives that would restore public navigational and recreational use near the shoreline and that the EIR fails to disclose, analyze or mitigate adverse impacts of Chevron's project on public trust uses of San Francisco Bay and the adjacent shoreline. We expect to hear the court's ruling in July.

Mark your calendar now so you don't miss the Solano Stroll on September 12. Look us up at the CESP booth!



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www.eastshorepark.org

510-524-5000

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Friends,

Please read this newsletter and see how YOUR support helps CESP work to complete a necklace of shoreline parks.

An envelope is enclosed for your much needed contribution and to share your views. All donations to CESP are tax-deductible.

Thank you!

Conservation is an investment that does not lose its value. Please help CESP secure future parks.