


Office of the City Manager

SUPPLEMENTAL AGENDA MATERIAL

Meeting Date: November 12, 2002

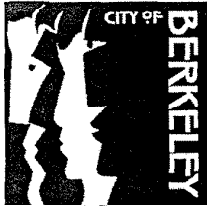
Item Number: 27

Item Description: Vegetation Management in Aquatic Park



City Manager Signature


(This cover sheet should be used only if the agenda item the material refers to is in addition to or is a revision of the material included in the original report)



Office of the City Manager

Council Information
November 12, 2002

To: Honorable Mayor and
Members of the Council

From:  Weldon Rucker, City Manager

Subject: SUPPLEMENTAL INFORMATION RE: VEGETATION MANAGEMENT IN
AQUATIC PARK (Item No. 27)

At its meeting of October 8, 2002, Council received an information report concerning vegetation management in Aquatic Park. At that time, the Council moved the item to action and requested additional information on the status of any landscape trimming moratorium for Aquatic Park. Following is background and current status of the park vegetation management process.

BACKGROUND:

At its meeting of April 20, 1993 the City Council approved a recommendation "to direct 1) the Parks and Recreation Department to cease immediately cutting brush and trees in Aquatic Park" along with related instructions.

After adoption of the recommendation, a plan was developed for a Routine Maintenance Schedule dated December 17, 1993 which was approved by the Director of Public Works on January 18, 1994 (copies attached). The plan outlined the following guidelines based on a discussion by the Waterfront Commission and on Forestry Division health and safety concerns related to tree care:

- 1) All hanging (broken) limbs will be removed from trees due to the unknown nature of the falling hazard. This would be in effect no matter where the tree is located.
- 2) Downed limbs will remain where fallen if located in a natural area where no clearing is to take place.
- 3) All hanging or downed limbs will be removed from the maintained areas.
- 4) Whenever a limb breaks, the tree will be appropriately trimmed by properly cutting the healthy limb near the break zone taking into consideration the health and shape of the tree and proper arboreal practices.
- 5) If it is necessary to remove a tree it will be replaced within a reasonable short period of time with an appropriate variety of replacement tree for that location.
- 6) Trees or limbs will be removed only if they present a health or safety hazard as determined by City staff.

- 7) All roadways, emergency access roads and pathways will be kept clear of limbs and branches for access by maintenance vehicles, emergency vehicles and provide safe use by the public. Public use will be defined as the use of bicycles, skaters, joggers and walkers.

To the extent possible, staff has been following the guidelines since 1993. At the same time, several Council-approved projects have changed the landscape of Aquatic Park in various ways. Those projects include:

- The Pedestrian/Bicycle Overpass - construction included changes in the Park at the north end of the lagoon has been reconfigured to provide access to the bike bridge and still provide the boulevard loop around the lagoon. Future site improvements are planned in connection with bike bridge access which will impact the north end of the lagoon considerably from the bottom of Addison Street on to the northwest side.
- Native plantings along Bolivar Boulevard - many non-native plants were removed and replaced with native plants and brush that can survive in the environment. This was a \$50,000 project.
- Dismantling of the Colgate pump house and reconstruction of the observation pier by Bayer.
- The Dreamland Playground and associated field modifications including re-grading of playing field and realignment of pathways.
- Reconfiguration of elements of the Frisbee golf course as part of the Dreamland project.

Additionally, the Council and staff were approached by residents and park users to make certain changes in the interest of safety and in response to public sexual activities taking place in the park. In March 1998 the Columbus School Neighborhood Organization (CSNO) sent a letter to the Waterfront Commission describing problems associated with drug and prostitution activity in the whole of the park and mentioned an incident where a woman was attacked by a man lurking in the bushes. The CSNO requested 1) increased police presence; 2) a permanent, live-in gardener/caretaker; and 3) **trim back the bottom branches of the park's trees and bushes**. In response to Item 3, the Waterfront Commission was told by staff that under current City Council direction, trimming beyond current levels is not possible"..... and that "once a Habitat Restoration Study is complete and its recommendations are accepted, the moratorium and current maintenance guidelines will be re-evaluated." (attached report dated May 13, 1998.)

The Aquatic Park subcommittees of the Parks and Recreation and the Waterfront Commissions have met numerous times over the last several years. The Aquatic Park subcommittees have met with police personnel, Community Liaisons, members of the Health and Human Services Department as well as Public Works. Most departments of the City have been involved in the development of Aquatic Park over the years with the intention of preserving vegetation and habitat while providing a safe and healthy atmosphere for community park users.

Staff has met with Union Pacific Railroad (UP), owners of the area between the railroad tracks and the property line of the park, to determine parameters for trimming trees and shrubbery. The railroad is responsible for keeping their area clear for trains to pass and to provide a safe corridor along their right-of-way as directed by the State Public Utilities Commission. The railroad is subject to fines when in violation of safety guidelines.

Periodically the company conducts a vegetation removal project in the area and generally consults with City staff before starting the project. UP will continue to consult City staff even though it is their property and there is no legal limitation to their ability to clear vegetation.

STATUS:

City staff continues to follow the directive set forth by Council action on April 20, 1993 and reviews issues raised by the community. The modifications to the park as a result of development over the years, and wishes of the park community, have required some cutting and clearing of vegetation as necessary. Additionally, approximately sixty (60) trees have been planted and a habitat restoration project implemented with a strong community support and participation.

The Aquatic Park Natural Resources Study is progressing. A meeting of the working group was held on October 17 to review the hydrological, habitat, management and maintenance conditions of the park and to learn about the next steps in the study process.

A walk-through was held at Aquatic Park on November 7 with community members, including a biologist, a wetland habitat consultant, ornithologist, members of both the Parks and Recreation and Waterfront commissions, and staff in attendance. Recommendations resulting from the walk-through will be considered by the Aquatic Park subcommittees within the next month and will form the basis of an updated Routine Maintenance Schedule for the City maintenance staff to follow.

Approved:




Lisa Caronna, Parks Recreation and Waterfront, 981-6700

- Attachments:
1. Memo dated December 17, 1993 to Director of Public Works, Aquatic Park Routine Maintenance Schedule
 2. Memo dated January 18, 1994 to Parks/Marina Manager from Director of Public Works approving Aquatic Park Routine Maintenance Schedule
 3. Memo to Waterfront Commission dated May 13, 1998 regarding Response to Columbus School Neighborhood Organization's Aquatic Park Concerns

Attachment 1

City of Berkeley

MEMORANDUM

Date: December 17, 1993
To: Vicki Elmer, Director of Public Works
From: Morris Fruitman, Manager of Parks and Marina 
Subject: Aquatic Park Routine Maintenance Schedule Request

MAINTENANCE: As directed by City Council this is a request for your approval for a routine maintenance program at Aquatic Park, as attached. This agenda item was brought before the Waterfront and Park and Recreation Commissions this fall and they had little or no comment.

At the Waterfront Commission the trees became an issue when a Commissioner expressed a desire to have the final approval of any tree work of any kind in the park whether an emergency or not. It was explained that the role of the Commission was to provide staff with a recommendation on the policies and guidelines to be used in the tree maintenance program but that the final responsibility of maintenance remained in the hands of the City staff. The Chair did remind the Waterfront Commission that their role was advisory. The Commissioner was not satisfied. Nevertheless, the Commission voted in favor of the attached plan saying it was a starting point for a maintenance program and that it could be brought back to them for review if there were problems. Mark Liolious was in the audience at that time, he concurred.

TREES: In response to specific tree issues I recommend the following guidelines based on the discussion at the Waterfront Commission meeting and also, Forestry health and safety concerns:

1. All hanging (broken) limbs will be removed from trees, due to the unknown nature of the falling hazard. This would be in effect no matter where the tree is located.
2. Downed limbs will remain where fallen if located in a natural area where no clearing is to take place.
3. All hanging or downed limbs will be removed from maintained areas.
4. Whenever a limb breaks, the tree will be appropriately trimmed by properly cutting the healthy limb near the break zone taking into consideration the health and shape of the tree and proper arboreal practices.
5. If it is necessary to remove a tree it will be replaced within a reasonably short period of time with an appropriate variety of replacement tree for that location.
6. Trees or limbs will be removed only if they present a health or safety hazard as determined by City staff.
7. All roadways, emergency access roads and pathways will be kept clear of limbs and branches for access by maintenance vehicles, emergency vehicles and provide safe use by the public. Public use will be defined as the use of bicycles, skaters, joggers and walkers.

REVIEW: The attached guidelines should be reviewed on a 6 month basis or by June, 1994, and brought back to the proper Commission for comment and/or suggested changes.

Attachments

Attachment 2

City of Berkeley



Department of Public Works
Martin Luther King Jr.
Civic Center Building
2180 Milvia Street
Berkeley, California 94704

TEL: (510) 644 6523
FAX: (510) 644 8830

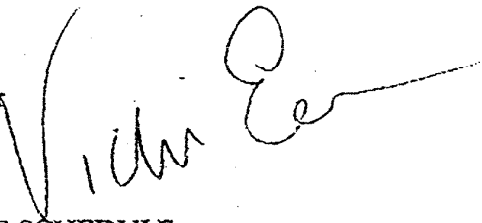
MEMORANDUM

January 18, 1994

To: MORRIS FRUITMAN, Parks/Marina Manger

From: VICKI ELMER, Director of Public Works

Subject: AQUATIC PARK ROUTINE MAINTENANCE SCHEDULE

A handwritten signature in black ink, appearing to read "Vicki Elmer", is written over the "From:" line and extends into the "Subject:" line.

I have reviewed your Memorandum of December 18, 1994, detailing your proposed "Aquatic Park Routine Maintenance Schedule." The Schedule resulted from a directive by the City Council, and subsequent review by the Parks & Recreation Commission and the Waterfront Commission.

I approve of your proposed maintenance schedule, and will track the effectiveness of its implementation for the next six months from the date of this communication.

Attachment

cc: Laura Allen, Senior Management Analyst, City Manager Department



Telecommunications Device for the Deaf - (510) 644 6915

Attachment 3 S.h.

City of Berkeley



City Parks and Waterfront Department
Waterfront Division
201 University Avenue
Berkeley, California 94710

TEL: (510) 644-6376
FAX: (510) 644-8649

MEMORANDUM

COMMISSION MEETING

May 13, 1998

TO: Waterfront Commission

FROM: Cliff Marchetti, ~~City~~ Waterfront Manager

SUBJECT: Response to Columbus School Neighborhood Organization's Aquatic Park Concerns

RECOMMENDATION:

That the Commission direct staff to prepare a letter to the Columbus School Neighborhood Organization (CSNO) outlining the following approach:

In order to respond to CSNO's concerns regarding Aquatic Park, the City will pursue the following actions:

Short-Term: Parks and Planning staff will return to the Waterfront Commission at its next meeting with a status report and prioritized timeline for Aquatic Park projects, including revision and adoption of the Aquatic Park Master Plan and preparation of a Habitat Restoration Study for Aquatic Park. These are required before long-term maintenance and caretaker policies can be implemented.

Police Department staff will respond to concerns regarding Park Police patrols.

Medium-Term: Parks and Planning staff will finalize a Request for Proposals and select a consultant to prepare the Habitat Restoration Study.

Parks and Planning staff will oversee revision and adoption of the Aquatic Park Master Plan.

Long-Term: City staff will oversee implementation of the Aquatic Park Master Plan, including:

- The Habitat Restoration Study recommendations
- Long-range Park maintenance policy
- Long-range Park gardener/caretaker policy

BACKGROUND:

In a letter dated March 6, 1998, the Columbus School Neighborhood Organization (CSNO) outlined a set of concerns it has regarding Aquatic Park and proposed three actions it requests the City take toward improving conditions at the Park.

Key concerns outlined in the letter (see attached) include:

- A. That drug and prostitution activity is increasing and expanding to new areas of the park. Aggression toward Park users by those involved in these illegal activities is also increasing and expanding to new areas of the Park.
- B. That the Park feel safe for families who will be using the new playground area and other parts of the Park.

Specific requested actions include:

1. Increased Police Presence:
That the City create and fund a separate Police beat for the Aquatic Park area. CSNO suggests that funds currently used to pay for Animal Control personnel to monitor dogs in the Park be used instead for the new Police beat in which a police officer would be assigned to patrol the Park on a regular, frequent basis.
2. Establish a Permanent Live-In Gardener/Caretaker
That the City identify and rehabilitate an empty Park building as a permanent gardener/caretaker's residence.
3. Trimming of Trees and Bushes
That the City, in order to increase visibility and safety, trim back the bottom branches of the Park's trees and bushes. This would decrease use of the underbrush for habitation, prostitution and drug activities.

This report responds to the second and third concerns listed. The Police Department will respond orally to the first concern at the May 13, 1998 Waterfront Commission meeting. However, it should be noted that Animal Control, a Police Department function, is considered essential at the Park given conflicts between off-leash dogs and Park wildlife and human users.

ISSUES:

Request for Gardener/Caretaker

The CSNO has requested the City establish a caretaker residence, to be occupied 24-hours a day, for Aquatic Park. This is consistent with the 1990 draft Aquatic Park Master Plan which calls for a caretaker residence to be located on Bird Island and staffed 24 hours a day (1990 version, pg. 36). While the most recent revision of the draft Plan (September 1997) eliminates Bird Island as a location, it maintains a policy to establish the caretaker residence. A number of Park issues must be resolved in evaluating how this policy might be carried out.

While the CSNO request for a caretaker residence is consistent with City policy direction, further evaluation of establishment and staffing of such a facility must wait until the Aquatic Park Master Plan is adopted by the City Council. Staff anticipates this will occur before the end of the calendar year. Issues to be addressed include caretaker responsibilities, staffing, funding, and possible facility location.

Request for Trimming of Park Vegetation

The CSNO has requested that staff trim trees and bushes within the Park to increase visibility and therefore security. Under current City Council direction, trimming beyond current levels is not possible. The City Council established a moratorium on trimming trees and bushes in the Park in 1993 and this policy is still in effect. The history behind this Council position is briefly described below, and relevant documents are attached.

In early 1993, Friends of Aquatic Park submitted a report to the City outlining a number of concerns which focused on poor maintenance and habitat degradation at Aquatic Park. In response, in April 1993 the City Council directed that:

- (1) Parks staff cease and desist its cutting of trees and bushes in Aquatic Park.
- (2) Public Works staff provide written instructions about preserving natural habitat to any City employees or outside contractors that perform work in the Park until a permanent habitat restoration plan is in place.
- (3) Public Works staff provide the City Council with a permanent habitat restoration plan that would also address illegal dumping and funding sources for restoration and on-going maintenance.

In December 1993, Parks staff developed an initial Aquatic Park Routine Maintenance Schedule. This Schedule includes guidelines which allow trimming of trees only to reduce safety hazards. It indicates that weeding and pruning are otherwise "on hold." This remains the Park's maintenance plan. Once a Habitat Restoration Study is complete and its recommendations are accepted, the moratorium and current maintenance guidelines will be re-evaluated.

The Planning Department has recently hired an Associate Planner, Heather McMillan, to work primarily on Aquatic Park projects. At the Waterfront Commission's next meeting, she and Parks staff will present a status report and prioritized timeline for the Habitat Restoration Study, Master Plan and other Aquatic Park projects.

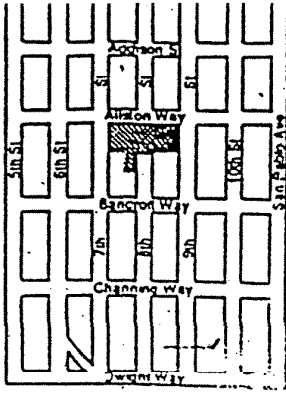
Attachments:

1. March 6, 1998 letter from Columbus School Neighborhood Organization.
2. Letter from Waterfront Commission Chair to CSNO in response.
3. Early 1993 description of concerns regarding Aquatic Park submitted by Friends of Aquatic Park.
4. April 20, 1993 City Council action establishing a moratorium on trimming of trees and bushes and directing that a Habitat Restoration Plan be prepared.



5. May 3, 1993 Parks Department memo establishing the moratorium.
6. December 17, 1993 Aquatic Park Routine Maintenance Schedule with January 18, 1994 approval from Public Works Director.

cc: Daschel Butler, Police Chief
Karen Haney-Owens, Advance Planning Division Manager
Heather McMillan, Associate Planner
Brad Ricards, Landscape Architect, Parks and Waterfront Division



Columbus School Neighborhood Organization

PO Box 2612
Berkeley
94702

Berkeley Waterfront Commission
201 University Avenue
Berkeley, Ca. 94710

March 6, 1998

Over the last six months neighbors in the surrounding area who use Aquatic Park have complained about an increase in drug and prostitution activity. Such activity has now spread over the entire length of the park, and not just at the park's south end, which has historically been the site for such engagements. It now appears that the criminal element has spread their operation throughout the park, and have become increasingly aggressive towards innocent park users.

Recently it was reported that a woman, who was out walking her two dogs, was attacked by a man lurking in the bushes. This incident was mentioned in the local newspapers and was also printed on flyers that was distributed on trees and telephone poles throughout the park. The incident was also recorded by the police.
(see print-out)

This brings to mind another incident that a neighbor of ours experienced a few years ago. She was out jogging with her four-year-old son one morning, when an unknown male grabbed her son. Fortunately, her son was quickly rescued by of one

of the park's gardeners. The would-be kidnapper escaped and was never found.

Such news is extremely disturbing, as many of our neighbors are currently involved in a major playground construction project for the park. Our concern is for the safety of ourselves and our children; such activities, if they continue, will drive families away from the area, making our dream of a safe, clean park equipped with a state-of-the-art playground dissolve.

The irony of this situation is that the city's animal control officers are at Aquatic Park all the time, to cite people who let their dogs run free. Part of the reason many dog owners bring their animals there is for protection. Instead of punishing dog owners, we feel that the city should concentrate on law enforcement to keep out the criminal element.

Aquatic Park needs to be cleaned up. We suggest to the Commission:

1. Increased police presence. Instead of funneling money towards animal control officers, we suggest - or rather, demand, a creation of a separate police beat for the Aquatic Park area. This officer would be assigned to patrol the park on a regular, frequent basis.

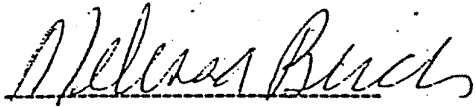
2. Arrange for a permanent, live-in gardener/caretaker for Aquatic Park. A number of empty park buildings could be considered and rehabilitated for a permanent caretaker's residence.

3. Trim back the bottom branches of the park's trees and bushes. There appear to be a number of undesirable individuals who are inhabiting the underbrush, either for use as a 'home' or for prostitution and drug activities. A similar written request was made last summer by the neighborhood's local park group, Columbus

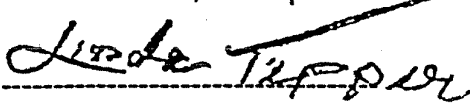
Neighbors for Aquatic Park. As of now there has been no written response sent to them by the Commission, and the branches and bushes were never trimmed.

We demand in writing a response to our requests! If you have any questions, feel free to call CSNO Chairperson Melissa Birch @548-5294.

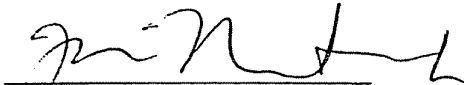
Sincerely,



Melissa Birch, Chairperson



Lin Tepper, Vice-Chair



Jean Matsumo, Secretary



David Chew, Treasurer

cc Police Chief Dash Butler
Lisa Corrona
Mayor Shirley Dean
Councilperson Margaret Breiland

April 1, 1998

From: Jamie Wasson, Chair Berkeley Waterfront Commission

To: Columbus School Neighborhood Organization

Re: Letter of March 6

Appropriate management of the vegetation at Aquatic Park is an issue that has been before the Waterfront Commission repeatedly. During a 6-month period in 1992 and 1993 there was destruction of wildlife habitat by staff, despite repeated assurances by the Parks director that no further cutting was to take place.

The City Council on April 20, 1993 unanimously approved a resolution authored by Shirley Dean to preserve the natural habitat to Aquatic Park. It called for a variety of actions, including the immediate cessation of cutting of all live trees and brush in the park. It called for clean up of the dump site that has developed on the West side of the park. It requested staff to develop a restoration/management plan for the park and to present the report to Council in time for the 1993-94 budget process.

A year later staff had not yet begun work on the plan and it was apparent that professional technical assistance by wildlife biologists might be necessary. As part of the 1994-95 budget process, Council authorized \$20,000 in funds to finance hiring of consultants to design this plan.

Planning staff was given the project, but has not yet moved forward with it. As there is currently no Planning staff member assigned specifically to waterfront issues, the Department of Parks and Waterfront is considering taking on the project themselves and hiring a firm to do the work this summer.

The expected results will be a plan that will "maximize Aquatic Park's" value to wildlife while continuing to allow a human presence," as called for in the Aquatic Park Master Plan. It should guide staff in the scope of their regular maintenance activities and will provide a future planting scheme for the park as funding becomes available.

cc Lisa Corrona, Director of Parks and Marina
Berkeley Waterfront Commissioners

PARK HISTORY AND HIGHLIGHTS

Constructed in the 1930's along the original Berkeley shoreline, Aquatic Park consists of a series of lagoons and surrounding lawns, marshlands, and woods extending from Ashby Avenue to University Avenue. Despite the park's location between I-80 and the railroad tracks, the members of Friends of Aquatic Park feel it has great potential. It serves as an important recreational resource for not only residents and workers in West Berkeley but for a much larger population. Water skiers and disk golfers come from a wide area to take advantage of its well-known facilities. Cyclists, runners, and walkers use the park's trails from early morning until dusk. It's a very popular place to stop for a picnic lunch while enjoying the views.

Berkeley's Wild Bird Refuge

However, in these days of heightened environmental awareness, it is its role as a premier habitat for large numbers of resident and migratory birds that may be most important. It is an important link in the Pacific Flyway; 32 species of marine birds have been counted using the park. The radio tower pond to the south represents an increasingly rare tidal march and is vital in sustaining Black Crowned Night Herons and Snowy Egrets, as well as Great Blue Herons. The great variety of landscaping in the park provides food and shelter for a wide range of other birds. Furthermore, the park functions as a biological corridor through our densely urbanized city and serves as valuable habitat for a rich variety of plants and animals. This greenbelt acts as an important buffer between I-80 and the rest of Berkeley.

MAJOR PARK PROBLEMS

Although Aquatic Park is Berkeley's largest park—comprising more than half the city's parkland—it has been sorely neglected in recent years. Worse than being treated as the stepchild of the city's park system, however, are the repeated and continued attacks on the park's natural environment by the Parks Department itself. Other sections of the Public Works Department have also wreaked havoc on the wildlife habitat at the southern end of the park. Even Caltrans is now having its way with the park's environs including clear-cutting and bulldozing of the most sensitive bird habitat. And so far the response of the city staff has been silence. A more detailed assessment of the most immediate threats to the park follows.

Lots of Litter

Despite its huge size and heavy usage seven days a week the park is not even allotted a full-time staff person. The one gardener responsible for the park is only assigned there for 10 hours/week. In spite of his efforts, days go by when the park is not even visited by staff and the results are sadly obvious to all who do use the park. Garbage containers are often filled to overflowing. Other trash litters the roadways and parking areas. Broken glass has become an increasingly dangerous problem—often remaining for months before being cleaned.

It's clear that this trash is generated by unthinking park users rather than staff and one can only imagine how frustrating it must be to confront it repeatedly. It stands, nevertheless, that one of the least glamorous but most basic duties of maintenance is to keep the park clean. Failure

to do so breeds only more trash and recent signs of dumping — even along the sensitive mudflats — are therefore no surprise. The city must take a strong position against polluting this valuable wildlife sanctuary. It must guarantee adequate staff to maintain this important recreational amenity in a state of cleanliness.

Habitat Destruction by Park Staff

More heinous, however, than the out-of-control litter problem, and more bewildering to understand, are the regular and repeated attacks on the natural environment by the park staff itself. Despite cries of being short staffed, crews have arrived nearly every month since last summer, each time bringing major damage to the plants of the park. A large area of brush where ducks were nesting was bulldozed. A wooded area bordering the International Bird Rescue Research Center was practically leveled. A small streamlet was gouged into a boxy trench. Trees on the west side of the park had every limb cut off that could be reached with a chainsaw. One might reasonably disagree over the best way to groom a streambed, but the ferocity and extensiveness of the attacks is inexplicable. Crews were in for weeks cutting along the entire eastern border of the park. Brush and limbs were removed from property well beyond the park's boundary all the way up to the Southern Pacific tracks in some cases. And the spoils from all this clipping and dredging? Much of it seems to have ended up on the west side of the park itself, turning what was formerly a field of wildflowers into a vast dump.

Public Works Takes its Toll

Complicating this already very frustrating picture is the fact that the parks department seems to have very little final authority or control over care of what should be its crown jewel. When public works determined last fall that a storm drain needed repair work they hired subcontractors who were not even told of the sensitive nature of the habitat. Consequently their work resulted in destruction of 25% of the trees in a stand of willows—trees that the park's master plan, prepared by the city's own paid consultants, had warned repeatedly must be maintained as they were primary roosting sites for Black Crowned Night Herons.

Another example concerns a road in the park that is not open to through traffic. As it is used only for access to the rowing and water ski clubs, the master plan envisions it being reduced to only 8 feet in width in order to maximize the growth of wildlife habitat on either side. Public works' solution to damage from Loma Prieta was in February to repave the area to its full width, add a paved walkway of an additional four feet and spread gravel over both shoulders of the roadbed all the way down to the shoreline.

Even Caltrans Threatens

Even Caltrans has entered the frenzy of biological cleansweeping. Most people driving by the park on the freeway are acutely aware that all vegetation on the state's side of the park's border has been cut — even those trees which city planners had envisioned incorporating into a "living sound wall" design. Few beyond the park's regular birdwatchers are aware that in its

reconstruction of the Ashby onramp Caltrans has clearcut and bulldozed the heart of the bird sanctuary. Although it is unclear whether or not the habitat destruction and its inevitable results were mentioned in their updated Environmental Impact Report, not a single city official seems to be taking notice. Prospects for a vibrant and biologically healthy park are dim indeed when lines of communication between various city officials and departments appear so blocked and authority and responsibility for the park seems so unclear.

A BRIGHTER FUTURE

Despite the very grim recent history of the park, some members of Friends of Aquatic Park believe the worst destruction must surely be over and that a bright future lies ahead. Many among the park crew are dedicated, extremely hard-working individuals with a love of nature and a keen sense of its designs and rhythms. A cleaner, more naturalistic park may lead to a greater appreciation of its beauty and therefore to less littering. Awareness of past problems may force a clarification of responsibility as well as better communication among all city employees whose work involves the park. Even Caltrans will some day be finished with its long construction work and may even help in the restoration and beautification of the park. The source of these sanguine assessments lies not in the events of the past year but in the release in the summer of 1990 of the Aquatic Park Master Plan.

AQUATIC PARK MASTER PLAN

History of the Plan

In June of 1989, the City of Berkeley hired MPA Design to produce a master plan for the park. The planning process included three public workshops to allow the many regular users of the park to have their views considered. The public is also invited to meetings of the "Joint Subcommittee on Waterfront Parks," the lead city agency for the project. The subcommittee was comprised of three members each from the Waterfront Commission and the Parks Commission. Additional consultants assisted MPA Design to facilitate the public participation as well as to draft specific reports concerning hydrology, aquatic and terrestrial biology, and acoustical engineering.

Goals of the Plan

Based on a careful study of the park and consideration of citizen input, the planners identified five basic goals for the Master Plan.

1. Mitigate high noise levels.
2. Link Aquatic Park to the City and the Shoreline.
3. Increase the number of park users and improve park safety.

4. Maximize Aquatic Park's value to wildlife.
5. Determine the need for further water quality studies.

The final plan calls for a number of strategies to meet these goals. A sound wall/earth berm is proposed to screen freeway noise. A pedestrian bridge would be constructed over the freeway and two new entrances to the park would be opened at Heinz Street and Channing Way. The Radio Station Pond and the Model Boat Pond would be linked as one tidal wetland, creating a bird and wildlife refuge in the southern portion of the park.

Current Status of the Plan

The Master Plan was released nearly 3 years ago but it has yet to be brought to the City Council for approval. The long delay is due to Emeryville's insistence that the Potter Street onramp to I-80 not be closed unless replacement access is built. According to Berkeley's planning department, Caltrans is near agreement on building just such a replacement adjoining the Ashby onramp so it is anticipated that the Plan will be presented to Council soon. *

The improvements promised by the Master Plan are truly inspiring. The park would be quieter and greener. Improved access would lead to even greater usage by the public. Nature lovers will applaud restoration and expansion of the wildlife habitat and Berkeley's role as an environmental leader would be enhanced. Some of the goals — such as construction of a bridge over the lagoon — are clearly long term, yet many others are simple and are matters of policy more than anything else. The point that is most striking about this plan, according to its author, is that it was agreed to by every one of the diverse groups of park users. Clearly in support of this historic plan as long-time users of the park, we, the Friends of Aquatic Park, strongly urge you to carefully study the issues presented in the Master Plan and to offer your enthusiastic vote of confidence when it comes before the Council.

RELATED ISSUES

Sound Wall

The ongoing expansion work on I-80 by Caltrans has forced several aspects of the Master Plan into the spotlight. Foremost among these is the proposed sound wall/earth berm. Caltrans claims the suggested criblock design is not suitable for areas where earth tremors are common. In addition, the designer of the earth berm did not take into account the easement that EBMUD has for its sewer running beneath Bolivar Drive along the west border of the park. Clearly some modifications must be looked into. Caltrans would like to have the final engineering drawings completed by August, so time is of the essence in designing this "entrance to the city." This wall, if built, will become the largest public art project in the city's history so it is critical that the citizens of Berkeley select the best possible option. A public hearing has been scheduled for May and we hope you and your aides will help negotiate a suitable alternative.

Pedestrian Bridge

A related topic concerns the proposal for pedestrian access to Berkeley's waterfront from the park. Although Caltrans once suggested incorporating such a bridge into the rebuilding of the University Avenue overpass, the project engineer says that idea has long since been dropped. If Berkeley is truly committed to the concept of a sustainable city, to reducing dependence on motor vehicles, and to reclaiming the waterfront for the enjoyment of all its citizens then pressure for building this vital link must not be lessened. Current access includes dashing across three freeway offramps and climbing a large staircase. A pedestrian bridge would enable parents pushing strollers, people in wheelchairs, and cyclists of all ages a safe route to reach the new East Shore State Park and the Bay Trail that will wind through it.

Bay Trail

The Bay Trail itself is the final project that is demanding immediate attention. Although development of the rest of the shoreline park will doubtless take many years, Caltrans plans to construct Berkeley's portion of the trail from Ashby to University as mitigation for the freeway widening. A preliminary design has already been drawn up, yet a host of questions remain to be clearly answered. Will direct access by car to this portion of the shoreline be eliminated? What type of separation will exist between the trail and the Frontage Road? Between Frontage Road and the freeway? What about parking? Where will walkers, cyclists, and wheelchair users have access to this trail? These choices call out for citizen input on this issue, as well, and a decision that is both thoughtful and timely.

CITY OF BERKELEY
CONSENT CALENDAR INFORMATION

Deadline for Council Action: 4/20/93

Date: 4/20/93

From: COUNCILMEMBER SHIRLEY DEAN

IT IS RECOMMENDED THAT THE CITY COUNCIL:

REQUEST THAT THE CITY MANAGER DIRECT THE PARKS AND RECREATION DEPARTMENT TO CEASE IMMEDIATELY CUTTING BRUSH AND TREES IN AQUATIC PARK; AND DIRECT THE PUBLIC WORKS DEPARTMENT TO ENSURE THAT ANY PUBLIC WORKS PROJECTS UNDERTAKEN BY CITY EMPLOYEES OR OUTSIDE CONTRACTORS IN AQUATIC PARK BE GIVEN WRITTEN INSTRUCTIONS ABOUT PRESERVING NATURAL HABITAT, SUCH INSTRUCTIONS TO BE PERSONALLY REVIEWED BY THE CITY MANAGER UNTIL A PERMANENT PLAN IS IN PLACE. FURTHER REQUEST THE CITY MANAGER TO PROVIDE THE CITY COUNCIL WITH A WRITTEN PLAN TO RESTORE AQUATIC PARK HABITAT THAT HAS BEEN DESTROYED; SUCH REPORT TO ALSO ADDRESS A PERMANENT PLAN FOR PREVENTION OF DESTRUCTION OF HABITAT IN THE FUTURE, THE ISSUE OF CLEAN UP OF THE DUMP SITE THAT HAS DEVELOPED IN THE PARK AND COSTS AND POSSIBLE FUND SOURCES FOR RESTORATION AND FOR CONTINUED MAINTENANCE; THIS REPORT TO BE REVIEWED BY THE PARKS AND RECREATION COMMISSION, WATERFRONT COMMISSION AND FRIENDS OF AQUATIC PARK PRIOR TO SUBMITTAL TO THE COUNCIL, AND SUCH REPORT TO BE PRESENTED TO THE COUNCIL SO THAT ANY COSTS COULD BE CONSIDERED IN THE BUDGET PROCESS FOR 1993-94.

1. COMMENTS, CITY ATTORNEY:
2. BACKGROUND AND NEED FOR COUNCIL ACTION:

The Friend of Aquatic Park have written the attached material. This information addresses a number of issues including approval of the 1990 Aquatic Park Master Plan, the proposed sound wall between I-80 and Aquatic Park, bicycle/pedestrian/wheelchair access to the waterfront and design of the Bay Trail that will run along the shoreline west of I-80. All of those issues will come before the Council in the future. The problem that this item is concerned with and which is mentioned in the material from Friends of Aquatic Park is the "biological housekeeping" that Berkeley's Parks and Recreation Department has been undertaking and the lack of sensitivity that Public Works staff seems to have for the Park. I am asking that the Council take up this matter immediately and not wait until the other items are submitted to us because the longer this "housekeeping" and repair work continues, the higher the cost will be to restore what has been destroyed.

I have recently walked the Park with members of the Friends organization. The devastation from the cutting of brush and trees is enormous. Trees have been cut down and brush and growth cleared entirely, branches have been cut off of trees from the ground up to a certain height. Some of this clearing has occurred in the radio tower pond which is mentioned by the Friends as representing an increasingly rare tidal marsh. It is as though underbrush is a problem that the City wants to eliminate. In so doing, valuable habitat for birds has been and is being destroyed. There is also an area along the western shore of the water in the southern end of the park that has become a dump area. Vegetation is stacked up, and man-made items are in this area as well. This area needs to be cleaned up so that it doesn't grow any larger and have a larger negative impact than it already has. Additionally, maintenance in the Park is inadequate as pointed out in the information from the Friends.

Aquatic Park is an extremely valuable resource for Berkeley and it needs to be preserved. It is being threatened by a number of actions, not the least of which is what the City itself is doing.

3. FINANCIAL IMPLICATIONS (include any dollar amount, in-kind services, multi-year commitment) AND SOURCE OF FUNDS (for both cash and in-kind services; indicate if amount is currently budgeted and requirement for budget code). IF SUBMITTAL, AUTHORIZATION OR EXECUTION OF GRANTS IS INVOLVED (includes new grants or modification) AN FN006 (budget modification form) SHOULD BE SUBMITTED WITH ITEM. ITEM WILL NOT BE PROCESSED UNLESS FN006 IS INCLUDED.

To be determined.

4. COUNCIL POLICY AND LEGISLATIVE HISTORY, IF ANY:

Council has consistently supported issues of environmental concern.

5. COMMUNITY GROUPS AFFECTED:

Friends of Aquatic Park and all users of the Park and those concerned about the welfare of wildlife.

6. BOARD(S), COMMISSION(S), COMMITTEE(S) OR DEPARTMENT(S) INVOLVED AND NAME, TITLE AND TELEPHONE NUMBER OF PERSON(S) TO CONTACT FOR ADDITIONAL INFORMATION:

Councilmember Shirley Dean: 644-6294

City of Berkeley



Parks Division
Department of Public Works
201 University Avenue
Berkeley, California 94710
Parks Administration (510) 644-6371, FAX (510) 644-8649
Landscaping / Forestry (510) 644-6566
Marina (510) 644-6376

MEMORANDUM

May 3, 1993

To: ALL SENIOR SUPERVISORS

From: MORRIS J. FRUITMAN, Parks and Marina Manager 

Subject: PRESERVING NATURAL HABITAT OF AQUATIC PARK - POLICY

Effective immediately, the Parks Division will cease and desist cutting living brush and trees in Aquatic Park. The Public Works Department will ensure that any Public Works projects in Aquatic Park, which are undertaken by City employees or outside contractors (this applies to all state and federal agencies) be given written instructions about preserving the natural habitat. Such instructions are to be personally reviewed by the Acting Director of Public Works until a permanent plan is put into place.

The Acting Director of Public Works will provide the City Council with a written plan to restore Aquatic Park habitat that has been destroyed. The report will include a permanent plan for prevention of destruction of habitat in the future, the issue of cleaning up the illegal dump site that has developed in the park, along with costs and possible funding sources for restoration and ongoing maintenance. This report is to be reviewed by the Parks and Recreation and Waterfront Commissions, and the Friends of Aquatic Park, prior to submittal to the Council. The final report will be presented to the City Council, so that any additional costs may be considered in the budget process for 1993-94.

City staff will work with all City and outside agencies, and will inform them of this policy and work with them to find mutually agreeable solutions.


MJF:bj

cc: Shirley Dean, Councilmember
Vicki Elmer, Acting Director of Public Works
Jeff Egeberg, Manager of Engineering
Sherman Jackson, Streets & Sanitation Superintendent



Telecommunications Device for the Deaf (510) 644-6915

City of Berkeley
M E M O R A N D U M

Date: December 17, 1993
To: Vicki Elmer, Director of Public Works
From: Morris Fruitman, Manager of Parks and Marina 
Subject: Aquatic Park Routine Maintenance Schedule Request

MAINTENANCE: As directed by City Council this is a request for your approval for a routine maintenance program at Aquatic Park, as attached. This agenda item was brought before the Waterfront and Park and Recreation Commissions this fall and they had little or no comment.

At the Waterfront Commission the trees became an issue when a Commissioner expressed a desire to have the final approval of any tree work of any kind in the park whether an emergency or not. It was explained that the role of the Commission was to provide staff with a recommendation on the policies and guidelines to be used in the tree maintenance program but that the final responsibility of maintenance remained in the hands of the City staff. The Chair did remind the Waterfront Commission that their role was advisory. The Commissioner was not satisfied. Nevertheless, the Commission voted in favor of the attached plan saying it was a starting point for a maintenance program and that it could be brought back to them for review if there were problems. Mark Liolious was in the audience at that time, he concurred.

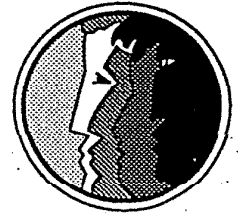
TREES: In response to specific tree issues I recommend the following guidelines based on the discussion at the Waterfront Commission meeting and also, Forestry health and safety concerns:

1. All hanging (broken) limbs will be removed from trees, due to the unknown nature of the falling hazard. This would be in effect no matter where the tree is located.
2. Downed limbs will remain where fallen if located in a natural area where no clearing is to take place.
3. All hanging or downed limbs will be removed from maintained areas.
4. Whenever a limb breaks, the tree will be appropriately trimmed by properly cutting the healthy limb near the break zone taking into consideration the health and shape of the tree and proper arboreal practices.
5. If it is necessary to remove a tree it will be replaced within a reasonably short period of time with an appropriate variety of replacement tree for that location.
6. Trees or limbs will be removed only if they present a health or safety hazard as determined by City staff.
7. All roadways, emergency access roads and pathways will be kept clear of limbs and branches for access by maintenance vehicles, emergency vehicles and provide safe use by the public. Public use will be defined as the use of bicycles, skaters, joggers and walkers.

REVIEW: The attached guidelines should be reviewed on a 6 month basis or by June, 1994, and brought back to the proper Commission for comment and/or suggested changes.

Attachments

City of Berkeley



Department of Public Works
Martin Luther King Jr.
Civic Center Building
2180 Milvia Street
Berkeley, California 94704

TEL: (510) 644 6523
FAX: (510) 644 8830

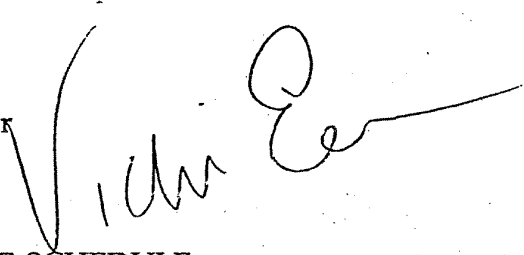
MEMORANDUM

January 18, 1994

To: MORRIS FRUITMAN, Parks/Marina Manger

From: VICKI ELMER, Director of Public Works

Subject: AQUATIC PARK ROUTINE MAINTENANCE SCHEDULE



I have reviewed your Memorandum of December 18, 1994, detailing your proposed "Aquatic Park Routine Maintenance Schedule." The Schedule resulted from a directive by the City Council, and subsequent review by the Parks & Recreation Commission and the Waterfront Commission.

I approve of your proposed maintenance schedule, and will track the effectiveness of its implementation for the next six months from the date of this communication.

Attachment

cc: Laura Allen, Senior Management Analyst, City Manager Department



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The following is our General Maintenance Plan based on approximations and may vary due to seasonal conditions. This plan includes routine as well as seasonal work activities at Aquatic Park.

| WORK ACTIVITIES | FREQUENCY |
|---|---------------|
| Litter & Debris Pick Up | Daily |
| Trash Can Pick Up (9 cans inside the Poles) | Daily |
| Check for Illegal Dumping | Daily |
| Weeding | "ON HOLD" |
| Mowing Irrigated Turf | Weekly |
| Mowing Non-Irrigated Turf | Weekly |
| Irrigation and Repairs | Weekly |
| String-Trimming Turf | Bi-Weekly |
| Edging Paths | Monthly |
| Pruning | "ON HOLD" |
| Mulching Shrub Beds | Quarterly |
| Inspect Frisbee Course Baskets | Quarterly |
| Inspect Tidal Tubes & Gate | Quarterly |
| Inspect Drainage Ditches | Quarterly |
| Fertilizing | Semi-Annual |
| Planting | Semi-Annual |
| Aerating Turf | Semi-Annual |
| Routine Removal of Sand Bar | Semi-Annual |
| Service Tidal Tube Gates | Semi-Annual |
| Clean Lateral Drainage Ditches (3) | Semi-Annual |
| Clean Main Drainage Ditch | Annually |
| Clean Tidal Tubes (Cal-Trans) | Every 2 Years |
| Aquatic Weed Harvest | As Needed |