

Public Access and Recreation Existing Conditions Report

Submitted to:
California State Coastal Conservancy
U.S. Fish & Wildlife Service
California Department of Fish and Game

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March 2005

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ACRONYMNS and ABBREVIATIONS

| | |
|---------|--|
| ABAG | Association of Bay Area Governments |
| BCDC | San Francisco Bay Conservation and Development Commission |
| BOS | Board of Supervisors |
| CCMP | Comprehensive Conservation Management Plan |
| CCP | Comprehensive Conservation Planning |
| CCR | California Code of Regulations |
| DPR | California Department of Parks and Recreation |
| DFG | California Department of Fish and Game |
| EBRPD | East Bay Regional Park District |
| EIR/EIS | Environmental Impact Report/Environmental Impact Statement |
| ESA | Endangered Species Act |
| FHWAR | Fishing, Hunting and Wildlife-Associated Recreation |
| GIS | Geographic Information Systems |
| HARD | Hayward Area Recreation District |
| HOV | High Occupancy Vehicle |
| IAFWA | International Association of Fish and Wildlife Agencies |
| ISP | Initial Stewardship Plan |
| NOAA | National Oceanic and Atmospheric Administration |
| NWR | National Wildlife Refuge |
| NWRS | National Wildlife Refuge System |
| PG&E | Pacific Gas and Electric |
| RTP | Regional Transportation Plan |
| SBSP | South Bay Salt Pond |
| SCCPRD | Santa Clara Parks and Recreation Department |
| SCVTA | Santa Clara Valley Transportation Authority |
| SFBJV | San Francisco Bay Joint Venture |
| SFEP | San Francisco Estuary Project |
| USC | United States Code |
| USEPA | United States Environmental Protection Agency |
| USFS | U.S. Forest Service |
| USFWS | U.S. Fish and Wildlife Service |
| VTP | Valley Transportation Plan |

1. EXECUTIVE SUMMARY

This report characterizes existing public access and recreation conditions related to the South Bay Salt Pond Restoration Project. The purpose of the restoration project is to restore and enhance wetlands in the South San Francisco Bay (South Bay), while providing for flood management and wildlife-compatible public access and recreation. One of the project objectives is to:

- Provide public access and recreational opportunities compatible with wildlife and habitat goals.

Public access to the project area is currently limited. Until recently, the project area was owned by Cargill and used for commercial salt production. Many of the South Bay communities provide for recreation and public access adjacent to the project area. The restoration project provides opportunities to link and expand existing public access and recreation in the South Bay. Recreational opportunities include multi use trails such as the Bay Trail for hiking, walking and cycling, educational and interpretive experiences to celebrate the region's history, culture and ecology, kayaking and canoeing, and wildlife viewing and observation. This report describes existing public access and recreation in and around the project area, and documents the regulatory framework pertaining to these uses.

1.1 Project Setting

The Eden Landing pond complex is part of the Eden Landing Ecological Preserve and is owned and managed by the California Department of Fish and Game (DFG). General public access to ponds in the Eden Landing complex is currently not allowed, although controlled access is permitted on specific hunt dates for hunters selected by a public lottery. Segments of the Bay Trail are planned through the northeast corner of the Eden Landing Complex as part of restoration work pre-dating the South Bay Salt Pond Restoration Project. Fishing is permitted from boats and from shore, but only for specific time periods and areas as designated by DFG (2004c).

The Alviso pond complex is within the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge) and is owned and managed by the U. S. Fish and Wildlife Service (USFWS). The Refuge Environmental Education Center is located at the Alviso complex and provides classrooms, an auditorium and an enclosed observation tower. The Alviso Slough Trail, which extends along the levee of Ponds A9, 10, 11, 12, 13, 14, and 15, forms a segment of the Bay Trail and is open to the public. The Stevens Creek Trail, between Ponds A2E and AB1, is also accessible to the public. Hunting is permitted from boats within the tidally inundated areas in the vicinity of the Environmental Education Center and in Pond A19. Pursuant to the *South Bay Salt Ponds Initial Stewardship Plan* (ISP), USFWS has prepared a Compatibility Determination, environmental assessment and Hunt Plan Amendment to open certain ponds for waterfowl hunting during the ISP period, i.e. before the long-term restoration plan is implemented. Fishing is not allowed on any ponds within the Alviso pond complex.

The Ravenswood pond complex is also owned and managed by the USFWS as part of the Refuge. The Ravenswood Trail within this complex is open to the public. Segments of the Bay Trail in the vicinity

of this complex follow the Dumbarton Bridge/Highway 84/Bayfront Expressway route, looping through Bayfront Park and around Ponds R1 and R2. Within the Ravenswood pond complex, hunting is permitted from boats within the tidally inundated areas and in Pond R1 and most of Pond R2 (Morris, 2004). The southeastern portion of Pond R2, next to the highway, is closed to hunting. Fishing is not allowed on any ponds in the Ravenswood pond complex.

1.2 Regional Setting

Recreation and public access in the South Bay were established by all the adjacent communities through the acquisition of public lands for the creation of neighborhood parks and the preservation of ecologically sensitive landscapes. Recreation studies indicate that the South Bay is a popular recreation area. Although limited visitor use data exists for this region or the parks and open space areas that surround the project area, data collected at the Refuge indicates that USFWS lands receive over 500,000 visitors each year and approximately 100,000 people visit Bair Island annually. Recreation areas immediately adjacent to the project area consist of:

- *Alviso Marina County Park* (17 acres). This park, located in Santa Clara County and currently under renovation, provides picnicking, hiking, bird watching and boat launching opportunities as well as access to other public lands for seasonal hiking and mountain bicycling.
- *Bair Island* (3,200 acres). Bair Island is part of the Refuge. Part of Bair Island is open to the public for trail use, predominantly hiking and jogging. No other facilities exist at this location.
- *Bayfront Park*. This park, adjacent to the Ravenswood pond complex in Menlo Park, offers hiking trails.
- *Baylands Preserve in Palo Alto* (1,940 acres). This park includes the Lucy Evans Baylands Nature Interpretation Center, Byxbee Park Hills (Art Park), Emily Renzel Wetlands, wildlife observation platforms and benches, picnic facilities with barbeques, and the Baylands Athletic Center;
- *Coyote Hills Regional Park* (976 acres). This park includes a visitor center, picnic areas, a group overnight camping area, and several trails, including the Alameda Creek Trail and the Bay View Trail;
- *Hayward Regional Shoreline Park* (1,682 acres). Includes salt, fresh and brackish water marshes, seasonal wetlands, and approximately five miles of public trails (part of the Bay Trail);
- *Hayward Area Recreation District*. Facilities managed by the District include the Hayward Shoreline Interpretive Center, the Oliver Brother's salt ponds, and the Sulphur Creek Nature Center;
- *Ravenswood Open Space Preserve* (373 acres). Owned by Midpeninsula Regional Open Space District, this preserve includes a 1.2-mile bicycle and pedestrian trail, another 0.5-mile hiking trail, a 12-car parking lot, and two observation decks;
- *Shoreline at Mountain View* (660 acres). This park includes a 50-acre small-boat sailing lake and boathouse, 18-hole golf course, clubhouse and banquet facilities, historic Rengstorff House, irrigated meadowlands, kite-flying area, self guided interpretive sign system, wetlands, and seven miles of paved pedestrian and bicycling trails;
- *Steven's Creek Shoreline Nature Study Area* (53 acres). This area includes trails for walking, biking, and bird watching; and

- *Sunnyvale Baylands Park* (70 acres). This area provides developed parkland, including picnic sites, play areas, pathways and an amphitheater.

1.3 Regulatory Framework

The regulatory framework for the project area is based on the applicable codes and regulations of DFG and USFWS, the two land-owning and land-managing agencies in the project area, as well as the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC) and related plans and policies that govern the project area. For the Eden Landing pond complex, DFG is primarily governed by the California Code of Regulations Title 14 which includes General Rules and Regulations as well as “Special Regulations for Use” at Eden Landing Ecological Reserve. Ecological reserves are established to provide protection of ecologically-sensitive habitats; as such, public use needs to be compatible with the primary purpose of the reserve. For the Alviso and Ravenswood pond complexes, USFWS is governed by laws, executive orders and directives that guide public use and recreation on National Wildlife Refuges. The National Wildlife Refuge System (NWRS) Improvement Act established six wildlife-dependent recreational uses as the priority general public uses of the NWRS. These are hunting, fishing, wildlife observation, photography, environmental education, and interpretation. USFWS Manual Part 603 provides policy for determining compatibility of proposed and existing uses of refuges where the USFWS has jurisdiction over such uses.

The McAtteer-Petris Act (California Government Code 66600 – 66682) is the key legal provision under California state law that preserves the San Francisco Bay from indiscriminate filling. Enacted in 1965, this law establishes BCDC as a temporary state agency charged with preparing a plan for the long term use of the Bay (Bay Plan). The McAtteer-Petris Act defines the jurisdiction of BCDC to include open water, marshes, and mudflats in the greater San Francisco Bay. In addition, BCDC’s jurisdiction includes the first 100 feet inland from the shoreline around San Francisco Bay, as well as salt ponds, managed wetlands, and certain other waterways. Under this jurisdiction, BCDC reviews applications for projects that fall within the geographic areas described and evaluates such projects for their ability to provide “maximum feasible public access” utilizing certain criteria consistent with the proposed project. In addition to legal jurisdiction, there are several regional and local plans and related policies that may apply to development of recreation and public access within the project area as well as County and City General Plans for lands including and adjacent to the project area.

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2. INTRODUCTION

This document provides the existing conditions for recreation and public access for the South Bay Salt Pond (SBSP) Restoration Project area and vicinity. The goal of the project is the restoration and enhancement of wetlands in the South San Francisco Bay (South Bay), while providing for flood management and wildlife-compatible public access and recreation. In order to accomplish the restoration goal, it is necessary to have an understanding of the existing context for the project area. The existing conditions for recreation and public access are for the project area lands and the adjacent and surrounding regional lands and the communities that manage them. The existing context is categorized in three areas: (1) the project setting provides a summary of recreation and public access specific to the project area pond complexes, (2) the regional context describes adjacent and nearby parks and open space lands and summarizes visitor use information, and (3) the regulatory framework sets forth the legal and managerial structure for the project area and vicinity.

This report is one volume in a set of five existing conditions reports. Additional volumes include:

- Biology and Habitats
- Water and Sediment Quality
- Flood Management and Infrastructure
- Hydrodynamics and Sediment Dynamics

Additional companion documents include the *Data Summary Report* (Philip Williams & Associates Ltd. and others 2004d), the *Initial Opportunities and Constraints Summary Report* (Philip Williams & Associates Ltd. and others 2004e), and the *Mercury Technical Memorandum* (Brown and Caldwell 2004).

The long term plan for recreation and public access will be compatible with wildlife and habitat goals. To accomplish this, this report presents the existing physical, regional and regulatory framework for management of recreation and public access in the project area. This information will be used with all existing condition information to develop project alternatives which will lead to the strategic placement of features and facilities to ensure that recreation-related components provide a high quality visitor experience.

The Recreation and Public Access Existing Conditions Report contains the following sections:

Section 3. Project Setting. The project setting provides a summary of existing recreation and public access by pond complex. This includes a summary of all facilities and uses related to recreation that exist on project lands for the Eden Landing pond complex managed by California Department of Fish and Game (DFG) as the Eden Landing Ecological Reserve, and Ravenswood and Alviso pond complexes managed by the United States Fish and Wildlife Service (USFWS) as part of the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge). This section will also include a summary of all educational and interpretive programs that currently exist in the project area. Maps of each pond complex illustrating the location and type of recreation and public access are also provided.

Section 4. Regional Setting. This section provides the regional context for the project lands related to recreation and public access. A summary of existing parks and open space land that exist adjacent to the project area lands, including location, ownership, size and facilities, is presented. Many of these facilities will be used in conjunction with project area lands and provide linkages to connect the entire South Bay with public access and recreation facilities. The second component to the regional setting for recreation and public access included a literature search of studies conducted nationally, regionally and locally on recreation use and trends. A summary of the purpose, methodology, and results of the most relevant studies is included here.

Section 5. Regulatory Framework. The purpose of this section is to provide the legal framework through a summary of laws, codes, and policies that guide creation, development and management of recreation and public access in the project area. This section highlights the laws and other related directives that DFG and USFWS must adhere to as the project area land-owning agencies. Laws and codes of these agencies that relate specifically to recreation and public access are summarized in Sections 5.1 and 5.2, respectively. Additional jurisdiction in the project area lies with the BCDC. A summary of its creation, its authorizing legislation as well as its recreation and public access jurisdiction for projects in and around the San Francisco Bay is included in Section 5.3. Section 5.4 and 5.5 presents recreation-related plans and policies and City and County General Plans by a variety of organizations that set forth recreation-related policies and projects in and around the project area and may have an influence on the development of future recreation and public access facilities and uses proposed as part of the restoration project.

3. PROJECT SETTING

Currently, public access and recreation opportunities are limited within the project area for several reasons: (1) lands were owned by Cargill and not open to the public; (2) access to project land is remote; and (3) certain areas are influenced by tidal inundation. Besides salt harvesting operations, the primary use is waterfowl hunting through agreements between Cargill and individual hunters (Morris, 2004).

Knowledge on public access and recreation on project lands and the surrounding vicinity has been collected through stakeholder meetings since February 2004, existing Geographic Information Systems (GIS) data compiled for this project, personal communications, site tours, and search and review of existing plans, policies, regulations and codes, including the *South Bay Salt Ponds Initial Stewardship Plan* (ISP). Figure 1 shows the compilation of available GIS data related to existing public access and recreation, including the project boundary, trail information within and in the vicinity of the project area, regional open space and protected lands by municipal ownership, and the existing transportation network (e.g., roadways, railroads and stations).

3.1 Eden Landing Complex

Figure 2 shows the ownership of and recreational facilities at the Eden Landing pond complex. The Eden Landing Ecological Reserve is owned and managed by DFG. In 1996 a portion of these lands, constituting 835 acres, established the Reserve. The restoration plan for this part of the Reserve (Ponds 1B-6B, 7C, 8B-17B, 17C and 20B as per DFG Map of Eden Landing Ecological Reserve, February 2004) is to restore former salt ponds and crystallizers to tidal salt marsh and seasonal wetlands (Life Science, 2003). This restoration is underway and includes the alignment for the Bay Trail Spine (connecting the Hayward Shoreline Park and the Shoreline Interpretive Center in the north to points south) being established in partnership with the East Bay Regional Park District (EBRPD). The Bay Trail Spine in the Eden Landing 835 acres restoration area is anticipated to open in 2006. The remaining lands within the Reserve were added as part of the Cargill purchase in March 2003.

General public access to ponds in the Eden Landing complex is not allowed during the ISP, although controlled access is allowed for hunters on specific hunt dates selected by a public lottery. For example, in the 2004/2005 year, access for waterfowl hunting occurred on three weekends and two weekdays (December through January). Fifty permits were drawn for each of these one-day hunts and each permit was usable for two hunters. Generally, hunting on the Reserve can occur on all lands as deemed appropriate by DFG. Areas typically open to hunting include marsh areas and all ponds with sufficient water, except all or part of Pond E6A due to the adjacent Eden Shores housing development. The 835-acre restoration area currently does not provide suitable hunting; however, after the main breaches are completed, the tidal sloughs would be considered waters of the state and DFG may allow hunting in selected portions of the site. Currently, fishing is permitted from boats and from shore, but only for specific time periods and areas as designated by DFG (2004c).

3.2 Alviso Complex

Figure 3 shows the ownership of and recreational facilities at the Alviso pond complex, located adjacent to the southern portion of the South Bay in the historic community of Alviso and nearby San Jose,

Mountain View, Sunnyvale and Fremont. The Alviso pond complex is owned and managed by the USFWS. Portions of the complex were part of the Refuge, under management by USFWS prior to the 2002 purchase from Cargill. However, Cargill retained the rights for salt production operation over some ponds, and currently operates salt ponds in lands within the refuge outside of the project area.

The Refuge Environmental Education Center is located at the Alviso complex, with access off Highway 237 and Zanker Road in Alviso. The building contains two classrooms, an auditorium, and an enclosed observation tower. A boardwalk winds through seasonal wetland habitat to provide viewing opportunities. The Environmental Education Center is open by reservation to school field trip groups Monday - Friday. It is generally open from 10am until 5pm on the weekends.

The Refuge Headquarters and Visitor Center are located in Fremont outside of the project area. Lands outside the project area are also shown on Figure 1 for connectivity to existing trails, transit and other related public access and recreation linkages. Interpretive displays exist in the visitor center, along hiking trails, at wildlife observation areas, and at the boat launch ramp.

The refuge is crisscrossed by a number of hiking trails. The Alviso Slough Trail (which runs along the levees of Ponds A9, 10, 11, 12 13, 14 and 15) forms a segment of the Bay Trail and is open to the public. The Stevens Creek Trail, located between Ponds A2E and AB1, is open during the ISP period. Docent-led tours are also provided during the ISP period.

The Bay Trail in and around the Alviso Complex includes the paved or gravel Alviso Slough Trail (as described above), and a trail south of Alviso Ponds A1 and A2W. An unimproved, on-street portion of the Trail (no bike lanes or sidewalks) leads from the Alviso Marina and Historic District (adjacent to Alviso Ponds A8 and A12) south toward San Jose and Highway 237. Another unimproved on-street portion of the Bay Trail runs along the north side of Pond A22.

Waterfowl hunting occurs at the refuge in certain areas. Within tidal areas of the Alviso pond complex (salt marshes, sloughs, mudflats and open water of San Francisco Bay), hunting is permitted from boat up to the mean high water line except in the headwaters of Mallard Slough (Artesian Slough), in the vicinity of the Environmental Education Center (USFWS, 2004a). Within salt evaporation ponds of the Alviso pond complex, only Pond A19 is open for hunting. Only non-motorized boats are permitted in the pond, which can be accessed by dragging the boat across the levee from the bay. Shooting from the levees is prohibited (USFWS, 2004a).

Pursuant to the ISP, USFWS has prepared a Compatibility Determination, environmental assessment and Hunt Plan Amendment to open certain ponds to hunting during the ISP period, including A2E, AB1, AB2, A3W, A3N, A5, A7 and A8N within the Alviso pond complex (USFWS, 2004a). Under this proposal, all the ponds would be open to hunters on Saturdays, Sundays, and Wednesdays, and a Refuge Special Use Permit would be required. For the former five ponds, access would be restricted to the use of motor vehicles driven to the small private boats in the ponds; hunting would only be allowed from existing blinds in the ponds and not be allowed from levees. Ponds A5, 7 & 8N would be opened on a walk-in basis; hunters would be able to hunt from the levees and use small private boats to reach blinds in

the ponds. Use of retrieving dogs would be permitted and encouraged in all areas open to waterfowl hunting. Generally, waterfowl hunting season extends from approximately mid-October to mid-January. During the season, hunting is permitted daily from one half-hour before sunrise until sunset. Fishing is not allowed on any ponds within the Alviso pond complex.

3.3 Ravenswood Complex

Figure 4 shows the ownership and recreational facilities at the Ravenswood site. The Ravenswood pond complex is owned and managed by the USFWS. Portions of this complex were part of the refuge, under management by USFWS prior to the 2003 purchase from Cargill. However, Cargill retained the rights for salt production operation over some ponds however these are outside of the project area.

The Ravenswood Trail is open to the public. In the vicinity of the Ravenswood Complex in San Mateo County, the Bay Trail follows the Dumbarton Bridge/Highway 84/Bayfront Expressway route (along Ponds R2, SF2, R3, and S5), and loops through Bayfront Park. Another segment of the Bay Trail loops around R1 and R2. These segments are off-street shared use paved or gravel paths and provide access to the Refuge.

Waterfowl hunting occurs at the refuge in certain areas. Within tidal areas of the Ravenswood pond complex, hunting is permitted from boat up to the mean high water line (USFWS, 2002). Within salt evaporation ponds of the Ravenswood pond complex, Ponds R1 and R2 are open for hunting. However, the southeastern portion of Pond R2, next to the highway, is closed to hunting. As with the hunting in the salt evaporation ponds of Alviso pond complex, only non-motorized boats are permitted in the ponds which can be accessed by dragging the boat across the levee from the Bay. Shooting from the levees is allowed in the Ravenswood pond complex. Fishing is not allowed on any ponds in the Ravenswood complex.

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4. REGIONAL SETTING

The regional setting provides the context for understanding current recreation and public access through a description of the parks and open space in the project area. These lands directly relate to the project both in their proximity and in the ability to connect these lands for a continuous network of open space accessible to the public. These lands also provide opportunities for establishing partnerships for the long term management of public open space and the sharing of infrastructure where possible. This section also provides summaries of key recreation studies conducted at local and regional levels surveying recreation behaviors and preferences. These summaries assist in providing documentation for planning and developing new facilities and associated infrastructure.

4.1 Parks and Open Space

The following is a list of adjacent or nearby parks and open spaces, their ownership, and a summary of their existing access and recreation opportunities. This information can assist in creating and managing new recreation and public access facilities for the project area.

4.1.1 Alviso Marina County Park

The 17-acre Alviso Marina County Park is owned and managed by Santa Clara County and accessible via Mill Street in Alviso. It provides opportunities for picnicking and bird watching, as well as access to other public lands for seasonal hiking and mountain bicycling. The Santa Clara County Parks and Recreation District (SCCPRD) closed the existing wooden floats and launch ramp October 2003 due to deteriorating conditions of the floats and the overgrowth of wetlands vegetation that prohibited access to Alviso Slough. As part of the Alviso Marina County Park Master Plan implementation, a new launch ramp will be built with direct access into Alviso Slough. Other ongoing recreational improvements include a boardwalk loop trail through the marsh to Pond A12, parking lots reconfiguration, a new picnic area, and wildlife observation areas. It is anticipated that the design and permit processes for these improvements will be completed to begin construction in 2006.

4.1.2 Bair Island

The 3,200-acre Bair Island in San Mateo County is accessible via the Whipple Road exit of Highway 101. It is composed of three islands separated by sloughs and is now under the stewardship of the Refuge but owned by DFG as Bair Island Ecological Reserve. Only the western island is open to the public with three trail choices. The trailhead has room for approximately 15 vehicles in an unimproved dirt parking area. Bicycle and equestrians are allowed but these trails are primarily used by hikers and joggers.

4.1.3 Bayfront Park

Bayfront Park is owned and managed by the City of Menlo Park. The park is accessible via the Marsh Road exit off Highway 101. It provides two parking lots (including handicap parking), restrooms, and walking trails. No parking or entrance fees are required. Dogs are permitted on leash only. The park is also the venue of the Annual Kite Day, held each spring, due to the large open space favorable for flying kites.

4.1.4 Baylands Preserve

The Baylands Preserve is owned by the City of Palo Alto and managed by the Parks and Golf Division of the City's Community Services Department. The Preserve, located off Highway 101 on Embarcadero Road, consists of 1,940 acres and is bounded by the cities of Mountain View and East Palo Alto. Facilities include the Lucy Evans Baylands Nature Interpretation Center, Byxbee Park Hills (Art Park), Emily Renzel Wetlands, wildlife observation platforms, picnic facilities with barbeques, and the Baylands Athletic Center. The Athletic Center consists of six acres with one softball diamond, one baseball diamond (both lighted) and restroom facilities. Activity opportunities include walking, biking, bird watching, sailboarding, non-motorized boats and sailboards. Nature walks and programs on ecology and natural history are offered on weekends throughout the year. There are 15 miles of paved and unpaved multi-use trails and boardwalk trails that traverse through the preserve. Cyclists and hikers share all trails except during burrowing owl nesting season when some paths are restricted to bikes only. Horses are permitted in the area, but it is not a popular equestrian park. Dogs are allowed on leashes only; a few areas are restricted to dogs. Drinking water and maps are provided at the Interpretation Center. There is no parking or entrance fees. Handicap accessible parking is available.

4.1.5 Coyote Hills Regional Park

Coyote Hills Park is owned and managed by the East Bay Regional Park District (EBRPD). This 976-acre park is located off Highway 84 west of Patterson Ranch Road/Commerce Drive in Fremont. Facilities at the park include a visitor center, picnic areas, and a group overnight camping area. The visitor center contains a nature store, exhibits on the Ohlone people, wildlife, and natural history of the park, and a tule reed boat. Naturalist programs are available for both groups and the public. Tours are available to the main shellmound where visitors can see a tule house, shade shelter, dance circle, and sweat lodge. Picnic tables are located at the visitor center and Quarry staging area. Group overnight camping is available at the Dairy Glen area. There are also several trails in the park, some of which provide access to the San Francisco Bay National Wildlife Refuge. The Alameda Creek Trail, a 12-mile trail from the South Bay to Niles Canyon, runs through the park along the northern and southern levees. The trail consists of two parallel trails separated by function (one for equestrians and one for bikes). This trail connects to the Bay View Trail, a 3.5-mile paved loop trail for hiking and biking. Fees are required for parking and dogs.

4.1.6 Hayward Regional Shoreline Park

The 1,682-acre Hayward Regional Shoreline Park is owned and managed by EBRPD. The park stretches from San Lorenzo Creek to Highway 92, and includes salt, fresh and brackish water marshes, seasonal wetlands, and approximately five miles of public trails (part of the Bay Trail). The park consists of restored wetlands and a mouse preserve. Specific resources are listed below (Taylor, 2004):

- Cogswell Marsh – 250-acre tidal marsh;
- Hayward Marsh – 145-acre fresh and brackish managed marsh;
- Oro Loma Marsh – 364-acre tidal marsh; and
- Mouse Preserve – 27 acres of the Hayward Marsh set aside for the salt marsh harvest mouse.

There are three public road access points into the Hayward Regional Shoreline: (1) the southernmost point is accessible from the Clawiter Road exit of Highway 92, (2) the middle point is accessible from the Winton Avenue exit off of Interstate 880, and (3) the northernmost point is accessible from Grant Avenue in San Lorenzo. Park facilities include trails, benches, and restrooms. Visitor use opportunities include hiking, biking, jogging, bird watching, picnicking and fishing; horseback riding is prohibited. Although picnicking is allowed, no facilities are provided other than benches along trails. Fishing is allowed from the levees except in the marsh areas. To protect wildlife, dogs are not allowed south of Winton Avenue.

4.1.7 Hayward Area Recreation District Facilities

The Hayward Shoreline Interpretive Center, owned and operated by the Hayward Area Recreation District (HARD), is located south of the Hayward Regional Shoreline Park, adjacent to Highway 92. The center is a large, multistory wood building supported by piers above the marsh that offers exhibits on shore and marsh environments, an interactive computer exhibit on the South Bay, informative videos, aquariums, microscopes, wall murals on bay life, maps, restrooms, gift shop, and an elevated, exterior observation platform. HARD also owns the following:

- Hayward Area Recreation District marsh - 82 acres that was restored as mitigation for building the Interpretive Center. The marsh provides habitat for the salt marsh harvest mouse and maximizes foraging habitat for waterfowl. EBRPD assists in the management of the marsh through monitoring activities (Koslosky, 2004).
- Oliver Brother's salt ponds – 155 acres of salt marsh located north of San Mateo Bridge with the remains of its historic use for salt manufacturing. The salt pond is used as nesting sites for the snowy plover, and thus the levees are closed to the public during the snowy plover breeding season (February 15 – September 15). The area is open to the public during the non-breeding season for education and historical interpretative programs. EBRPD assists in the management of the marsh through monitoring activities (Koslosky, 2004).

Other relevant HARD facilities outside the project area include the Sulphur Creek Nature Center, located at 1801 D Street in Hayward. The Center is a wildlife education and rehabilitation facility. The center offers an animal lending library, a wildlife rehabilitation center and hospital, wildlife education, a wildlife discovery center, and reservable picnic areas.

4.1.8 Ravenswood Open Space Preserve

The Ravenswood Open Space Preserve is owned and managed by the Midpeninsula Regional Open Space District. The preserve consists of two noncontiguous areas south of Dumbarton Bridge totaling 370 acres. The larger area, about 270 acres, is located near Cooley Landing in East Palo Alto. This area is accessible from Bay Road (via Highway 101 and University Avenue). The facilities at this area include a 1.2-mile bicycle and pedestrian trail along the levee surrounding the former salt pond, a 12-car parking lot, and two observation decks. The trail and observation decks are wheelchair accessible. The other area consists of 100 acres of wetlands and levee and is adjacent to the Dumbarton Bridge. There is a 0.5-mile hiking trail along the levee and parking is available off Highway 84 near the Dumbarton Bridge Fishing Pier. Dogs and horses are not allowed in either area of the preserve.

4.1.9 Shoreline at Mountain View

Shoreline at Mountain View Park is owned by the City of Mountain View and is managed by the Shoreline Division of the City's Community Services Department. The park is 660 acres and is located at the northern end of Shoreline Boulevard off of Highway 101. Located within the park are a 50-acre small-boat sailing lake and boathouse, 18-hole golf course, clubhouse and banquet facilities, historic Rengstorff House, irrigated meadowlands, kite-flying area, self guided interpretive sign system, and wetlands. The wetlands include two tidal marshes, two sloughs, seasonal marsh, storm retention basin, two creeks, and five irrigation reservoirs. Accessible facilities include parking spaces, trails, restrooms, drinking fountains, and a pay phone in the building near the sailing lake. Activity opportunities at the park include jogging, walking, sailing, golfing, bird watching, and kite flying. Horses and dogs are not allowed at the park and bicycles are allowed only on some trails. There are seven miles of paved pedestrian and bicycling trails. Trails connect to the Palo Alto Baylands Preserve to the west. Within Shoreline at Mountain View, the Crittenden site offers 0.75 mile of trail to a panoramic view of Steven's Creek, Moffett Field, and Mountain View's North Bayshore business community. At the 65-acre Vista Slope Site along Permanente Creek, 1.5 miles of trails pass through a viewing area that includes Stanford's Hoover Tower. Additionally, the Steven's Creek Trail is open from the park to Yuba Drive. This four-mile paved section of trail provides a unique creekside experience through woodlands, tidal marshes and city neighborhood parks.

4.1.10 Stevens Creek Shoreline Nature Study Area

The 53-acre Stevens Creek Shoreline Nature Study Area is owned and managed by the Midpeninsula Regional Open Space District. The area is adjacent to the Shoreline at Mountain View Park and the only facilities available are trails. Activity opportunities include walking, biking, and bird watching. Dogs and horses are not allowed.

4.1.11 Sunnyvale Baylands Park

Sunnyvale Baylands Park is owned by the City of Sunnyvale and managed by the Sunnyvale Park and Recreation Department. The park provides over 70 acres of developed parkland and an additional 105 acres of seasonal wetlands protected as a wetlands preserve to provide habitat for plants and wildlife. The park, located at 999 Caribbean Drive, is accessible via Lawrence Expressway off of Highway 237. Facilities at the park include picnic sites, play areas, pathways and an amphitheater. There are three types of group picnic sites: small, large, and family. The four small group picnic sites seat from 65 to 130 people each. The two large group picnic sites each seat up to 325 people. There are 11 family group picnic sites, each with two tables offered on a first-come first-served basis. The other sites may be reserved for use. There are four play areas, one of which is wheelchair accessible (Discovery Play Area). Two miles of unpaved pathways are available, including a path called the Wave Walk, which has tall grasses that wave in the wind, and a pathway on the northern edge of the park that overlooks the seasonal wetlands. A paved bike path from the park entrance along the southern edge of the park is also available. The Bay Trail can be reached from the park or Carl Road next to the City's Water Pollution Control Plant. Additionally, the park has an amphitheater which seats up to 300 people. From May to October there is a parking fee at the park and a seasonal pass is available.

4.2 Visitor Use and Demand

This section provides a review of key national, regional, and local recreation studies containing information on recreation trends and use. The authors, purpose, methodology, and results are summarized below. This information is valuable because it can form a foundation for understanding the benefits of providing specific forms of recreation and public access, and the types of facilities that may be needed to support such recreation and access.

4.2.1 2001 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation (FHWAR)

Authors: U.S. Department of the Interior, U.S. USFWS, U.S. Department of Commerce, and the U.S. Census Bureau.

Purpose: The survey was designed to measure fishing and hunting activities and to provide detailed information about wildlife activities (wildlife observation, bird feeding, photography, etc). The survey gathered information on 1) the numbers of anglers, hunters, and wildlife-watching participants by type of activity, 2) trips and days spent on different types of activities, 3) expenditures by type of fishing and hunting and wildlife watching activity, and (4) socio-demographic characteristics of participants.

Methodology: The authors of the survey interviewed 80,000 households nationwide to determine who in the household had fished, hunted, or engaged in wildlife watching activities in 2000, and who had engaged or planned to engage in those activities in 2001. In most cases one adult provided information for all household members. The second phase consisted of detailed telephone or in-person interviews with likely anglers, hunters, and wildlife watchers who were identified in the initial phase as 16 years of age or older. In total, 25,070 interviews of sportspersons, and 15,303 of wildlife watchers were conducted. The 2001 Survey questions and methodology were similar to the FHWAR surveys used in 1996 and 1991 and are therefore comparable.

Results: Only California results were reviewed. The Survey focuses on anglers, hunters, and wildlife watchers. Anglers include licensed hook-and-line anglers, unlicensed anglers, and those that use special methods. Hunters include licensed hunters who use common practices, those that use uncommon practices (excluding bow and arrow) and unlicensed hunters. Wildlife watchers include those who take a trip for the primary purpose of wildlife watching or take a special interest in wildlife watching around home. In California in 2001 there were an estimated 2,389,000 anglers; 278,000 hunters; and 5,491,000 wildlife watchers.

Focusing on wildlife watching activities, a distinction is made between nonresidents (those who enjoyed wildlife at least one mile from their home) and residents (those who enjoyed wildlife within one mile from their home). Of the wildlife watchers in California, 4.9 million were residents (85 percent), and 2.3 million were nonresidents (40 percent). Of the nonresidential participants, the majority observed wildlife (2.1 million), about half photographed wildlife (1.1 million), and less fed wildlife (660,000). As for residential wildlife watchers, most fed wildlife (3.8 million), slightly less observed wildlife (3.1 million), and about 22 percent visited public parks within one mile of home.

The study also asked respondents about bird watching. In California in 2001, 4 million people observed birds, mostly around their home and about half on trips away from home. Of birders, 70 percent could

identify between one and 20 species, 14 percent could identify 21 to 40 species, and 14 percent could identify over 40 species. Only six percent of birders in California kept a life list.

Comparing the 1991 and 2001 surveys, there were 12 percent less anglers and 48 percent less hunters. The number of nonresidential wildlife watchers dropped for 36 percent. Residential wildlife watching also dropped 21 percent overall and 32 percent for observation. Comparing the 1996 and 2001 surveys, there was no significant change in the number of anglers. However, there were 52 percent less hunters. Nonresidential wildlife participation did not change much, but there was a drop in the residential wildlife watching participants; 15 percent less overall and 29 percent less observers.

Further analysis also describes more characteristics of wildlife watchers. Of nonresidential wildlife watching participants, 53 percent visited oceanside areas and 36 percent went to marsh, wetland or swamp areas; the highest percentage visited lakes and streamsides (58 percent). Overall, California ranked first in terms of the total number of participants in wildlife-associated recreation with 6.9 million participants.

4.2.2 Birding in the United States: A Demographic and Economic Analysis (2001)

Author: U.S. Fish and Wildlife Service (USFWS)

Purpose: The analysis identifies birders in the United States, their home location, their frequency of birdwatching, and the location where they birdwatch. The report also provides two kinds of economic measures. The first is an estimate of how much birders spend on birding and the economic impact of these expenditures. The second economic measure is the net economic value of birding (the economic value of birding to society).

Methodology: Data comes from the wildlife-watching section of the 2001 FHWAR. Over 15,000 detailed wildlife-watching interviews were completed with a 90 percent response rate. The survey focused on 2001 activity and expenditures of US residents 16 years or older.

Results: The report defines a birder as an individual who has either taken a trip one mile or more from home to primarily observe birds and/or closely observed or tried to identify birds around home (backyard birding). Results indicate that backyard birding is the most common form of birding with 88 percent of birders participating (40 million); it is less common to take trips away from home, with 40 percent of birders participating (18 million). It was estimated that there are 46 million birders in the US (over age 16). Of total away-from-home birders, 47 percent visited marsh, wetland, and swamp sites, and 27 percent visited oceanside sites. Most away-from-home birders visited public lands (83 percent).

Demographically, the age group from 55 to 64 had the highest participation rate, and the age groups 35 to 44 and 45 to 54 had the most number of birders. Birders tend to have above-average income and education—33 percent of birders had 5 or more years of college education. Slightly more birders were female (54 percent) and most birders were married (72 percent). Birders are not an ethnically diverse group; 94 percent of birders identified themselves as white. This is partly due to low survey participation rates by Hispanics, African Americans, and Asians.

The results also suggested that most birders do not appear to have advanced identification skills. Nationwide only 13 percent of birders could identify 21 to 40 species, 8 percent could identify more than 41 species. Relatively few (5 percent) birders kept a life list.

4.2.3 Current Participation Patterns in Marine Recreation (2001)

Authors: Dr. Vernon R. (Bob) Leeworthy and Peter C. Wiley for the US Department of Commerce, the National Oceanic and Atmospheric Administration (NOAA), National Ocean Service, Special Projects

Purpose: While previous marine recreation information in national surveys has been limited to saltwater fishing, the National Survey on Recreation and the Environment (NSRE) 2000 is the first National Survey to include a broad assessment of marine recreation. This report presents extensively the results of marine recreation participation based on NSRE 2000 data.

Methodology: This report specifically uses the Marine Recreation Participation Module of the NSRE 2000 results. The difference between the Marine Module and the rest of the participation module is that the Marine Recreation Module asks in which states participation took place (up to five states for each activity/setting) for 19 activity/settings.

Results: Only California results were reviewed. The study revealed that California was the second most popular destination for marine recreation (18 million participants), only next to Florida (22 millions participants). California was also the state with the highest number of marine recreation population (over 12 million). The study looked at 16 activities/settings, among which wind surfing, kayaking, bird watching, viewing or photographic scenery in water-based surroundings, and hunting waterfowl are most relevant to the Salt Ponds project.

There were about 82,000 Californians participating in wind-surfing in 1999-2000, ranking California fourth of all 50 states. On kayaking in saltwater or mixed fresh-saltwater areas, California had the highest participation rate and the most participants (433,000 people). California also had the highest participation rate and the second largest number of participants (2.6 million participants) on marine/saltwater bird watching, only next to Florida (3.4 million participants).

The activity of viewing or photographing scenery in water-based surroundings was participated in by about 4.2 million Californians, among which a quarter occurred in marine or saltwater environments. About 113,000 Californians participated in hunting waterfowl, of which over 13 percent occurred in marine or saltwater environments.

4.2.4 Public Use at Don Edwards San Francisco Bay National Wildlife Refuge - Annual Narrative (2003)

Author: U.S. Fish and Wildlife Service (USFWS)

Purpose: This annual narrative describes all of the public use activities that occurred within the Refuge during 2002/2003.

Methodology: Staff at the Refuge estimated the numbers of visitors from October 1, 2002 to September 30, 2003.

Results: Table 1 is an estimation of visitation at the refuge from October 2002 to September 2003.

Table 1 Refuge Visitation Estimates

| Total Visitation | 547,000 (people) |
|--|-------------------------|
| Number of people that entered Visitor Centers | 27,949 |
| Trail users | 357,850 |
| Hunters | 3,900* |
| Anglers | 1,600* |
| Other – eating lunch in vehicle, etc. | 178,900 |
| Staff/volunteer conducted activities on-site | 2,937* |
| Students/adults who took part in Environmental Education Program | 11,118 |

Notes:

The total number of people entering all properties of the Refuge may be conservative, as some visitors may not be counted (i.e., traffic counters do not count bicyclists). Double counting by activity may also have occurred (i.e., some people who entered visitor centers were also counted as using trails).

** These figures do not reflect interest in or the importance of these activities within the Refuge.*

Source: USFWS, 2003.

It is estimated that over half a million people visited the Refuge for the 2002-2003 year. Most of these visitors used the trails (65 percent). About one-third of visitors were considered other users, who participated in activities such as eating lunch in their vehicle within the Refuge. Less than one percent of visitors were hunters or anglers. About five percent of visitors entered the visitor centers and less than one percent participated in staff/volunteer activities on-site. About 2 percent of visitors took part in the Environmental Education Program. The visitation numbers identified in Table 1 above are derived from staff estimates based in part on vehicle counter data, which does not count bicycles. Therefore, the total visitation estimate may be conservative.

4.2.5 Public Opinions and Attitudes on Outdoor Recreation in California (2003)

Author: California Department of Parks and Recreation (DPR)

Purpose: This California study focused on two major areas of inquiry: 1) public attitudes, opinions, and values with respect to outdoor recreation, and 2) current participation in forty-two selected types of outdoor recreation activities for adults and youth. Specific aims of the study were: 1) to determine participation (and therefore participation patterns) in activities and visitation to different types of recreation areas; 2) cultural and ethnic differences in user participation of outdoor recreation activities, support facilities and services; 3) importance of outdoor recreation lands, facilities, and services; 4) satisfaction with existing facilities and opportunities; 5) preferred funding mechanisms; and 6) preferences for and perceived personal value of outdoor recreation activities.

Methodology: The research consisted of a telephone survey with a follow-up mail survey. The survey was a replication of the survey taken by the DPR in 1997 with minor changes. In addition, there was a separate survey for youth under the age of 18. A total of 2,512 telephone interviews were completed, 326 of which were in Spanish. Follow-up mail surveys were completed by 610 people. The youth mail survey

was completed by 144 respondents. The survey sample does not perfectly represent California demographics in that it over represents females and households with incomes of \$50,000 or more, and under represents Asians and households with incomes less than \$20,000.

Results: Of the 55 activities listed in the survey, walking for fitness and fun was the most participated in activity (91%). Other relevant activities include: picnicking in developed sites (77%); wildlife viewing, bird watching, viewing natural scenery (75%); trail hiking (69%); walking a pet (43%); paddle sports including kayaking, rowing, canoeing, and rafting (23%); saltwater fishing (18%); hunting including large and small game (9%); and windsurfing (3%).

Three of the relevant activities were indicated to have high latent demand: trail hiking, walking for fitness and fun, and wildlife viewing/bird watching/viewing natural scenery. These three also indicated comparatively high public funding support. Combining latent demand and public funding support, the ranking of the combined needs of the relevant activities are: trail hiking (2nd); walking for fitness/fun (3rd); wildlife viewing, bird watching, viewing natural scenery (4th); paddle sports (21st); walking a pet (23rd); hunting (34th); saltwater fishing (37th); and windsurfing (53rd).

Survey respondents were also asked which activities that take place on government-operated park and outdoor recreation areas and facilities were most important to them. The relevant activities were ranked as the following: walking for fitness and fun (1st); wildlife viewing, bird watching, viewing natural scenery (3rd); trail hiking (5th); walking a pet (10th); picnicking in developed sites (13th); saltwater fishing (26th); hunting (33rd); paddle sports (37th); and windsurfing (54th).

Regarding thirteen possible improvements to park and recreation facilities and services within and outside of their local communities, survey respondents were asked to give each a priority score from 1 (low priority) to 10 (high priority). Relevant improvements to facilities and services within the respondents' local community include: constructing trails for jogging, biking, and fitness walking (highest mean score of 7.57); providing areas and facilities for environmental education programs (mean score 6.49); and developing small group picnic sites (mean score 6.26). Two relevant changes to park and recreation facilities and services outside of respondents' local communities are: Developing more multi-use, non-motorized trails for horseback riding, hiking, and/or mountain-biking (mean score 6.48); and Providing more education programs and services in parks and outdoor recreation areas (mean score 6.39).

4.2.6 Bair Island Visitor Use Survey (2000)

Author: U.S. Fish and Wildlife Service (USFWS)

Purpose: To provide a baseline of visitor use for Inner Bair Island when it became a part of the Refuge. The information was also used in the development of the Bair Island Restoration Plan EIS/EIR and as a part of the Section 7 consultation of the Endangered Species Act (Morris, 2005).

Methodology: Observations were made over 28 hours over 17 days between October 14, 1999 and January 29, 2000 at Bair Island. Observers filled out survey forms which included visitors' type of activity (hike/walk, jog, bicycle), whether or not visitors had a dog, whether the dog was on a leash, the number of groups, number of people in groups, group activity, number of boats in sloughs, type of boat, and the number of people at the kiosk.

Results: The majority of the visitors to Bair Island hiked or walked (61 percent). About a quarter of visitors jogged (27 percent) and a small percentage biked (7 percent) or boated (5 percent). Over one-third of visitors brought a dog to the area (37 percent) and 60 percent of dogs were on a leash. Joggers appeared to be the most conscientious about their dogs; of the 29 percent who brought dogs, 77 percent of the dogs were on a leash. Despite the difficulty managing a bike and a dog, 43 percent of bicyclists' with dogs had their dog on a leash. People in the dominant user group, walkers and hikers, were not as conscientious about their dogs. Of the 44 percent of hikers and walkers with a dog, only 56 percent had their dog on a leash. In total, 71 percent of all dogs visiting the island came with hikers/walkers. "As only a bit more than half of the hikers/walkers are keeping their dogs on a leash, hikers/walkers are by far the biggest contributors of dog caused wildlife disturbance to the island" (USFWS, 2000).

The amount of use at Bair Island can also be extrapolated from the survey. The results of the survey suggest that 29 people per hour visit Bair Island. Monthly, this would total about 9,000 people and over 100,000 annually. It was estimated that over 40,000 visits to Bair Island would be made by humans with dogs. Additionally, no organized groups were seen on any survey day and very few people read the kiosk without being prompted by the observers to do so.

4.2.7 City of San Mateo Park and Recreation Citizen Survey (2002)

Author: Prepared for the City of San Mateo by National Service Research

Purpose: The survey was done as part of the Comprehensive Park and Recreation Strategic Plan for the City of San Mateo. An important aspect of the plan was to conduct a demand and needs assessment that involved citizen input. The purpose of the needs assessment study was to provide a foundation for the plan that will provide guidance based upon citizen needs and priorities.

Methodology: A mail survey was given to 5,000 randomly selected San Mateo residents with an introduction in English, Spanish, and Cantonese as well as contact information for translation. The survey was mailed September 12, 2002 and 300 surveys were returned (6 percent response rate). National Service Research professional interviewers also conducted 400 surveys by telephone.

Results: Of the respondents who rarely use San Mateo facilities (44 percent of respondents), almost 21 percent use County Parks. The top barriers to using San Mateo facilities include: no time/too busy, not interested, unaware of program offerings, and inconvenient parks/programs. Two of the programs respondents would like to happen more are compatible with a national wildlife refuge: nature study and hiking/walking.

Respondents were also asked to rate priorities on a four point scale for the Park and Recreation tasks. Acquiring/developing trails was rated as second (mean score 3.05), developing Shoreline Park ranked the 4th (mean score 2.86), acquiring/developing creek/lagoon access the 5th (mean score 2.75), and acquiring/developing NEW parks and open space the 6th (mean score 2.74). As for needed recreational facilities, among the 20 listed items the number one choice was again hike/walk trails. Picnic pavilion/areas ranked the 5th and an environmental educational facility ranked 16th.

4.2.8 Regional Economic Analysis (2000)

Author: Prepared for the East Bay Regional Park District (EBRPD) by Economic & Planning Systems, Inc. in association with Strategy Research Institute.

Purpose: The study attempts to determine the economic benefits the EBRPD confers on the East Bay region through creating and maintaining open space, parks, trails, and other recreational facilities. The study and further outreach efforts are part of a larger effort by EBRPD “to ensure its continued vitality and responsiveness to the needs of its constituents.”

Methodology: Two methods were used to create a range of visitation numbers, and the midpoint of that range was used as the estimated total visitation number. The first method involved park unit manager estimates using measurable data like the number of cars in parking lots. The second method was to utilize user studies and voter survey estimates. The results range from about 12.5 million to about 15.5 million visits with a midpoint of 14 million visits. To produce use by activity, the primary data source used was actual use data such as golf rounds, facility rentals, or camping reservations. This data was adjusted based on trail use studies that tracked the proportion of users by activity and by the Longitudinal Monitoring Study that broke down park users by activity type.

Results: Most of the report describes EBRPD parklands, the context within which EBRPD operates, and the economic benefits of EBRPD. There is also visitor use information included in the report. Total annual visitation is estimated to be about 14 million, the majority of which is from East Bay residents (10.65 million) and about a quarter of which is from non-East Bay residents (3.35 million). Two percent (290,000) of total visits are formal educational visits associated with interpretive programs and visitor centers. Of regional trail visits, 20 percent (750,000) of use is estimated to be transportation related and the remaining 13 million visits are recreation related. Of the recreation related visits, 70 percent (9.4 million) involve the activities of walking, hiking, running, biking, dog walking, or picnicking as their primary purpose. The other 30 percent (3.6 million) involve the activities of fishing, swimming, equestrian, camping, golfing, boating, facility rental, or other uses as their primary purpose.

4.2.9 Sacramento National Wildlife Refuge Complex Visitor Use Survey 1997-98

Author: The survey was developed and compiled by two graduate students at California State University at Chico for the Sacramento National Wildlife Refuge.

Purpose: The survey established a visitor profile for the Sacramento National Wildlife Refuge (NWR) to be used to maintain visitor experience and to develop additional environmental education activities.

Methodology: A total of 446 surveys were collected during a 24 day sampling period from September 11, 1997 to March 1, 1998 during the height of the migratory bird season. Questions included the number of times visitors have visited the refuge, how they heard about it, what they did while at the refuge, performance of the NWR in providing various facilities, areas visited within the refuge, and activities of interest.

Results: Most respondents had either never visited the Sacramento NWR before (43 percent) or had visited three or more times (38 percent), suggesting an interesting mix of first time and regular visitors. Most people had learned about Sacramento NWR from friends/relatives (40 percent), highway signs (23 percent), a conservation organization (15 percent), news/magazine (11 percent), or a guidebook (10 percent).

In terms of activities participated in at the refuge, wildlife viewing and auto touring were the most frequently participated in based on 91 and 84 percent of respondents who marked “frequently” respectively for these activities. Other activities that were frequently participated in were wetlands walk (50 percent) and nature photography (32 percent). Picnicking, travel rest stop, wetlands walk, nature photography, and artwork formed the less frequently engaged activities. Hunting and artwork were marked “not at all” by the majority of respondents.

Respondents were also questioned about how long they spent both at certain facilities and overall hours at the refuge. Respondents spent the longest on auto touring with an average of 2 hours and 15 minutes. Respondents spent on average about one hour and 10 minutes on the trails. An average of less than half an hour was spent at the viewing platform (25 minutes), visitor center (23 minutes) and kiosk interpretive panels (10 minutes). Overall, about one-half of visitors spent three hours or less at the refuge. About 21 percent of respondents spent 4 hours on their refuge visit and 23 percent spent 5 hours. The majority of visitors stayed one to two days (88 percent). Group size ranged from one to more than nine people, with “two people” as the most common response (37 percent). Twenty percent of respondents were in groups of 9 or more, with an average group size of 21.

Environmental education activities that interested respondents the most were self-guided walk (80 percent), self-guided exploration (Discovery Packs) (65 percent), exhibits or displays (60 percent) and special refuge events (47 percent). Respondents were less interested in guided tours, guest speakers and audio/video presentations.

4.2.10 Santa Clara County Public Opinion Survey (2001)

Author: Prepared for Santa Clara County Department of Parks and Recreation (SCCDPR).

Purpose: The survey was done to elicit public input about the County’s Parks and contributed to the *Strategic Plan for the Santa Clara County Parks and Recreation System, 2003*.

Methodology: The SCCDPR randomly selected 500,000 county residents for phone interviews. The survey was professionally translated into Spanish and Vietnamese as necessary. The interviews occurred from May 4 -13, 2001. Extra effort was made to match the ethnic diversity of Santa Clara County. The survey sample was 49 percent Caucasian, 20 percent Hispanic, 19 percent Asian, 3 percent African-American, and 8 percent biracial, other or refused. Where possible, results from this survey were compared to the 1999 survey conducted April 17-21, 1999, which also included 500 interviews but were offered in English only.

Results: Nearly one-half of respondents said that they do outdoor leisure activities more than twice a week (48 percent), about a quarter do activities once a week (26 percent) and 17 percent only a few times a month. Walking and running were the most popular outdoor activities, with 58 percent of respondents listing these activities as one of their most frequent activities. Picnicking, biking, and hiking were also popular activities with 20, 19, and 17 percent (respectively) of respondents listing these among their most frequent activities. Over one-half of respondents either drive fewer than 10 minutes or do not drive at all to reach the activity they do most frequently (55 percent). The vast majority of respondents (90 percent) are satisfied with the distance to outdoor activities from their home.

Forty percent of County residents surveyed said they are “very likely” to use a County Park for outdoor activities and 35 percent were “somewhat likely.” Only 13 percent of respondents have used Alviso Marina, the closest County Park to the project area. Of Park users, 81 percent gave the overall quality of County Parks a rating of either “excellent” or “good.” Maintenance and upkeep also received high rating with 75 percent of respondents giving it an “excellent” or “good” rating. Staff/ranger helpfulness and quality of services were given slightly lower ratings with 65 and 61 percent respectively given on excellent/good ratings. The lowest rated were variety of services and entry fees, with 56 and 47 percent of responses on excellent/good ratings.

As for future priorities for County Parks, providing maintenance and improvements in existing parks was rated the highest, with 66 percent of respondents listed this as “very important.” Also listed by 50 to 60 percent of respondents as “very important” were buying land to protect open space and natural resources, preserving natural resources in County parks, developing activities and programs for children and youth, providing diverse recreation experiences and opportunities for all people, and adding patrols and security to parks and trails. Also of note, active facilities, education programs, unpaved trails, paved urban trails, parks with open space and trails, and new regional parks were rated by 71 to 82 percent of respondents as “very” or “somewhat important.” When allowed to only choose one priority as the highest priority for the Santa Clara County Parks and Recreation Department over the next five years, “developing outdoor recreation facilities and programs,” as well as “purchasing land to create new parks and protect natural resources and open space” were selected by 25 percent of respondents each. Fifteen percent chose “developing extensive education programs about nature” and 10 percent chose “upgrading and/or developing new trails” as the highest priority.

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5. REGULATORY FRAMEWORK

Sections 5.1 through 5.2 provide a summary and excerpts of the codes, laws and directives for the California Department of Fish and Game (DFG) and U.S. Fish and Wildlife Service (USFWS), which are the two land-owning and land-managing agencies in the project area. Section 5.3 provides an overview of the San Francisco Bay Conservation and Development Commission (BCDC) jurisdiction over the project area as it relates to recreation and public access. The jurisdiction of these three agencies provides the legal and managerial framework with which to plan and manage existing and proposed recreation and public access for the restoration project. Sections 5.4 and 5.5 present recreation-related plans and policies and City and County General Plans that may have an influence on the development of future recreation and public access facilities and uses proposed as part of the restoration project.

5.1 California Department of Fish and Game

This subsection summarizes the legislative code and DFG policies applicable to public access and recreation on DFG designated ecological reserves. The lands that DFG owns and manages in the project area are known as the Eden Landing Ecological Reserve. Pertinent sections of the California Code of Regulations (CCR) have been included here that address the establishment of Ecological Reserves, the General Rules and Regulations and special regulations that apply to the Reserve.

California Code of Regulations Title 14. Natural Resources, Division 1. Chapter 11. Ecological Reserves.

§ 630. Ecological reserves are established to provide protection for rare, threatened or endangered native plants, wildlife, aquatic organism and specialized terrestrial or aquatic habitat types. Public entry and use of ecological reserves shall be compatible with the primary purposes of such reserves, and subject to the following applicable general rules and regulations, except as otherwise provided for in the special area regulations:

(a) General Rules and Regulations (Recreation and Public Access Only).

- **Fishing.** Fishing shall be allowed in accordance with the general fishing regulations of the commission except that the method of taking fish shall be limited to angling from shore. No person shall take fish for commercial purposes in any ecological reserve except by permit from the California Fish and Game Commission.
- **Motor Vehicles.** No person shall drive, operate, leave, or stop any motor vehicle, bicycle, tractor, or other type of vehicle in an ecological reserve except on designated access roads and parking areas.
- **Swimming.** No person shall swim, wade, dive, or use any diving equipment within an ecological reserve except as authorized under the terms of a permit issued pursuant to subsection (3).
- **Boating.** No person shall launch or operate a boat or other floating device within an ecological reserve except by permit from the commission.
- **Trails.** The department may designate areas within an ecological reserve where added protection of plant or animal life is desirable, and may establish equestrian or walking trails or paths within such designated areas. No person shall walk or horseback-ride in such areas except upon the established trails or paths.

- **Firearms.** No person shall fire or discharge any firearm, bow and arrow, air or gas gun, spear gun, or any other weapon of any kind within or into an ecological reserve or possess such weapons within an ecological reserve, except law enforcement personnel and as provided for in individual area regulations that allow for hunting.
- **Ejection.** Employees of the department may eject any person from an ecological reserve for violation of any of these rules or regulations or for any reason when it appears that the general safety or welfare of the ecological reserve or persons thereon is endangered.
- **Public Entry.** Public entry may be restricted on any area at the discretion of the department to protect the wildlife, aquatic life, or habitat. No person, except state and local law enforcement officers, fire suppression agencies and employees of the department in the performance of their official duties or persons possessing written permission from the department, may enter any ecological reserve, or portion thereof, which is closed to public entry. No person may enter any ecological reserve between sunset and sunrise except with written permission from the Department, which may be granted for purposes including night fishing in accordance with subsection (a) (2) from designated shore areas only. A \$2.00 day use pass or a valid \$10.00 annual wildlife pass is required of all users of Elkhorn Slough and Upper Newport Bay ecological reserves except for users that possess a valid California sport fishing license, hunting license or trapping license, or users that are under 16 years of age or users that are part of an organized youth or school group and having free permits issued by the appropriate regional office. Refer to subsection 550(b) (16) (B), Title 14, CCR, for regulations for fee requirements for wildlife areas.
- **Introduction of Species.** Unless authorized by the commission, the release of any fish or wildlife species, including domestic or domesticated species, or the introduction of any plant species, is prohibited. The department may reintroduce endemic species on ecological reserves for management purposes.
- **Feeding of Wildlife.** The feeding of wildlife is prohibited.
- **Litter.** No person shall deposit, drop, or scatter any debris on any ecological reserve except in a receptacle or area designated for that purpose. Where no designated receptacles are provided, any refuse resulting from a person's use of an area must be removed from that area by such person.
- **Aircraft.** No person shall operate any aircraft or hovercraft within a reserve, except as authorized by a permit from the commission.
- **Pets.** Pets, including dogs and cats, are prohibited from entering reserves unless they are retained on a leash of less than ten feet or are inside a motor vehicle, except as provided for in individual area regulations that allow for hunting or training activities.
- **Fires.** No person shall light fireworks or other explosive or incendiary devices, or start or maintain any fire on or in any reserve, except for management purposes as provided in subsection (a)(1).
- **Camping.** No person shall camp on/in any ecological reserve.
- **Vandalism.** No person shall tamper with, damage or remove any property not his own when such property is located within an ecological reserve.

(b) Areas and Special Regulations for Use (45) Eden Landing Ecological Reserve, Alameda County.

- (A) No person shall enter this reserve except on designated trails without written permission or by posted notice of the regional manager.
- (B) No person shall walk, ride horses or bicycles, except on designated trails.
- (C) Dogs are restricted to designated trails and designated hunting areas during the waterfowl season. In designated hunting areas, dogs may be off leash only for hunting during waterfowl season and must be under voice control at all times.
- (D) Waterfowl hunting shall be permitted, but only at such times and in specific areas as designated by the department. Waterfowl shall be taken in accordance with the general waterfowl regulations.
- (E) Fishing shall be permitted from boats and from shore, but only at such times and in specific areas as designated by the department.
- (F) Commercial bait fishing for brine shrimp may occur only at such times and in specific areas as designated by the department.
- (G) The department may issue permits to conduct biological research or monitoring compatible with the primary purposes of the reserve.

5.2 U. S. Fish and Wildlife Service

This section summarizes the legislative mandates (Laws and Executive Orders) and USFWS directives that guide public use and recreation on USFWS lands [National Wildlife Refuges (NWRs)]. These are described below and summarized in Table 2.

5.2.1 Laws

The National Wildlife Refuge System (NWRs) Administration Act of 1966 [16 United State Code (USC) 668dd-668ee, as amended] states that the USFWS focuses the mission of the NWRs on conservation of fish, wildlife, and plant resources and their habitats. The Administration Act closes national wildlife refuges to all uses until a compatibility determination has been made. The Secretary of the Interior (Secretary) may open refuge areas to any use, including hunting and/or fishing, upon a determination that such uses are compatible with the purposes of the refuge and the NWRs mission. The action also must be in accordance with provisions of all laws applicable to the areas, developed in coordination with the appropriate state fish and wildlife agencies, and consistent with the principles of sound aquatic and wildlife management and administration. These requirements ensure that the USFWS maintains the biological integrity, diversity, and environmental health of the NWRs for the benefit of present and future generations of Americans.

The Administration Act and Refuge Recreation Act (Recreation Act) of 1962 (16 USC 460k-460k-4) governs the administration and public use of NWRs. The Recreation Act authorizes the Secretary to administer areas within the NWRs for public recreation as an appropriate incidental or secondary use only to the extent that doing so is practicable and not inconsistent with the primary purpose(s) for which Congress and the USFWS established the areas. The Recreation Act also authorizes the Secretary to issue regulations to carry out the purposes of the Acts and regulate uses.

Table 2
USFWS Applicable Laws, Executive Orders, and Directives

| LAW, EXECUTIVE ORDER, OR DIRECTIVES | DESCRIPTION |
|---|--|
| Laws and Executive Orders | |
| The National Wildlife Refuge System Administration Act of 1966 (16 USC 668dd-668ee) | Outlines administration, management, and planning for National Wildlife Refuges. |
| The Refuge Recreation Act of 1962, as amended (16 USC 460k-460k-4) | Provides for recreation use that is compatible with the primary purpose of a refuge. |
| National Wildlife Refuge System Improvement Act of 1997 (PL 105-57) | Amends the National Wildlife Refuge System Administration Act of 1966. Requires development of Comprehensive Conservation Planning (CCPs) for all refuges outside of Alaska. Makes wildlife conservation the overarching mission of the NWRS and gives priority to wildlife-dependent uses, namely fishing, hunting, wildlife observation and photography, and environmental education and interpretation. |
| Fish and Wildlife Programs Improvement and National Wildlife Refuge Centennial Act of 2000 (PL 106-408) | Amends the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act. Reauthorizes and amends the National Fish and Wildlife Foundation Establishment Act. Highlights activities focused on the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903. |
| Executive Order 12962, Recreational Fisheries (June 7, 1995) | Provides a mechanism for establishing regular and meaningful consultation and collaboration with tribal officials in the development of Federal policies that have tribal implications. |
| Executive Order 12996, Management and General Public Use of the NWRS (March 25, 1996) | Affirms four guiding principles for the management and general public use of the NWRS including public use, habitat, partnerships, and public involvement. |
| Directives | |
| USFWS Manual Part 602: Refuge Planning – Comprehensive Conservation Planning (release on June 21, 2000) | Guidance for NWRS planning, including specific chapters on the CCP Process and Step-Down Management Planning (project-level or action-specific planning). |
| USFWS Manual Part 603: National Wildlife Refuge System Uses – Compatibility Determinations (release on November 17, 2000) | Provides policy for determining compatibility of proposed and existing uses of refuges and applies to all proposed and existing uses of refuges where the USFWS has jurisdiction over such uses. |
| USFWS Manual Part 611: Special Area Management (no release date) | Policies governing management and use of Research Natural Areas, Public Use Natural Areas, Wild and Scenic Rivers, and National Trails. |
| USFWS Manual Part 630: Public Use – General (no release date) | Policies governing regulations affecting public use including entrance and user fees, audio-visual productions, concessions, visitor protection, and public use related structures. |
| USFWS Manual Part 631: Wildlife Oriented Recreation (no release date) | Policies governing regulations affecting public use including hunting, fishing, trapping, field trials, and watchable wildlife. |
| USFWS Manual Part 632: Non-Wildlife Oriented Recreation (no release date) | Policies governing regulations affecting public use including off-road vehicles, and motor boats and water-skiing. |

Table 2
USFWS Applicable Laws, Executive Orders, and Directives

| LAW, EXECUTIVE ORDER, OR DIRECTIVES | DESCRIPTION |
|--|---|
| Director's Order No. 109: Use of Specimens Collected on USFWS Lands (issued March 30, 1999, amended March 31, 2004, expires March 31, 2005) | Requires that a clause regarding the use of specimens be included in all Special Use Permits when the permitted will be collecting specimens from USFWS lands. |
| Director's Order No. 132: NWRS Mission, Goals, and Purposes (issued January 18, 2001, amended March 31, 2004, expires March 31, 2005) | Reiterates the mission of the NWRS, how it relates to the mission of the USFWS, and explains the relationship of the System mission and goals, and the purpose(s) of each unit of the System. |
| Director's Order No. 139: Concession Contracts (issued November 7, 2001, amended December 31, 2003, expires March 31, 2004) | Establishes the scope, policies, authorities, and responsibilities for concession contracts within the NWRS. |
| Director's Order No. 152: Allowable Recreational Activities and Related Facilities on Federal Assistance Lands (issued June 1, 2003, expires September 30, 2004) | Provides guidance on recreational activities conducted and related facilities constructed on lands acquired, developed, or managed with Federal Assistance funds under the Sport Fish and Wildlife Restoration Programs. |
| National Policy Issuances – various | Promulgate the Director's national policies for managing the USFWS and its programs. |
| Handbooks – various | Explain how to comply with directives. They do not have regulatory effect, but may be used to convey good or acceptable practices. They may be used also to compile existing directives. Handbooks are cross-referenced in and considered to be a part of the USFWS Manual. |

Source: USFWS, 2004b

Amendments enacted by the National Wildlife Refuge System Improvement Act (Improvement Act) of 1997 (PL 105-57) build upon the Administration Act in a manner that provides an “Organic Act” for the System similar to those that exist for other public federal lands. The Improvement Act serves to ensure that the USFWS effectively manages the NWRS as a national network of lands, waters, and interests for the protection and conservation of the Nation's wildlife resources. As described above, the Administration Act states that the mission of the NWRS is to conserve fish, wildlife, and plant resources and their habitats. The Improvement Act requires the Secretary, before allowing a new use of a refuge, or before expanding, renewing, or extending an existing use of a refuge, to determine that the use is compatible. The Improvement Act established as the policy of the United States that wildlife-dependent recreation, when compatible, is a legitimate and appropriate public use of the NWRS, through which the American public can develop an appreciation for fish and wildlife. The Improvement Act established six wildlife-dependent recreational uses, when compatible, as the priority general public uses of the NWRS. These uses, sometimes referred to as the “Big Six” or “Priority Uses” are: hunting, fishing, wildlife observation, photography, environmental education, and interpretation.

On November 1, 2000, the Fish and Wildlife Programs Improvement and National Wildlife Refuge Centennial Act (PL 106-408) was approved. This Act serves three main purposes:

1. It amended the Pittman-Robertson Wildlife Restoration Act and the Dingell-Johnson Sport Fish Restoration Act to enhance the funds available for grants to states for fish and wildlife conservation projects.
2. It reauthorized and amended the National Fish and Wildlife Foundation Establishment Act.
3. It highlighted activities focused on the centennial of the establishment of the first national wildlife refuge in the United States on March 14, 1903, including long term planning and annual reporting requirements regarding operation and maintenance backlog, authorization of appropriations, among others.

5.2.2 Executive Orders

Executive Order 12962, Recreational Fisheries, was signed on June 7, 1995. The order's focus is on the future health and diversity of the United State's recreational fisheries, in the following five areas:

1. *Federal Agency Duties.* The order directed all federal agencies, to the extent permitted by law and where practicable, and in cooperation with States and Tribes, to improve the quantity, function, sustainable productivity, and distribution of U.S. aquatic resources for increased recreational fishing opportunities through a variety of activities.
2. *National Recreational Fisheries Coordination Council.* The order established a National Recreational Fisheries Coordination Council to coordinate activities, share resources, and reduce duplicative programs. The Coordination Council consists of seven members, one member designated by each of the following Secretaries – Interior, Commerce, Agriculture, Energy, Transportation, and Defense – and one by the Administrator of the Environmental Protection Agency.
3. *Recreational Fishery Resources Conservation Plan.* The order directed the Coordination Council, in consultation with Federal Agencies, States, and Tribes, to develop a comprehensive Recreational Fishery Resources Conservation Plan (Conservation Plan) aimed at coordinating and implementing comprehensive measures that support a viable and healthy recreational fishery. The plan would provide measures to evaluate achievements and ensure accountability.
4. *Joint Policy for Administering the Endangered Species Act (ESA) of 1973.* The order mandated all federal agencies to aggressively work to identify and minimize conflicts between recreational fisheries and their respective responsibilities under ESA. It also required the USFWS and NOAA Fisheries Service to promote compatibility and reduce conflicts between the administration of ESA and recreational fisheries by developing joint policy aimed at consistency, collaboration, and increased awareness of ESA requirements.
5. *Sport Fishing and Boating Partnership Council.* The order authorized the Secretary to expand the Sport Fishing and Boating Partnership Council's role through monitoring, increased review, and preparation of annual reports.

Executive Order 12996, Management and General Public Use of the NWRS, was signed March 25, 1996. The order's focus is affirmation of four guiding principles for the management and general public use of the NWRS, including:

1. *Public Use.* The order recognizes six compatible wildlife-dependent recreation uses, such as hunting, fishing, wildlife observation, photography, and environmental education and interpretation, as priority uses of the NWRs.
2. *Habitat.* The order recognizes the value of high-quality habitat, fish, and wildlife, and thus the need to continue conservation and enhancement of the quality and diversity of fish and wildlife habitat within refuges.
3. *Partnerships.* The order recognizes that conservation partnerships with other federal agencies, state agencies, tribes, organizations, industry, and the general public can make significant contributions to the growth of the NWRs.
4. *Public Involvement.* The order recognizes that the public should be given a full and open opportunity to participate in decisions regarding acquisition and management of refuges.

5.2.3 USFWS Directives

The USFWS operates the Directives System, which contains the current policy and management directives that affect the daily activities of the FWS and its employees. The directives system consists of the FWS Manual, Director's Orders, and National Policy Issuances. All directives are published on the USFWS directives home page (<http://policy.fws.gov/direct.html>).

5.2.4 USFWS Manual

The USFWS Manual describes the structure and functions of USFWS' organizational units, documents delegations of the director's authority, and prescribes the policies and procedures for administrative activities and program operations. It is used to communicate instructions, provide guidance in administrative and program operations, and serves as the primary source of information on organizational structure, authority to function, policy, and general procedures. The manual has regulatory force and effect within the USFWS. It implements USFWS' authorities and the director's policies, and steps down the USFWS' compliance with other requirements, such as statutes, executive orders, departmental directives, and regulations of other agencies.

The manual is organized into major groupings called series, and further divided into parts and chapters. Series 600, Land Use and Management, contains the following parts that are most applicable to public use and recreation of refuge lands.

Refuge Planning (Part 602) – Comprehensive Conservation Planning (CCP). Part 602 and its subparts provide guidance for NWRs planning, including specific chapters on the CCP Process and Step Down Management Planning (project level or action-specific planning). CCPs and associated step down plans provide refuge managers and staff with long range guidance (generally 15 – 25 years). A CCP acts as the framework and foundation for each refuge under which future decisions are made and based, including public use and recreation. Compatibility determinations (see Part 603 below) on various uses of refuge lands and/or resources are often included as part of a CCP.

National Wildlife Refuge System Uses (Part 603) – Compatibility Determinations. This part provides policy for determining compatibility of proposed and existing refuge uses, and applies to all uses under

USFWS jurisdiction. A refuge manager is not allowed to initiate or permit a new use of a refuge or expand, renew, or extend an existing use unless he has determined that the use is compatible. A compatible use is a proposed or existing wildlife-dependent recreational use or any other use of a refuge, which will not materially interfere with or detract from the NWRS mission or the purposes of the refuge.

An opportunity for public review and comment is required for all compatibility determinations. Public review and comment can occur concurrently with the draft plan and associated National Environmental Policy Act (NEPA) document. For compatibility determinations prepared separately from a plan, the USFWS must determine the appropriate level of opportunity for public review and comment through a tiered approach based on complexity, controversy, and level of impact to the refuge.

Special Area Management (Part 611) – This part covers policies governing management and use of Research Natural Areas, Public Use Natural Areas, Wild and Scenic Rivers, and National Trails.

Public Use – General Part 630) – This part covers policies governing regulations affecting public use including entrance and user fees, audio-visual productions, concessions, visitor protection, and public use related structures.

Wildlife Oriented Recreation (Part 631) – This part covers policies governing regulations affecting public use including hunting, fishing, trapping, field trials, and watchable wildlife.

Non-Wildlife Oriented Recreation (Part 632) – This part of the Manual covers policies and governing regulations affecting public use including off-road vehicles, motor boats and waterskiing.

5.2.5 Director's Orders

Director's orders are limited to temporary policy, procedures, delegations of authority, emergency regulations, special assignments of functions, and initial functional statements on the establishment of new organizational units. All directors' orders must be converted as soon as practicable to appropriate parts of the USFWS manual or removed. Following are the applicable and current director's orders related to public use and recreation on refuges:

Director's Order No. 109 – Use of Specimens Collected on Fish and Wildlife Service Lands. This order requires that a clause regarding the use of specimens be included in all special use permits when the permittee will be collecting specimens from USFWS lands. This is intended to help protect resources and avoid potential problems regarding bio-prospecting.

Director's Order No. 132 – NWRS Mission, Goals, and Purposes Lands. This order reiterates the mission of the NWRS, and how it relates to the mission of the USFWS, and explains the relationship of the Directives System mission and goals, and the purpose of each unit within the system. This order provides goals for the system and guidance for identifying and determining the purpose(s) of each unit within the system. This order also provides guidance for the use of goals and purposes in the administration and management of the system.

Director's Order No. 139 – Concession Contracts Lands. This order establishes the scope, policies, authorities, and responsibilities for concession contracts within the NWRS. It applies to concession operations at refuges and other system administrative sites (except for Alaska). Concession operations provide educational, interpretive, and recreational services to the visiting public. Project leaders may use concession contracts to provide wildlife-dependent and other activities detailed in the NWRS Improvement Act of 1997.

Director's Order No. 152 – Allowable Recreational Activities and Related Facilities on Federal Assistance Lands. This order provides guidance on recreational activities conducted and related facilities constructed on lands acquired, developed, or managed with federal assistance funds under the Sport Fish and Wildlife Restoration Programs. It applies to all USFWS personnel who administer (concur or approve) grants funded through the Sport Fish and Wildlife Restoration Programs.

5.2.6 National Policy Issuances

National Policy Issuances promote the director's national policies for managing the USFWS and its programs. These policies are necessarily broad and generally require management discretion or judgment in their implementation. They represent the director's expectations of how the USFWS and its employees will act in carrying out their official responsibilities.

5.2.7 Handbooks

Handbooks explain how to comply with directives. They do not have regulatory effect, but may be used to convey good or acceptable practices. Handbooks are cross referenced in, and considered a part of, the USFWS Manual. Their structure and content must be coordinated with the Division of Policy and Directives Management.

5.3 San Francisco Bay Conservation and Development Commission

The McAteer-Petris Act (California Government Code 66600-66682) is the key legal provision under California state law that preserves the San Francisco Bay from indiscriminate filling. Enacted on September 17, 1965, this law established the BCDC as a temporary state agency charged with preparing a plan for the long term use of the San Francisco Bay (Bay Plan). In August 1969, the McAteer-Petris Act was amended to make BCDC a permanent agency and to incorporate the policies of the Bay Plan into state law. The McAteer-Petris Act also specifies the composition of the Commission, the scope of its authority, and the area of its jurisdiction over San Francisco Bay and the shoreline. Since 1969 the Legislature has amended the McAteer-Petris Act several times, but the general character, scope of authority, and area of jurisdiction remain the same.

§66610 of the McAteer-Petris Act defines the jurisdiction of BCDC to include areas that are subject to tidal action in San Francisco Bay, including all sloughs, marshlands lying between mean high tide and five feet above mean sea level, tidelands (land lying between mean high tide and mean low tide), and submerged lands (land lying below mean low tide). In addition, BCDC's jurisdiction also includes a

shoreline band consisting of territory located between the San Francisco Bay shoreline and 100 feet landward of and parallel with that line, as well as salt ponds, managed wetlands, and certain waterways.

Relevant sections of the code that relate to recreation and public access are excerpted below.

§66602. Findings and Declarations as to Necessity for Providing Locations for Water-Oriented Land Uses and Increased Public access to Shoreline and Waters. The Legislature further finds and declares that certain water-oriented land uses along the bay shoreline are essential to the public welfare of the bay area, and that these uses include ports, water-related industries, airports, wildlife refuges, water-oriented recreation and public assembly, desalinization plants, upland dredged material disposal sites, and power plants requiring large amounts of water for cooling purposes; that the San Francisco Bay Plan should make provision for adequate and suitable locations for all these uses, thereby minimizing the necessity for future bay fill to create new sites for these uses; that existing public access to the shoreline and waters of the San Francisco Bay is inadequate and that maximum feasible public access, consistent with a proposed project, should be provided.

§66602.1. Recognizes the importance of salt ponds and managed wetlands, and encourages continued maintenance and operation of these resources. However, if development is proposed for these areas, then the development should provide the maximum public access to the bay consistent with the proposed project and should retain the maximum amount of water surface area consistent with the proposed project.

§66632.4. Permits for Projects within Shoreline Band Located Outside Boundaries of Water-Oriented Priority Land Uses. Within any portion or portions of the shoreline band that are located outside the boundaries of water-oriented priority land uses, as fixed and established pursuant to Section 66611, the commission may deny an application for a permit for a proposed project only on the grounds that the project fails to provide maximum feasible public access, consistent with the proposed project, to the bay and its shoreline. When considering whether a project provides maximum feasible public access in areas of sensitive habitat, including tidal marshlands and mudflats, the commission shall, after consultation with the California Department of Fish and Game (DFG), and using the best available scientific evidence, determine whether the access is compatible with wildlife protection in the bay.

5.3.1 The San Francisco Bay Plan (Bay Plan)

The Bay Plan was prepared during three years of study and public deliberation by the members of the BCDC, staff from city, county, state, and federal agencies, technical experts from university faculties, and staff from business organizations. In addition, BCDC was assisted by a 19-member Advisory Committee. BCDC published 23 volumes of technical reports as part of the study.

The plan was completed and adopted by BCDC in 1968 and was transmitted to the California Legislature and the Governor in 1969. Through those actions, BCDC completed the original responsibilities of the McAteer-Petris Act of 1965.

The Bay Plan covered the following issues as required by the law:

- The results of the BCDC detailed study of the San Francisco Bay;
- The comprehensive plan adopted by BCDC for the conservation of the water of San Francisco Bay and the development of its shoreline;
- BCDC recommendations of the appropriate agency to maintain and carry out the Bay Plan;
- BCDC estimate of the approximate funding that would be required to maintain and carry out provisions of the plan for the San Francisco Bay; and
- Other BCDC information and recommendations.

The California Legislature received and acted upon the BCDC report and recommendations in 1969. The revised McAteer-Petris Act adopted by the legislature and signed into law by the governor designated BCDC as the agency responsible for maintaining and carrying out the Bay Plan for the maintenance and protection of San Francisco Bay. The BCDC may amend the plan, so long as the changes are consistent with the findings and declarations of policy in the law. BCDC has adopted a number of amendments to the plan, including the most recent 2003 amendment. Currently BCDC is in the process of amending the Salt Pond section of the Bay Plan and further changes are pending. Major policies related to recreation and public access in the existing plan include:

- Develop Waterfront Parks and Recreation Facilities. New shoreline parks, beaches, marinas, fishing piers, scenic drives, and hiking or bicycling pathways should be provided to meet the increasing recreational needs. The San Francisco Bay and its shoreline offer particularly important opportunities for recreational development in urban areas. It is assumed the largest possible portion of the total regional requirement should be provided adjacent to the bay.
- Recreational facilities should be encouraged, providing they would be feasible from an engineering viewpoint, would not have significant adverse effects on water quality and circulation, would not result in inadequate flushing, would not destroy valuable tidal marshes or flats, and would not harm identified valuable fish and wildlife resources.
- Public access to some natural areas should be provided to permit study and enjoyment of these areas. However, projects in sensitive wildlife habitats should be evaluated in consultation with appropriate agencies to determine the appropriate location and type of public access.
- In determining the potential for significant local and regional adverse effects (such as impacts on endangered species, impacts on breeding and foraging areas, or fragmentation of wildlife corridors), site specific information, the best available scientific evidence, and expert advice should be used. If significant adverse effects cannot be avoided, then in lieu public access should be provided.
- Siting, design and management strategies should be informed by the advisory principles in the Public Access Design Guidelines adopted by BCDC. In order to achieve high design quality, BCDC's Design Review Board, composed of design and planning professionals, should review and advise on the proposed design that affects the appearance of the bay in accordance with the Bay Plan policies and the Public Access Design Guidelines.
- Access to and along the waterfront should be provided by walkways, trails, or other means in connection to the nearest public thoroughfare where convenient parking or public transit may be available. Diverse and interesting public access experiences should be provided which would encourage users to remain in the designated access areas to avoid or minimize potential adverse effects on wildlife and their habitat.

- Federal, state, regional and local jurisdictions, special districts, and BCDC should cooperate to provide appropriately sited, designed and managed public accesses, especially to link the entire series of shoreline parks, regional trail systems (such as the San Francisco Bay Trail) and existing public access areas.
- Public access should be integrated early in the planning and design of San Francisco Bay habitat restoration projects to maximize public access opportunities and to avoid significant adverse effects on wildlife.
- Development of the salt ponds or marshes should provide for retaining substantial amounts of open water and public access to the bay. Recreational developments such as marinas and small parks should be built in appropriate areas outboard of the present salt ponds or in sloughs; but these development should not jeopardize the salt production or prevent future opening of ponds to the bay.

5.4 Recreation-related Plans and Policies

5.4.1 South Bay Salt Ponds Initial Stewardship Plan

The DFG and the USFWS published the *South Bay Salt Ponds Initial Stewardship Plan* (ISP) in June 2003. Subsequently, a Draft Environmental Impact Report / Environmental Impact Statement (EIR/EIS) was published in December 2003 and the Final EIR/EIS was published in April 2004 and the Record of Decision was completed on May 11, 2004. The ISP describes the interim operation and maintenance of the former Cargill ponds prior to the development of the long term plan, and the EIR/EIS evaluated the environmental impacts that could occur with implementation of the ISP. The ISP does not provide specific management guidelines or regulations regarding open space or recreation.

The ISP summarizes relevant regional plans that support open space, recreation, and public access uses. It does not provide policies or regulation associated with management of recreation or open space; rather, it references those documents that provide guidance on wetland restoration and address public access and recreation. The ISP indicates that many of the land use and open space elements for the county and cities are outdated, and land use planning documents and programs often supersede the documents and programs of local jurisdictions with respect to planning, protection, and restoration of lands within the Estuary. The San Francisco Bay Conservation and Development Commission's (BCDC) *San Francisco Bay Plan* (see section 5.3.1), the San Francisco Estuary Project's (SFEP) *Comprehensive Conservation Management Plan* (CCMP), the *Baylands Ecosystem Habitat Goals Report*, the *San Francisco Bay Joint Venture (SFBJV) Implementation Strategy*, and the *San Francisco Bay Trail Plan* were reviewed in the ISP for their wetland restoration goals and objectives, some of which include support for recreational opportunities. Plans with relevance to recreation are further described below.

5.4.2 Baylands Ecosystem Habitat Goals Report

The *Baylands Ecosystem Habitat Goals Report* was prepared by the San Francisco Bay Area Wetlands Ecosystem Goals Project (Goals Project) and published in 1999. The report is intended to be a guide for restoring and improving the baylands and adjacent habitats of the San Francisco Estuary. Recommendations in the report were developed through a consensus process with the input of more than

100 participants representing local, state, and federal agencies, academia, and the private sector. The report recommends the types, extent, and distribution of habitats needed to sustain healthy wetlands ecosystems in the South Bay and identifies the Cargill salt ponds as a key area to restore in the South Bay. It contains specific and general recommendations on a variety of public policy issues, including public access, to provide guidance to the project planners, agency personnel, and landowners for implementing its recommendations.

The report recognizes the need to balance public access with wildlife. Therefore, the document recommends the assessment of opportunities and constraints for public access during the design phase of all restoration activities. It recommends the following for agencies responsible for authorizing, planning, or requiring public access:

- Limit or prohibit public access in areas of high biological value during nesting seasons or other appropriate times of the year.
- Provide limited access for compatible wildlife-dependent activities, such as fishing, wildlife observation, or environmental education in areas of higher biological value that can support such activities.
- Provide interpretive signs along trails and focus access on a destination, such as a pier or overlook deck, to limit intrusion into wetlands.
- Minimize construction of extensively improved “loop” trails.
- Emphasize high quality wildlife viewing experiences that minimally affect wildlife.
- Place heavy use recreational trails whose primary purpose is not wildlife-dependent (e.g., hiking, biking trails) at inland locations or along the upland edge of buffers, as far as possible from wetlands.
- Actively enforce access restrictions. Where necessary, establish and enforce appropriate restrictions on dogs to protect wildlife.
- Provide animal-proof trash receptacles at trailheads and do not allow trash to accumulate.
- Prohibit feeding of wildlife or feral animals.
- Develop a program to educate the public about the many benefits of wetlands. This will foster public awareness of, and appreciation for, wetlands and will encourage voluntary compliance with wetland conservation efforts.

The report states that “many of these restrictions on public access are necessary because of the extensive losses of tidal marsh and transitional habitat along the South Bay edge. But, as restoration and enhancement projects increase the amount and quality of these habitats, and as populations of marsh-dependent threatened and endangered species rebound, public access impacts to wildlife may become less significant.”

5.4.3 San Francisco Bay Joint Venture (SFBJV) Implementation Strategy

The SFBJV was formed in 1995 to bring together public and private agencies, conservation groups, development interests, and others seeking to collaborate in restoring wetlands and wildlife habitat within the San Francisco Bay Estuary. It is one of 13 similar habitat joint ventures formed in the United States. In 2001, SFBJV published a 20-year collaborative plan for the restoration of wetland and wildlife in the

San Francisco Bay region called Restoring the Estuary: an Implementation Strategy for the SFBJV. The Implementation Strategy builds on the science-based recommendations of the Goals Project and establishes specific acreage goals for wetlands, including bay habitats, seasonal wetlands, and creeks and lakes. The Implementation Strategy lays out programmatic and cooperative strategies for accomplishing these goals. Over the next two decades, the SFBJV partners have agreed to acquire, restore or enhance 260,000 acres of a variety of wetlands types located throughout the San Francisco Bay Estuary. The primary goal of the SFBJV is to protect, restore, increase and enhance all types of wetlands, riparian habitat and associated uplands throughout the San Francisco Bay region to benefit waterfowl and other fish and wildlife populations. Although no specific goals have been developed to address recreation and public access opportunities, the Implementation Strategy recognizes the contribution of recreation activities at wetlands (e.g., fishing, hunting, and bird watching) to the economy.

5.4.4 The Bay Trail Plan

The Bay Trail Plan proposes the development of a 500-mile regional hiking and bicycling trail around the perimeter of San Francisco and San Pablo Bays. According to the Association of Bay Area Governments (ABAG) pursuant to Senate Bill 100, the Bay Trail must provide connections to existing park and recreation facilities, create links to existing and proposed transportation facilities, and be planned in order to avoid adverse effects on environmentally sensitive areas. While over 253 miles of the trail already exists, the completed Bay Trail system will include a network of spine trails (recreational corridors linking all nine counties), spur trails (linking spine trails to general points of interest inland), and connector trails (restricted links to sensitive, educational, and employment areas inland). Upon completion, the Bay Trail will connect more than 90 parks and publicly-accessible open space areas, as well as providing connections to future “water trails” for a truly unique experience. The Bay Trail will also provide access across all of the Bay Area’s toll bridges, and increased options for trail access from homes and worksites. All activities within the Bay Trail Plan are specifically designed to protect environmentally sensitive areas.

The Bay Trail Plan contains the following policy guidelines: trail alignment policies, trail design policies, environmental protection policies, transportation access policies, and implementation policies. Trail alignment policies reflect the overall goals for the Bay Trail, which is to create a “ring around the bay.” Trail design policies emphasize the importance of a trail system that is accessible to the widest range of users and uses, while respecting the natural or built environments that it passes through. Environmental protection policies specifically address the importance of San Francisco Bay’s natural environment. Transportation access policies underscore the need for bicycle and pedestrian access on Bay Area toll bridges, and implementation policies define the means in which the Bay Trail will be successfully implemented and managed.

5.4.5 Strategic Plan for Santa Clara County Parks and Recreation System

The Santa Clara Parks and Recreation Department (SCCPRD) system of parks encompass approximately 45,000 acres within 27 park units. These parks provide a wide variety of outdoor recreation and interpretive opportunities for county residents. There are two major challenges facing the county park system; projected population growth and the adequacy of funding. The population of Santa Clara County

has grown from 642,315 in 1960 to over 1,600,000 today, and the Park Charter Fund is inadequate to address the projected financial requirements of the county's park and recreation system.

A long term plan is needed to address the public recreation needs of the county and its growing diverse population. The Strategic Plan, approved by the Santa Clara County Board of Supervisors on August 5, 2004, is intended to incorporate and build upon existing policies and plans such as the County General Plan and Countywide Trails Master Plan (described below). The plan is envisioned to become a blueprint for the county's parks, reflecting the county's needs and directing the county's role and other stakeholders' roles in offering diverse recreation opportunities. The plan was prepared under the direction of a dedicated, nine-member Strategic Plan Steering Committee composed of seven county parks and recreation commissioners, the director and deputy director of the SCCPRD. The committee, SCCPRD staff, and general public worked for over two years to create the plan.

The regional park and outdoor recreation needs were identified by the committee and department staff through an extensive public outreach program including workshops, focus group discussions, and a statistically valid telephone survey. The plan assesses the outdoor recreation opportunities that regional parks and open spaces provide, and how their resources may be managed and enhanced to meet the needs of the growing population.

Seventeen regional park and outdoor recreation needs are summarized within five topical areas. These areas are population and growth, demand for recreation opportunities, equitable access, optimal park use, and partnership. Values, defined as the qualities that create the foundation upon which the vision and strategies for the county's regional park system are built, were characterized in five themes. These themes are: quality of life, balance, experience, quality of resources, and community.

A comprehensive set of 56 strategies that implement the plan vision are organized into the following eight goals:

- Strategic Goal #1: A system of parks and trails of regional significance sufficient to accommodate growth.
- Strategic Goal #2: A Strategic Plan that includes parks, trails, recreation and open space lands owned by others in addition to the county.
- Strategic Goal #3: An interconnected system of regional parks and trails that are accessible, of the highest quality, and community-supported.
- Strategic Goal #4: A system of regional parks and trails that is balanced with resource protection.
- Strategic Goal #5: A leadership role by the county that engages all potential partners (public agencies, nonprofits, private groups, and Parks and Recreation staff) in implementing the Strategic Plan.
- Strategic Goal #6: A system of regional parks and trails that fosters education and research.
- Strategic Goal #7: Maintenance and implementation of the Strategic Plan so it remains a dynamic guide for the Parks Department.
- Strategic Goal #8: Adequate funding to implement the Santa Clara County Parks and Recreation Strategic Plan on a timely basis.

Prioritized tasks were created and are organized within twelve individual action plans representing all of the department's major programs. These twelve action plans are: 1) partnership/volunteers; 2) natural resource management; 3) countywide trails; 4) outdoor recreation program; 5) interpretive program; 6) marketing/customer service; 7) operations; 8) maintenance; 9) capital improvement program; 10) acquisition; 11) staffing/organization; and 12) funding.

5.4.6 Santa Clara Countywide Trails Master Plan

The *Santa Clara County Trails Master Plan Update* was prepared by the Santa Clara County Trails Master Plan Advisory Committee and is an element of the Santa Clara County General Plan. This document, along with its Supplemental EIR, formed the basis for the General Plan Amendment. The Santa Clara County Board of Supervisors adopted the recommendations and updated the trails policies and trails map of the Santa Clara County General Plan on November 14, 1995.

The goal of the Plan Update is to direct the County's trail implementation efforts through provision of objectives and policies that include:

- To build a realistic trail system that effectively meets the needs of county residents;
- To respect private property rights through due process in the detail planning and design of trails;
- To provide responsible trail management and inform the trail user that the idea of "shared-use" includes respecting adjacent land uses;
- To accept responsibility for any liability arising from the public's use of county trails; and
- To implement trails involving private property only when the landowner is a willing participant in the process.

The Plan Update presents a summary of the planning background and a proposed master plan for trails. It also updates the strategies and policies previously identified in the General Plan. The revised trail strategies are as follows:

- Strategy #1: Plan for Trails
- Balance Recreation and Other Public Trail Needs, Environmental and Landowner Concerns
- Implement the Planned Trail Network
- Adequately Operate and Maintain Trails
- Establish Priorities
- Facilitate Inter-Jurisdictional Coordination

The Plan Update proposes approximately 535 miles of off-street countywide trail routes throughout the county, as well as an additional 120 miles of on-street bicycle-only routes. Trails are presented in the *Countywide Trails Master Plan Map*, which replaces the trails portion of the Regional Parks, Trails, and Scenic Highways Map of the General Plan. The Plan Update prioritizes proposed trails and provides guidelines on their design, use, and management.

5.4.7 Santa Clara Uniform Inter-jurisdictional Trail Design, Use, and Management Guidelines.

The *Santa Clara County Uniform Interjurisdictional Trail Design, Use, and Management Guidelines* was prepared by the Santa Clara County Interjurisdictional Trails Committee. The report was adopted by the

Santa Clara County Board of Supervisors on April 15, 1999. This document addresses Strategy #6 of the Santa Clara County Countywide Trails Master Plan Update, which recognizes the need for interjurisdictional coordination between the county, its 15 cities, and the other special districts and agencies that provide trails within the county.

The purpose of these guidelines is to provide a common frame of reference for the various jurisdictions and private developers who design and manage trails in the urban areas of Santa Clara County. It complements trail design, use, and management guidelines provided in the Master Plan Update. The guidelines in this document are directed towards the High Volume/Urban Experience type, whereas the Master Plan Update applies generally to the Low Volume/Isolated Experience and Moderate Volume/Natural Experience types.

5.4.8 Prospectus for the San Francisco Bay Area Water Trail

The non-profit organization, Bay Access, Inc., published *A Prospectus for the San Francisco Bay Area Water Trail* in April 2003. The prospectus proposes a San Francisco Bay Area water trail that consists of a series of launch and land sites for human-powered and beachable watercraft. The trail, which would be developed in conformance with the principles of the North American Water Trails, Inc., is intended to promote and guide safe water access in a manner that does not degrade natural resources. The goals of the water trail include increasing and enhancing access, minimizing impacts and conflicts with natural resources, promoting water-accessible camping, creating opportunity for public education programs, and benefiting local waterfront businesses. The prospectus identified 86 existing launching/landing sites for an initial water trail. These include sites around the Salt Pond project area: at either ends of Dumbarton Bridge, Visitor Center, Palo Alto Baylands Preserve, Dixon Landing, and Alviso Marina County Park.

Bay Access further proposed establishing legislation to authorize the San Francisco Bay Water Trail. The bill recently introduced to the state Assembly declares that water-oriented recreational uses are an integral element of the recreational opportunities that span the San Francisco Bay Area. The Water Trail, to the extent feasible, shall link access to the waters of the San Francisco and San Pablo Bays and shall provide for diverse water-accessible overnight accommodations. The Water Trail shall be developed and enhanced in a manner consistent with the regulations and policies of BCDC and the rights to access the state navigable waters contained in Article 10, Section 4 of the California State Constitution. According to the proposed bill, BCDC is committed to develop a comprehensive policy plan for the Water Trail. In order to facilitate the establishment of the Water Trail, the California Coastal Conservancy will take the lead in a collaborative partnership with Bay Access and other public agencies, including BCDC, ABAG as well as other interested State, County, and District commissions, parks and park districts, ports, other regional governmental bodies, non-profit groups, user groups, businesses and other interested entities. The plan will address funding, design, maintenance, management guidelines, interpretation and stewardship as well as a regional implementation strategy in planning the water trail. The plan will be presented to the Legislature within three years of the adoption of the proposed legislature.

5.4.9 Bay Trail Master Plan for the City of San Jose

The City of San Jose Department of Public Works Parks & Recreation Facilities Division began its Bay Trail planning process in 1999. The effort culminated in the approval of the *Bay Trail Master Plan* on May 15, 2002 by the Parks and Recreation Commission and on June 25, 2002 by the San Jose City Council. The purpose of the planning effort is to develop a safe, environmentally sensitive and interesting route through various land uses within the city (including sensitive riparian and bayland habitat), and to provide a framework for implementing the Bay Trail within the City of San Jose over the next 20 years. The development of the Master Plan was guided by eight goals and objectives that include, but are not limited to, the development of collaborative partnerships, enhancing opportunities for recreation (e.g., provide physical linkage to the Bay Trail and other trails), providing access and education, and ensuring safety.

The section of the Bay Trail through San Jose is the largest remaining uncompleted trail segment in Santa Clara County and is a critical link between the Peninsula and the East Bay. The Master Plan proposes a 13.3-mile trail alignment divided into nine reaches. Each reach varies in function (e.g., backbone of the Bay Trail, connections to points of interest, or connections to other trails), length, and complexity. The Master Plan describes the local setting and route of each reach, as well as providing a summary of the design recommendations and required actions. In addition, the plan provides general design guidelines to ensure a consistent character for the trail system, and strategies for implementing the proposed route.

5.4.10 Menlo Park Bay Trail Feasibility Study

The City of Menlo Park completed a feasibility study in January of 2005 to explore the possibility of extending the Bay Trail in their jurisdiction. The study illustrates conceptual trail alignments to complete a 0.5 mile trail reach in the Menlo Park and East Palo Alto area. The study proposes a future trail spur and/or spine that connects the Ravenswood neighborhood to the existing trail head at the Dumbarton Bridge overpass (Highway 84). This future trail would start at Rutgers Street neighborhood connection, through the at-grade Southern Pacific Railroad crossing, and split at Salt Pond SF2. The southeast split would connect to University Avenue and the northeast split travels on top of the existing raised levee to the Dumbarton Bridge trail head.

With the proposed alignment that circumscribes the east and south sides of Pond SF2, it is believed that the trail alignment would provide a unique bay/pond experience. Future restoration of the salt pond may require temporary flooding and a new bridge at the levee break. Both BCDC and USFWS have expressed concerns about the alignment since it may constrain future habitat restoration options between Ravenswood Open Space Preserve and Pond SF2. The proposed alignment is not anticipated to be implemented in the near term. Steps needed prior to the implementation includes further land planning efforts with stakeholders, habitat mapping for sensitive species, coordination with Salt Pond restoration project, CEQA review and regulatory permitting.

5.4.11 Union City San Francisco Bay Trail Preliminary Engineering and Feasibility Study

The City of Union City, in coordination with the EBRPD, published the preliminary engineering and feasibility study for the Union City San Francisco Bay Trail in September 2004. The study investigates alternative locations for the Bay Trail within Union City, and identifies a preferred alignment. This alignment is selected based on a number of criteria, including construction and engineering feasibility, cost, management and maintenance issues, and avoidance of biological resources. Construction of the trail is anticipated to occur in phases, and the first phase could occur as early as 2007. Part of the proposed trail alignment may fall within the 883 acre restoration area of the Eden Landing Ecological Reserve along the east boundary. Generally, the alignment would extend from the Alameda Creek Regional Trail north through surface streets, flood control levees, and parks along or parallel to the Union City / Hayward boundary.

5.4.12 Valley Transportation Plan 2020

The Santa Clara Valley Transportation Authority published the *Valley Transportation Plan 2020* (VTP 2020) in December 2000. The Plan characterizes the County's challenges associated with the existing transportation facilities. The goal of the VTP is to provide transportation facilities and services that support and enhance the county's continued success by fostering a high quality of life for residents and continued health of the economy. The plan describes the investment programs, partnerships, expenditure plans, and program implementation over the next 20 years. Investment programs include the Capital Investment Program, Countywide Roadway Programs, Transit Services and Programs, Transportation Systems Operations and Management, Bicycle Program, and the Livable Community and Pedestrian Program. Each program identifies projects, services, and programs in all transportation modes to be funded and constructed during the VTP 2020 planning horizon.

The VTP 2020 incorporates the *Santa Clara Countywide Bicycle Plan*, which identifies a bicycle network that provides direct and convenient bicycling routes throughout the county. The VTP 2020 prioritizes bicycle projects into three tiers based on a number of criteria, including its project quality and funding strategy. The funding for top priority projects is detailed in a Bicycle Expenditure Plan. The Santa Clara Valley Transportation Authority is currently in the process of updating the VTP to extend the planning horizon through 2030.

5.4.13 2001 Transportation Plan for the Bay Area

The 2001 Regional Transportation Plan (RTP) for the San Francisco Bay Area was adopted by the Metropolitan Transportation Commission in December 2001 and amended in November 2002. The plan specifies a detailed set of investments and strategies to maintain, manage, and improve the surface transportation network in the nine-county San Francisco Bay Area through the year 2025. The RTP is guided by six policy goals, as follows:

- Mobility – improve mobility of persons and freight
- Safety – improve safety for system users
- Equity – promote equity for system users
- Environment – enhance sensitivity to the environment

- Economic Vitality – sustain the economic vitality of the region
- Community Vitality – promote vital and livable communities

The RTP identifies specific management objectives and projects along the 16 corridors that make up the transportation network of San Francisco Bay Area, including the southeast shore (on the east side of the San Francisco Bay from Emeryville to Fremont), Fremont-South Bay (on the South Bay from Fremont to Santa Clara), Silicon Valley (South Bay between Milpitas and Mountain View, and down through Gilroy), and Peninsula (on the west side of the South Bay from Mountain View to San Francisco). Projects include road widening, reconstruction, extension, as well as high occupancy vehicle (HOV) lane construction. In addition to identification of needed projects, the RTP identifies investment strategies to maintain, operate, and improve the regional transportation system, as well as project cost and funding information.

5.4.14 July 2000 Ecosystem Restoration Program Plan Strategic Plan

The California Federal (CALFED) Bay-Delta Program was established to reduce conflicts in the Bay-Delta system by solving problems in ecosystem quality, water quality, water supply reliability, and levee system integrity. The mission of the CALFED Bay-Delta Program is to develop a long term, comprehensive plan that will restore the ecological health and improve water management for beneficial uses of the Bay-Delta system. The Ecosystem Restoration Program (ERP) is the principal program component designed to restore the ecological health of the Bay-Delta ecosystem. The purpose of the plan is to guide restoration of the Bay-Delta ecosystem. The ERP identified six goals to achieve its intended purpose; two of these goals are related to recreation.

- Maintain and/or enhance populations of selected species for sustainable commercial and recreational harvest, consistent with the other ERP strategic goals.
- Protect and/or restore functional habitat types in the Bay-Delta estuary and its watershed for ecological and public values such as supporting species and biotic communities, ecological processes, recreation, scientific research, and aesthetics.

5.5 County and City General Plans

The project area is located within three counties: Alameda, San Mateo, and Santa Clara. A summary of goals, policies, strategies, and implementation from each county and relevant city plans in and surrounding the project area are provided below, including detailed objectives and principles.

5.5.1 Alameda County

The *Alameda County General Plan Open Space Element* (Element) was adopted by the Alameda County Board of Supervisors on May 30, 1973. It was last amended by the Board on May 5, 1994. The Element, which includes the plan and map, is designed to serve as a guide to preserve and enhance land and water open space in the county. The plan identifies extensive industrial uses (e.g., salt ponds) as secondary open spaces, as they are important in providing breaks in the urban development pattern. Plan items relevant to the project include the following:

Objectives

- To provide for the designation, protection, preservation and enhancement of open space on a continuing, permanent basis in Alameda County.
- To indicate areas to be maintained as open space and to relate such areas to open space plans and proposals of adjacent counties and to the region.
- To relate open space to existing and proposed urban land uses in such a manner as to provide for permanent separation and identification of communities through use of open space that will include park and recreation areas coordinated with a continuous system of trails and scenic tours.
- To provide open space recreation and study areas for the enjoyment and education of all people in the county.
- To provide a continuous system of open space for the preservation, enhancement, and protection of natural scenic features and preservation and protection of watershed and wildlife areas and agricultural areas.
- To preserve and protect the existing bay shoreline by limiting bay fill to public recreation and other selected uses in accordance with adopted regional plans and to protect marine and wildlife habitats by retention of marshlands and water fishery areas.

General Open Space Principles

- Provide a coordinated system of open space.
- Preserve large, continuous areas of open space.
- Provide a variety of open space for specific open space uses.
- Provide open space around each community.
- Limit development within open space areas

Principles for Shoreline and Bay Open Space

- Provide continuity in shoreline open space.
- Designate unique waterfront areas for public use.
- Prohibit bay or marsh filling and development except in selected areas for recreational use.
- Provide for orderly transition of phased-out salt extractions areas to uses compatible with the Open Space Plan.
- Permit dredging only to maintain navigation routes (spoils should not be used for fill).
- Coordinate local, regional, state, and federal agencies policies and plans for preservation of San Francisco Bay and shoreline.

5.5.2 San Mateo County

The *San Mateo County General Plan* contains general policies and objectives to guide land use decisions, as well as policies that relate to physical environmental issues. The policies portion of the document of the plan was published in November 1986 by the Department of Environmental Management Planning and Building Division. The plan defines open space as including resource management and production uses, as well as recreation. Open space goals, objectives, and policies are covered under Chapters, 1, Vegetative, Water, Fish, and Wildlife Resources Policies; Chapter 6, Park and Recreation Resources; and Chapter 9, Rural Land Use of the General Plan. Relevant plan policies are excerpted below.

Vegetative, Water, Fish and Wildlife Resources Policies

- **1.33 Regulate Productive Uses of Vegetative, Water, Fish and Wildlife Resources.** Regulate resource productive uses which are subject to local control in order to prevent and if infeasible mitigate to the extent possible significant adverse impacts on vegetative, water, fish and wildlife resources and to maintain and enhance the: (1) productivity of forests and other vegetative resources; (2) productive capacity and quality of groundwater basins and recharge areas, streams, reservoirs, and other water bodies; (3) productivity of fisheries and other fish and wildlife resources; and (4) the recreational value and aesthetic value of these areas.
- **1.4 Access to Vegetative, Water, Fish and Wildlife Resources.** Protect and promote existing rights of public access to vegetative, water, fish and wildlife resources for purposes of study and recreation consistent with the need to protect public rights, rights of private property owners and protection and preservation of such resources.

Park And Recreation Resources Policies

- **6.3 Build Upon Existing System.** a. Design all park and recreation systems on the strengths and potentials of existing facilities and develop programs for meeting current and future needs.
- **6.4 Environmental Compatibility.** a. Protect and enhance the environmental quality of San Mateo County when developing park and recreation facilities.
- **6.14 Site Planning for Public and Private Facilities.** a. Encourage all providers to design sites to accommodate recreation uses that minimize adverse effects on the natural environment and adjoining private ownership. b. Encourage all providers to design, where feasible, park and recreation sites that accommodate a variety of recreational activities.
- **6.37 Bayfront Coordination.** Support, encourage and participate in the development of a coordinated and linked system of recreation facilities and public access along San Francisco Bay.
- **6.38 Trail System Coordination.** a. Support, encourage and participate in the development of a system of trails that link existing and proposed park and recreation facilities within this County and adjacent counties. b. Particularly encourage the development of: trails that link park and recreation facilities on San Francisco Bay to those on the Pacific Coast; multi-use trails where appropriate and trails in County lands under management by other public agencies. Ensure that these trails do not adversely affect adjacent land uses.

General Open Space Policies

- **9.40 Maintenance of the Open Space Character of Lands Designated as General Open Space.** Wherever possible, maintain the open space character of lands designated as General Open Space through acquisition and/or performance standards for locating new development.
- **9.41 Criteria for the Division of Lands Designated General Open Space.** a. Wherever possible in areas designated General Open Space, design land divisions to retain large areas without development in order to protect resources and maintain the scenic quality and open space character of the rural area. b. If land division for residential or commercial purposes is proposed, arrange the resulting land division using the following guidelines: 1) cluster proposed development in smaller parcels in order to maintain large parcels; 2) retain in large parcels areas

with valuable resources or scenic quality; and 3) in order to maintain rural character, encourage several small clusters rather than one larger, suburban-type development.

- **9.42 Development Standards for Land Use Compatibility in General Open Space Lands.**
 - a. Consider agriculture to be a compatible activity in general open space lands which must be protected and buffered from public intrusion and the intrusion of other incompatible land uses.
 - b. Locate development in areas of parcels which cause the least disturbance to scenic resources and best retain the open space character of the parcel.
 - c. Where possible, locate development in areas that are free from hazardous conditions, including but not limited to, steep slopes, unstable soils, and areas of special flood hazard.
 - d. Require full reclamation/restoration of any portion of lands designated as General Open Space that are used for resource extraction uses.

5.5.3 Santa Clara County

The *Santa Clara County General Plan, 1995-2010*, was adopted December 20, 1994. It consists of three separate published documents and three published maps. The plan does not include a separate Open Space Element; rather, it is addressed in other chapters including the Parks & Recreation Chapter.

The Parks and Recreation Chapter addresses three types of areas and facilities (Regional Parks and Public Open Space Lands, Trails, and Scenic Highways) that can contribute both to meeting future recreation demand and to maintaining the county's natural resources and beauty. The plan recognizes that parks and recreation development within publicly-owned lands in the baylands would provide an opportunity for creation of a major, interconnected system of parks and public open space preserves adjacent to the urban area. The relevant strategies, policies and implementation concerning regional parks, public open space lands, trails, and pathways are described below:

Regional Parks and Public Open Space Lands

Strategy #1: Develop parks and public open space lands

- C-PR 1 An integrated and diverse system of accessible local and regional parks, scenic roads, trails, recreation facilities, and recreation services should be provided.
- C-PR 2 Sufficient land should be acquired and held in the public domain to satisfy the recreation needs of current and future residents and to implement the trailside concept along our scenic roads.
- C-PR 4 The public open space lands system should: a. preserve visually and environmentally significant open space resources; and b. provide for recreation activities compatible with the enjoyment and preservation of each site's natural resources, with trail linkages to adjacent and nearby regional park lands.
- C-PR 5 Water resource facilities, utility corridors, abandoned railroad tracks, and reclaimed solid waste disposal sites should be used for compatible recreational uses, where feasible.
- C-PR (i) 2 Consideration, in parks and open space land acquisition planning and decision-making, should be given to the open space preservation priorities proposed by the Open Space Preservation 2020 Task Force.

Strategy #2: Improve accessibility

- C-PR 7 Opportunities for access to regional parks and public open space lands via public transit, hiking, bicycling, and equestrian trails should be provided. Until public transit service is available, additional parking should be provided where needed.

Strategy #3: Balance recreation and environmental objectives

- C-PR 9 The parks and recreation system should be designed and implemented to help attain open space and natural environment goals and policies.
- C-PR 10 Recreation facilities and activities within regional parks and public open space lands should be located and designed to be compatible with the long term sustainability of each site's natural and cultural resources, with particular attention to the preservation of unique, rare, or endangered resources (including historic and archeological sites, plant and animal species, special geologic formations, etc.).
- C-PR 11 Park planning and development should take into account and seek to minimize potential impacts on adjacent property owners.
- C-PR 12 Parks and trails in remote areas, fire hazard areas, and areas with inadequate access should be planned to provide the services or improvements necessary to provide for the safety and support of the public using the parks and to avoid negative impacts on the surrounding areas.
- C-PR 13 Public recreation uses should not be allowed in areas where comparable private development would not be allowed, unless consistent with an adopted park master plan.

Strategy #4: Facilitate interjurisdictional coordination

- C-PR 14 Parks and recreation system planning, acquisition, development, and operation should be coordinated among cities, the County, State and Federal governments, school districts and special districts, and should take advantage of opportunities for linkages between adjacent publicly owned parks and open space lands.

Trails and Pathways [this strategy was updated in the Santa Clara County Countywide Trails Master Plan Update]

Strategy #1: Plan for Trails

- C-PR 20 A countywide system of hiking, bicycling and horseback riding trails should be provided which includes trails within and between parks and other publicly owned open space lands, as well as trails providing access from the urban area to these lands.
- C-PR 21 The countywide trail system should be linked with major trails in adjacent counties.

Strategy #2: Implement the planned trail network

- C-PR 23 The proposed countywide trail network should be implemented using a variety of methods that take advantage of implementation opportunities as they arise.
- C-PR 25 All trails should be marked. Trails and appropriate markers should be established along historically significant trail routes, whenever feasible.

Strategy #3: Facilitate interjurisdictional coordination

C-PR 27 Trail planning, acquisition, development, and management should be coordinated among the various local, regional, state, and federal agencies which provide trails or funding for trails.

Strategy #4: Balance recreation, environmental, and landowner concerns

- C-PR 30 Trails should be located, designed, and developed with sensitivity to the resources and hazards of the areas they traverse and to their potential impacts on adjacent lands and private property.
- C-PR 31 Use of off-road vehicles on hiking, bicycling, and horseback riding trails should be prohibited, except for maintenance, patrol, or emergency purposes.
- C-PR 32 Parks and trails in remote areas, fire hazardous areas, and areas with inadequate access shall be planned to: (a) provide the services or improvements necessary to provide for the safety and support of the public using the parks and trails; and (b) avoid negative impacts on the surrounding areas.

5.5.4 City of East Palo Alto

The *City of East Palo Alto General Plan* was adopted by the East Palo Alto City Council in December 1999. The plan serves as a policy guide for determining the appropriate physical development and character of the city. It addresses a number of land use issues as well as preservation of open space. Open space includes undeveloped lands and outdoor recreation areas. The Conservation and Open Space Element identifies goals and policies to protect and maintain open space and natural resources:

Conservation / Open Space Goal 2: Preserve and enhance important natural resources and features.

- **Policy 2.1:** Conserve, protect and maintain important natural plant and animal communities, such as the baylands, Cooley Landing, San Francisquito Creek, the shoreline and significant tree stands.
- **Policy 2.4:** Maximize enjoyment and promotion of natural resource areas, such as the baylands, Cooley Landing, San Francisquito Creek, and the shoreline.

Conservation / Open Space Goal 6.0: Provide adequate open space and recreational opportunities.

- **Policy 6.1:** Promote the development and maintenance of a balanced system of public and private recreational lands, facilities and programs to meet the needs of the community.
- **Policy 6.3:** Maximize the utility of existing parks, recreational facilities and open space within East Palo Alto.

Conservation / Open Space Goal 8.0: Improve access to open space and recreation resources.

- **Policy 8.2:** Provide physical improvements, such as parking lots, sidewalks, trails, access points or other facilities that promote greater use of recreation and open space lands and the South Bay.

5.5.5 City of Fremont

The *City of Fremont General Plan* was adopted on May 7, 1991 by the Fremont City Council. The City's open space policies are addressed in the Land Use Element (Chapter 3) as well as the Open Space Element (Chapter 6) of the General Plan. The plan recognizes that much of Fremont's open space,

especially the land closest to the South Bay, is wetlands. Relevant goals and policies to protect, maintain, and management open space are identified below:

Land Use (LU) Goal 4: Conservation of the City's Open Space Resources.

- **Policy LU 4.4:** Development of recreational or other public facilities on open space lands should conserve the open space character of the site and minimize impacts on mature landscaping and environmentally sensitive areas.

- **Policy OS 2:** Recognition, protection, and enhancement of significant natural areas and wildlife habitats in the city, including bay tidal, seasonal, and freshwater wetlands, and open meadows and fields.
- **Objective OS 2.1:** A National Wildlife Refuge that incorporates and restores bay wetlands.
- **Policy OS 2.1.1:** The City shall actively support expansion of the San Francisco Bay National Wildlife Refuge.
- **Implementation 1:** Support efforts to obtain Federal and State funding to complete the Wildlife Refuge in a timely manner.
- **Policy OS 2.1.2:** Land uses and activities in areas adjacent to the Wildlife Refuge must be compatible with, and if possible, should promote the goals of the Refuge.
- **Implementation 1:** Evaluate development projects to assess as their potential impacts on the Wildlife Refuge.
- **Implementation 2:** Prohibit residential subdivisions contiguous with the Wildlife Refuge to limit the threat of domestic and feral animals.

- **Objective OS 2.2:** Protection and enhancement of wetlands within the city.
- **Policy OS 2.2.1:** The City shall take an active role in protecting wetlands. There shall be no net loss of wetlands as a result of development in Fremont.
- **Implementation 1:** Early assessment of environmental constraints and resources should be conducted and submitted with applications for development of projects in or adjacent to wetland areas. Early consultation with the City regarding the implications of the environmental assessment for proposed development is recommended.
- **Implementation 2:** Conditions of development approval shall include measures to protect wetlands, including long term monitoring and maintenance programs as appropriate. Off-site mitigation should be used only if on-site mitigation is not feasible and if the loss of on-site wetlands is out-weighed by a specific public purpose. The replacement off-site mitigation site should be nearby.
- **Implementation 3:** Require that proposed development be compatible with wetlands, both in terms of the allowed uses, and in the arrangement of the buildings, parking, landscaping, access, drainage, runoff, and other facilities on the parcel.

- **Objective OS 2.3:** Conservation of natural areas within the city.
- **Policy OS 2.3.1:** Publicly owned unique natural areas remaining in the flatland area of the city (see Natural Resources 9-3) shall be managed to protect and enhance wildlife habitats to the

degree feasible (see Biological Resources Section of the Natural Resources Chapter for implementation measures).

- **Implementation 1:** Design intensively used recreational facilities to retain and enhance natural features and mitigate environmental impacts to the degree feasible.

- **Objective OS 2.5:** A comprehensive system of trails connecting destinations within Fremont.
- **Policy OS 2.5.1:** Develop a system of trails shown on the General Plan trails map, as funding permits. Effort shall be concentrated on trails that link major destinations and are accessible to a large number of people.
- **Implementation 1:** Develop priorities for filling in gaps in the existing trail system. Priorities include a link between Central Park and the Alameda Creek Regional Trail with a bridge at the proposed Alameda Creek Quarries Regional Park; a link from Central Park to Mission San Jose via Mission Creek; and a “Bay to Ridgetop” trail near the southern end of Fremont.
- **Implementation 2:** Develop and apply standards for trails and paths appropriate to their proposed use. Standards should address width, surfaces, signs, safety, and access. In general, major trails should be designed for multiple uses (i.e. pedestrians, bicycles and horses).
- **Policy OS 2.5.3:** The City shall use a variety of resources in completing its trail system.
- **Implementation 1:** Work with other public agencies to develop paths on existing public rights-of-way, such as creeks, flood control channels, Hetch Hetchy and South Bay Aqueduct rights-of-way, and PG&E power line easements, where needed to close gaps.
- **Implementation 2:** Seek to obtain State and Federal grants to help implement the City’s trail system.

- **Objective OS 2.6:** A system of regional trails connecting Fremont with neighboring cities and connecting the hills to the Baylands
- **Policy OS 2.6.1:** The City supports the ABAG Bay Trail, the “Bay Ridge Trail” ([EBRPD] Garin to Mission Peak Trail), Niles Canyon regional trail, and Wildlife Refuge trails.
- **Implementation 1:** Assure sufficient right-of-way and improvements for the ABAG Bay Trail along its proposed alignment in Fremont.

5.5.6 City of Hayward

The *City of Hayward General Plan* was adopted by City Council on March 12, 2002, and last amended on October 21, 2003. This plan gives guidance for the physical development of the community over the next twenty years. It provides goals and policies to preserve open space and link regional trails and open space in the Conservation and Environmental Protection Chapter. The shoreline area on the western edge of the city is recognized in the plan as a significant regional open space and ecological resource, as follows.

Open Space Preservation

1. Retain open space where it is important to preserve natural ecology and to establish the physical setting of the city.

- (1) Designate on the General Plan Land Use map those areas on the shoreline, in the hills, and along waterways to be protected as open space in coordination with [EBRPD], Hayward Area Recreation and Park District, Alameda County, and other affected agencies.
- (2) Work with the [EBRPD] to explore all possible resources for public acquisition of permanent open space, including state and public trust funds, leases for private open space use, and additional bond measures.
- (3) Protect the rural character and utility of land in the East Hills Annex for grazing, agriculture, regional park or other open space use by limiting subdivision of land to very large minimum acreage (100 acres or greater).
- (4) Encourage interagency cooperation in the shoreline area enabling bayland acquisition and marsh restoration, and support eventual expansion of the national wildlife refuge.

Regional Trails and Open Space Linkages

2. Enhance the aesthetic and recreational values of open space resources in the hill and shoreline areas.

- (1) Continue development of the Ridge Trail through implementation of a continuous green belt from Lake Chabot to Garin Park in coordination with Alameda County, Hayward Area Recreation and Park District, and [EBRPD].
- (2) Support regional efforts to expand opportunities for camping, picnicking, swimming, hiking, and riding activities within the Hayward planning area.
- (3) Continue to develop passive and active recreational facilities on former disposal sites and continuous trails for hiking and riding.
- (4) Continue development of the Bay Trail and connecting trail systems in the Baylands, and seek to replace on-street segments of the Bay Trail with an alignment on the levees or along the edge of the Baylands.
- (5) Encourage provision of public access to the Baylands in the review of adjacent development projects, consistent with federal and state policies.

5.5.7 City of Menlo Park

The *City of Menlo Park General Plan Policy Document* was adopted on November 30 and December 1, 1994 by the City Council. The city encompasses approximately 30 square miles, of which nearly 12 square miles consist of the San Francisco Bay and wetlands. The plan policy document provides goals and policies to preserve open space lands and promote the use of bicycles for recreation, as follows.

Goal 1-G: To promote the preservation of open space lands for recreation, protection of natural resources, the production of managed resources, protection of health and safety, and/or the enhancement of scenic qualities.

- **Policy 1-G-7:** Public access to the South Bay for the scenic enjoyment of the open water, sloughs, and marshes shall be protected.
- **Policy 1-G-8:** The South Bay, its shoreline, San Francisquito Creek, and other wildlife habitat and ecologically fragile areas shall be maintained and preserved to the maximum extent possible. The City shall work in cooperation with other jurisdictions to implement this policy.

- **Policy 1-G-9:** The salt ponds shall be allowed to continue in mineral production. In the event these uses are discontinued, these areas should be used for recreation and/or conservation uses.
- **Policy 1-G-13:** Regional and sub-regional efforts to acquire, develop, and/or maintain appropriate open space and conservation lands shall be supported.

Goal 11-D: To promote the safe use of bicycles as a commute alternative and for recreation.

- **Policy 11-D-2:** The City shall, within available funding, work to complete a system of bikeways within Menlo Park.

5.5.8 City of Milpitas

The *City of Milpitas General Plan*, adopted March 2002, is a comprehensive planning document that describes the City's ideas for its future and how those ideas would be implemented. The plan provides an Open Space and Environmental Conservation Chapter that outlines ways to protect, maintain, and enhance natural resources. The city is not located adjacent to the South Bay and is not located within the proposed project area. However, due to its proximity to the proposed project, this plan was reviewed. Relevant open space guiding principles and policies are provided below:

Parks and Recreational Facilities

- **Guiding Principle 4.a-G-1:** Provide a park and recreation system designed to serve the needs of all residents of the community.
- **Guiding Principle 4.a-G-2:** Develop a diversified trail system along streamsides and other public rights of way to provide recreational opportunities and link facilities.

Biotic Resources

- **Guiding Principle 4.b-G-1:** Protect and conserve open spaces which are necessary for wildlife habitats and unique ecological patterns.
- **Implementing 4.b-I-3:** Recreation use of essentially virgin areas should be centered around activities which have a minimally disruptive effect on natural vegetation

5.5.9 City of Mountain View

The *City of Mountain View General Plan* was adopted by the City of Mountain View City Council on October 29, 1992, with the most recent amendment on April 25, 1995. The plan presents the City's framework for community development and preservation and environmental conservation through the year 2005. The Open Space Element consists of goals, policies, and actions for acquiring, developing, using, and preserving open space over the long term. Although not specifically defined, open space includes neighborhood and regional parks, community gardens, and the shoreline (area adjacent to existing ponds that include sloughs, Coast Casey Forebay, Stevens Creek Tidal Marsh, Shoreline Lake, meadowlands, and the golf course). Relevant goals, policies, and actions protecting open space are provided below.

Goal A: Acquire enough open space to satisfy local needs.

- **Policy 1.** Establish a priority system for acquiring open space.

- **Action 1.a.** Encourage comprehensive public participation in open space plans.
- **Policy 2.** Acquire property for the establishment of open space resources as opportunities arise and funding sources permit.
- **Action 2.a.** Explore the use of open space easements, long term leases, cooperative agreements, and other cost-effective means of acquiring open space.

Goal B: Improve open space areas to provide a diversity of recreational and leisure opportunities for the community.

- **Policy 3.** Develop a system of urban trails in Mountain View.
- **Action 3.a.** Develop a trail along the banks of Stevens Creek.
- **Action 3.b.** Encourage Sunnyvale, Los Altos, and Cupertino to develop a regional trail along their banks of Stevens Creek.
- **Action 3.d.** Act as catalyst to encourage other South Bay jurisdictions to complete their sections of the Bay Trail.
- **Actions 3.e.** Build entry points, pathways, and bridges to link the urban trail system, and connect it with Shoreline at Mountain View.
- **Policy 4.** Improve and expand wildlife habitats next to Shoreline.
- **Action 4.b.** Support the [USFWS] in expanding the San Francisco Bay Wildlife Refuge.
- **Action 4.c.** Restore most of the completed landfill areas in the North Bayshore for open space uses including upland habitat necessary to support adjacent salt marsh habitats.
- **Action 4.d.** Develop a circulation plan to improve pedestrian and bicycle access to Shoreline.

Goal C: Make Open spaces and recreation facilities available for different uses.

- **Policy 7.** Continue to offer a range of recreation programs at the City's parks and recreation facilities.
- **Policy 10.** Encourage compatible uses in the City's open spaces.
- **Action 10.a.** Develop natural areas, creeks, and Shoreline for low-intensity uses such as walking, jogging, and environmental education.

Goal D: Preserve open space for future generations.

- **Policy 11.** Protect designated public open spaces from redevelopment.

5.5.10 City of Palo Alto

The *Palo Alto Comprehensive Plan* was adopted by the Palo Alto City Council on July 20, 1998. The plan contains the City's official policies on land use and community design, transportation, housing, natural environment, business and economics, and community services. The Natural Environment Chapter provides goals, policies, and programs that address open space and natural resources protection and preservation. The plan recognizes natural preserves, including those located along the South Bay on the northeastern edge of the city considered open space. Although the proposed project is not located

within or adjacent to the City of Palo Alto, the plan was reviewed for its policies regarding open space, particularly South Bay lands.

Goal N-1: A Citywide Open Space System that Protects and Conserves Palo Alto's Natural Resources and Provides a Source of Beauty and Enjoyment for Palo Alto Residents.

- **Policy N-1:** Manage existing public open space areas and encourage the management of private open space areas in a manner that meets habitat protection goals, public safety concerns, and low impact recreation needs.
- **Program N-3:** Review the need for access controls in environmentally sensitive areas, including the baylands, foothills, and riparian corridors.
- **Policy N-2:** Support regional and sub-regional efforts to acquire, develop, operate, and maintain an open space system extending from Skyline Ridge to San Francisco Bay.
- **Policy N-8:** Preserve and protect the South Bay, marshlands, salt ponds, sloughs, creeks, and other natural water or wetland areas as open space.

5.5.11 City of Redwood City

The *City of Redwood City Strategic General Plan* was adopted by City Council on January 22, 1990. The plan provides the policy for the physical development of Redwood City. The plan includes an Open Space Element and a Conservation Element that identifies resources in and around Redwood City, and provides goals, objectives, and policies to protect and enhance natural resources. Open space land is defined in the plan as any parcel or area of land or water which is essentially unimproved and devoted to open space, including the preservation of natural resource (e.g., low-lying baylands) and outdoor recreation. Relevant objectives and policies to protect and manage these resources are provided in the Open Space and Conservation elements, as follows.

Open Space

- **Policy O-2.** The City should discourage the unnecessary or premature conversion of open space lands to urban use, and should discourage urban development patterns which are either environmentally or monetarily costly to the community. Conversion of open space land to urban use should be based on fiscal impact analysis and environmental impact analysis.
- **Policy O-3.** Open space areas which are primary wildlife habitats or which have major or unique ecological significance should be protected and conserved.
- **Policy O-4.** The City should preserve and enhance the natural terrain, vegetation, and beauty of Redwood City's various geographical areas.
- **Policy O-5.** The City should maintain existing "Tidal Plain" Zoning in those Bayfront areas which are, or can be used for salt harvesting, shell dredging, or other types of mineral extraction.
- **Policy O-6.** Major recreational areas and significant open space resources should be linked together through the use of pedestrian ways, bicycle paths, and the Hetch-Hetchy right-of-way.

Conservation

- **Objective 2.** Preserve and restore the natural characteristics of San Francisco Bay and adjacent lands, and recognize the role of the Bay's vegetation and water area in maintaining a favorable climate and good air and water quality.
- **Policy C- 3.** Environmentally unique open spaces such as San Francisco Bay, its tributaries, sloughs, and marshlands should be protected and enhanced for conservation and recreation purposes.

5.5.12 City of San Jose

The *San Jose 2020 General Plan*, amended through July 15, 2004, is the City's official policy regarding its future character and quality of development. The plan describes the amount, type and phasing of development needed to achieve the City's social, economic, and environmental goals. It is the policy framework for decision making on both private development projects and City capital expenditures. The plan recognizes that South San Francisco Bay and the baylands are a vital biotic, cultural and recreational open space resource. Therefore, its protection is vital. Additionally, the plan identifies public parks and recreation areas as an important and necessary element of the urban community as it provides for many of its open space and leisure activity needs. Chapter IV of the plan outlines the goals and policies associated with open space protection and recreation. Below are the key goals that relate to parks and recreation. Specific policies are provided in the General Plan for each goal category.

Greenline/Urban Growth Boundary Goal

Preserve substantial areas of the surrounding hillsides, baylands, and other lands, as open space both to conserve the valuable natural resources contained on these lands and to protect valley floor viewsheds.

Parks and Recreation Goal

Provide park lands and recreation areas which enhance the livability of the urban environment by providing parks for residential neighborhoods, preserving significant natural, historic, scenic and other open space resources, and meeting the open space and recreation services needs of community residents.

Bay and Baylands Goal

Preserve and restore natural characteristics of the Bay and adjacent lands, and recognize the role of the Bay's vegetation and water area in maintaining a healthy regional ecosystem.

Trails and Pathways Goal

Provide a network of trails and pathways throughout the city in order to maximize the City's recreational opportunities and to provide alternate means of both commuting and reaching regional parks and other natural areas.

5.5.13 City of Santa Clara

The *City of Santa Clara General Plan 2000 – 2010* was adopted by the City of Santa Clara City Council on July 23, 2002. The plan is intended to identify the development and redevelopment policies and set forth a framework of principle and standards, policies, and programs that will guide future decisions affecting the development, maintenance, and land use management of the City. The plan includes an

Open Space Element that describes preservation and maintenance of open space. Open space is defined in the plan as any parcel or area of land or water that is essentially unimproved and devoted to open space use. Lands within this designation which are not identified wetlands or water channels could be improved with recreational trails and other open space amenities. However, it does not include any baylands as it is not located adjacent to the South Bay (the city is located outside of the Salt Ponds Alviso sub area). Policy 31 of the Open Space Element, which states, “Encourage development of regional open space in the vicinity of Santa Clara,” is relevant to the proposed project.

5.5.14 City of Sunnyvale

The *City of Sunnyvale General Plan* was adopted by the Sunnyvale City Council in 1981. The sub-elements of the plan were adopted at various times between 1986 through 1997. The Open Space Sub-Element was adopted in 1992.

The Open Space Sub-Element establishes a set of integrated goals, policies, and action statements which guide decision-making and lead toward the provision of a comprehensive park and open space system. The goals, policies, and actions of the plan are based on the guiding principle that open space is important. In combination with a well-balanced park system, it also provides opportunities for recreation and leisure outlets. Open space includes the City’s baylands. Relevant goals, policies, and actions are provided below.

Goal C: Maintain a system of parks that assures all residents, workers and visitors access to recreational opportunities by providing neighborhood parks, athletic/play fields and special use facilities.

- **Policy C.3:** Investigate development of a system of multi-purpose trails for recreational uses.
- **Action Statement C.3.d.** Participate in planning and development of the Regional San Francisco Bay Trail to assure access from Baylands Park.

Goal E: Encourage and cooperate with other governmental agencies to preserve and protect regional open space and to acquire, develop, maintain and operate regional recreation facilities that are available to people who live, work or visit in Sunnyvale.

- **Policy E.1:** Support and encourage Santa Clara County, the Mid-peninsula Regional Open Space District, State of California, and appropriate federal agencies and established private entities to acquire, develop, maintain and operate existing and new open space and recreational sites and facilities within the urbanized area in and around Sunnyvale.
- **Action Statement E.1.a.** Complete joint development of Sunnyvale Baylands Park with Santa Clara County and operate and maintain the site and facilities.
- **Action Statement E.1.b.** Support other agencies in the development of regional pedestrian/bicycle trails and specifically, the Regional San Francisco Bay Trail coordinated by [ABAG].
- **Action Statement E.1.d.** Pursue a cooperative effort with the [USFWS] in the management and interpretation of the seasonal wetlands at Sunnyvale Baylands Park.
- **Action Statement E.2.a.** Work closely and cooperatively with neighboring cities and other public or private agencies to plan and develop park sites and facilities located near city

boundaries in order to eliminate duplication, reduce over/under use, and assure access for people who live, work or visit in Sunnyvale.

5.5.15 City of Union City

The *City of Union City General Plan Policy Document* was updated February 2002. The plan is a long term planning document that identifies the physical, economic, and social evolution of Union City and outlines policies, standards, and programs to guide decisions concerning the City's development. The Natural and Historic Resources (NHR) Element identifies open space goals and policies. Open space is defined by the City as all of the space above the surface of the earth or water which is not occupied by structures or man-made impervious surfaces, and include the flatlands of the Bay Plan.

Goal NHR-D.1: To provide for a continuous system of open spaces for the preservation, enhancement and protection of open space land.

- **Policy NHR-D.1.1:** The City shall integrate, wherever possible, the local open space system with the open space systems of nearby communities and the region.
- **Policy NHR-D.1.2:** The City shall maintain open space areas to guide the form of urban development and to establish open space between incompatible land uses.
- **Policy NHR-D.1.4:** The City shall establish priorities for the acquisition and protection of open space.
- **Policy NHR-D.1.5:** The City shall explore various methods for protecting open space resources including, but not limited to, regulation, full acquisition, transfer of development rights, and less than fee purchase.
- **Policy NHR-D.1.14:** In designated open space areas, the man-made structures shall be subordinate to and not conflict with the quality of the open space. The City shall prohibit inappropriate uses of open space (i.e., off-road motorized vehicles) to prevent environmental damage and preserve the quality of the open space. Further, grading, tree removal or other disturbance within designated open space areas shall only be permitted when plans for such activities have been approved by the City and found necessary for protection or enhancement of the open space, or to provide for safe and enjoyable public use of the open space resource.

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7. LIST OF PREPARERS

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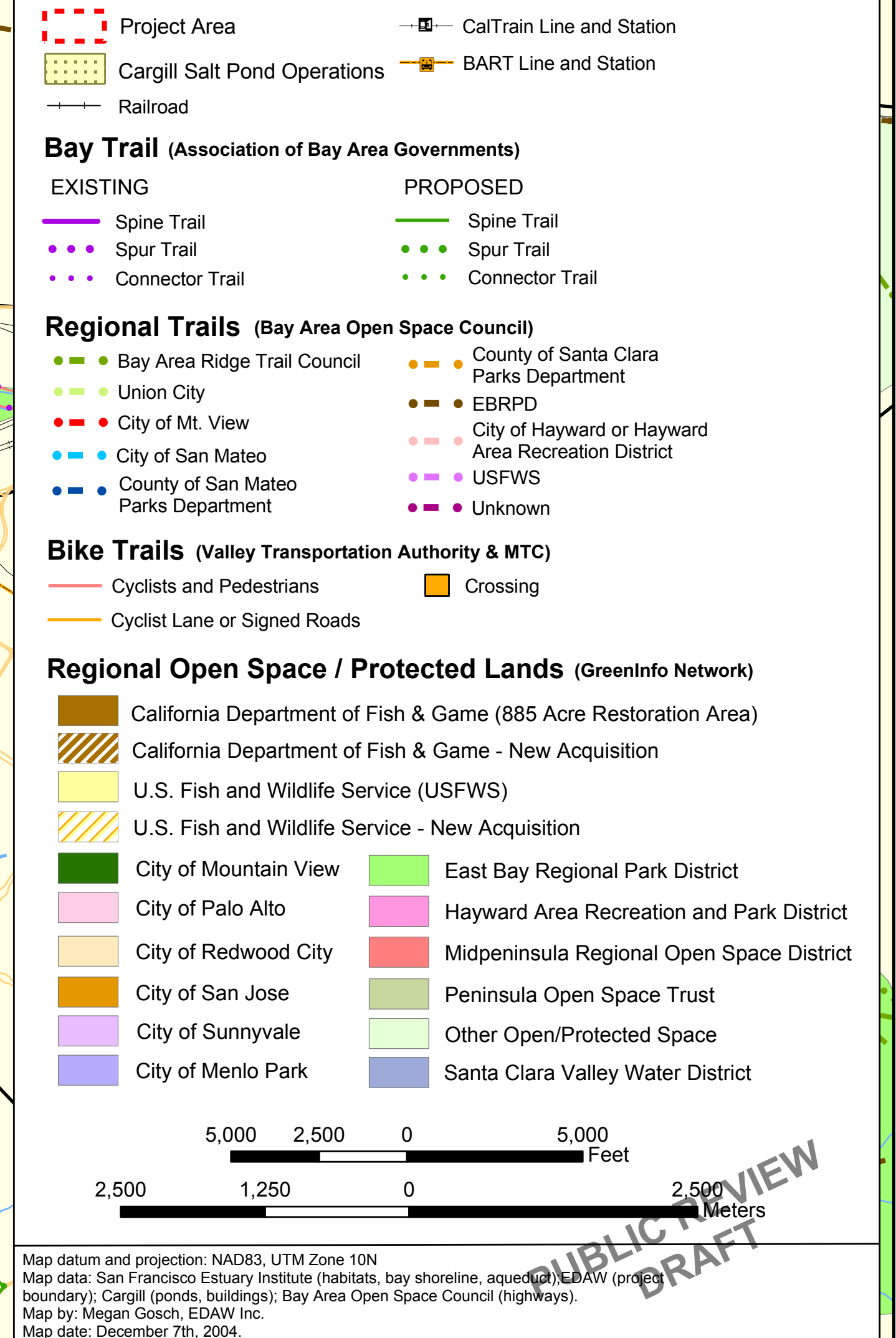
Source files for this report are located at PWA:

PWA\projects\1750 SBSP\Task 1\Existing Conditions\EC_public_access_final.doc

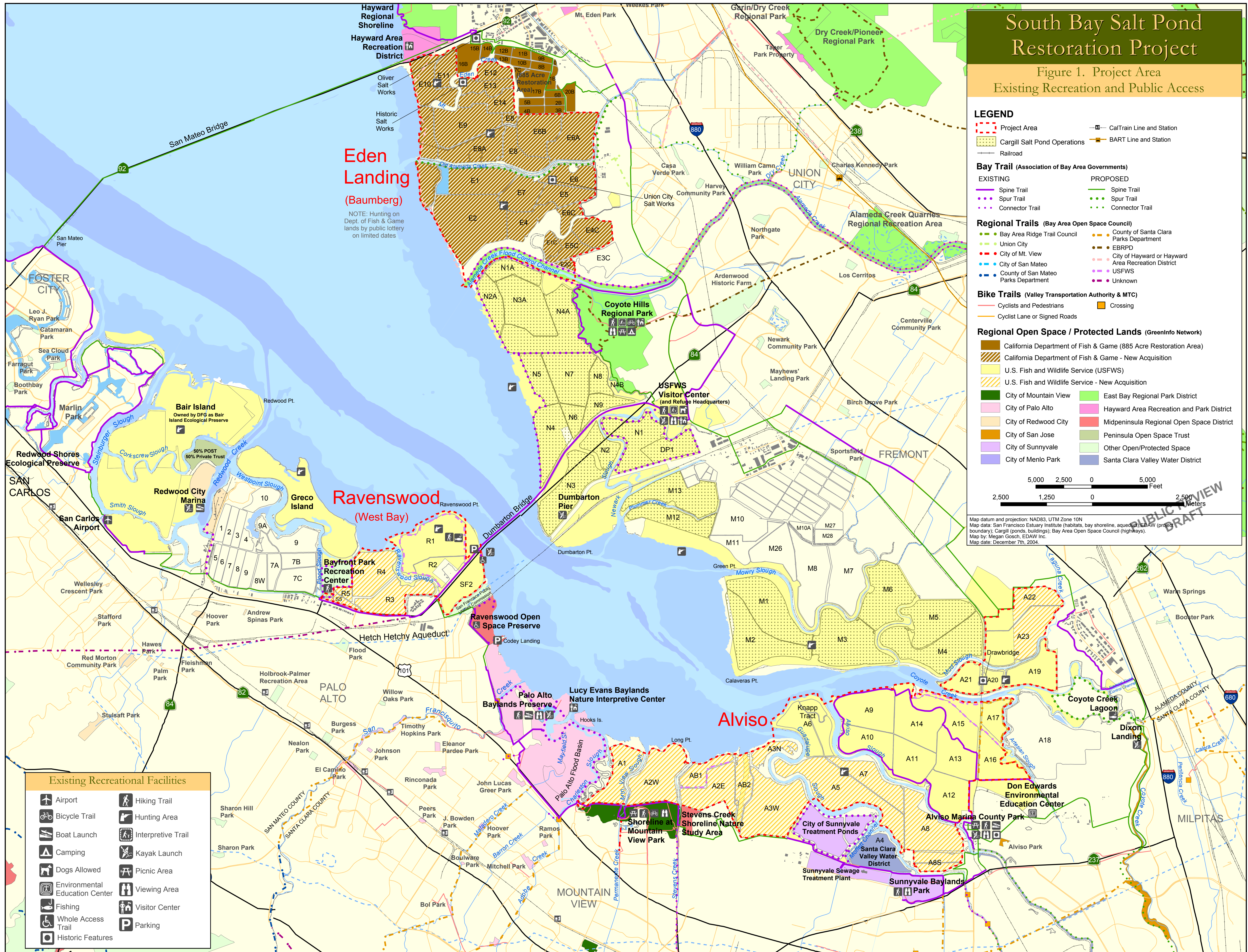
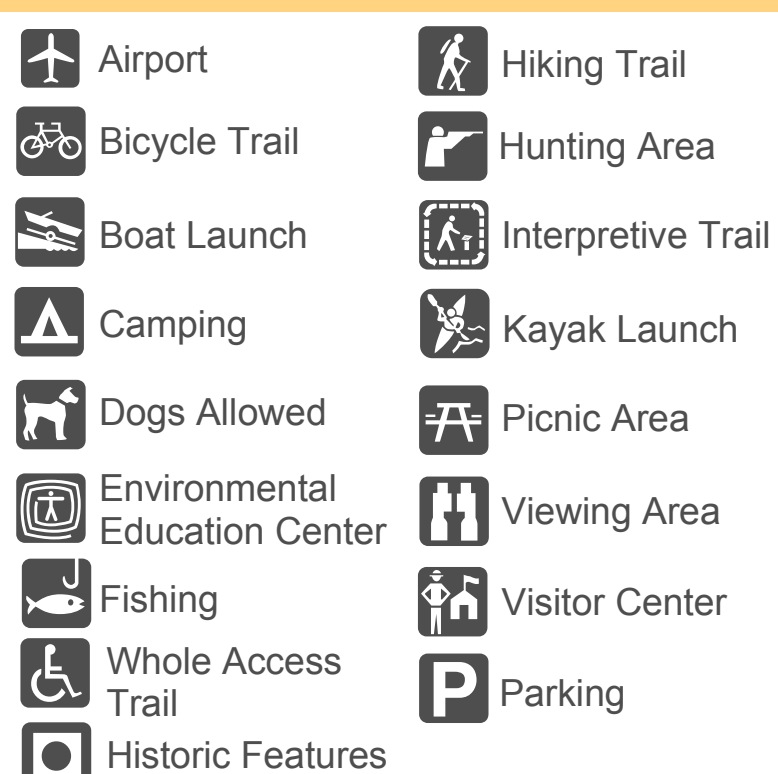
South Bay Salt Pond Restoration Project

Figure 1. Project Area
Existing Recreation and Public Access

LEGEND



Existing Recreational Facilities



South Bay Salt Pond Restoration Project

Figure 2. Eden Landing Pond Complex
Existing Recreation and Public Access

LEGEND

Project Area

Cargill Salt Pond Operations

Railroad

BART Line and Station

Bay Trail (Association of Bay Area Governments)

EXISTING

Spine Trail

Spur Trail

Connector Trail

PROPOSED

Spine Trail

Spur Trail

Connector Trail

Regional Trails (Bay Area Open Space Council)

City of Hayward or Hayward Area Recreation District

Union City

EBRPD

Bike Trails (Valley Transportation Authority & MTC)

Cyclists and Pedestrians

Cyclist Lane or Signed Roads

Regional Open Space / Protected Lands (GreenInfo Network)

California Department of Fish & Game (885 Acre Restoration Area)

California Department of Fish & Game - New Acquisition

U.S. Fish and Wildlife Service

U.S. Fish and Wildlife Service - New Acquisition

East Bay Regional Park District

Hayward Area Recreation and Park District

Other Open/Protected Space

2,000

1,000

0

2,000

Feet

1,000

500

0

1,000

Meters

Map datum and projection: NAD83, UTM Zone 10N

Map data: San Francisco Estuary Institute (habitats, bay shoreline, aqueduct), EDAW (project boundary), Cargill (ponds, buildings), Bay Area Open Space Council (highways), Map by: Megan Gosch & Daniel Ficker, EDAW Inc.

Map date: December 7th, 2004.

Eden Landing

(Baumberg)

NOTE: Hunting on Dept. of Fish & Game lands by public lottery on limited dates

Airport

Hiking Trail

Bicycle Trail

Hunting Area

Boat Launch

Interpretive Trail

Camping

Kayak Launch

Dogs Allowed

Picnic Area

Environmental Education Center

Viewing Area

Fishing

Visitor Center

Whole Access Trail

Parking

Historic Features

Southgate Park

Weekes Park

Mt. Eden Park

Hayward Regional Shoreline

Hayward Area Recreation District

Oliver Salt Works

Historic Salt Works

Eden Creek

Old Alameda Creek

Alameda Creek Flood Control Channel

Coyote Hills Regional Park

Harvey Community Park

Northgate Park

Ardenwood Historic Farm

Newark

Union City Salt Works

Cas Verde

South Bay Salt Pond Restoration Project

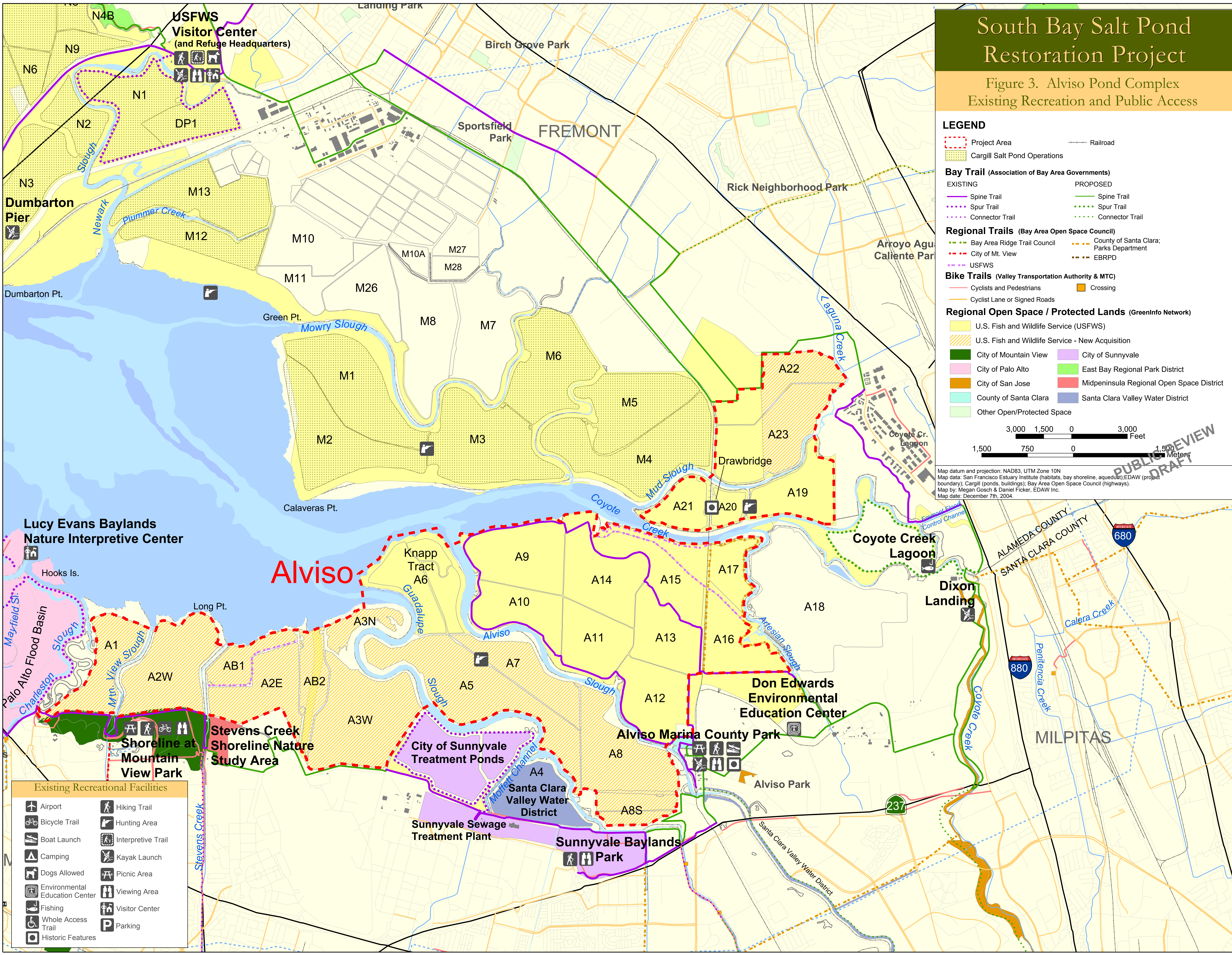
Figure 3. Alviso Pond Complex
Existing Recreation and Public Access

LEGEND

- Project Area**
Project Area
Cargill Salt Pond Operations
- Bay Trail (Association of Bay Area Governments)**
EXISTING
Spine Trail
Spur Trail
Connector Trail
PROPOSED
Spine Trail
Spur Trail
Connector Trail
- Regional Trails (Bay Area Open Space Council)**
Bay Area Ridge Trail Council
City of Mt. View
USFWS
County of Santa Clara; Parks Department
EBRPD
- Bike Trails (Valley Transportation Authority & MTC)**
Cyclists and Pedestrians
Cyclist Lane or Signed Roads
Crossing
- Regional Open Space / Protected Lands (GreenInfo Network)**
U.S. Fish and Wildlife Service (USFWS)
U.S. Fish and Wildlife Service - New Acquisition
City of Mountain View
City of Palo Alto
City of San Jose
County of Santa Clara
Other Open/Protected Space
City of Sunnyvale
East Bay Regional Park District
Midpeninsula Regional Open Space District
Santa Clara Valley Water District



Map datum and projection: NAD83, UTM Zone 10N
Map data: San Francisco Estuary Institute (habitats, bay shoreline, aqueduct), EDAAW (project boundary), Cargill (ponds, buildings), Bay Area Open Space Council (highways).
Map by: Megan Gosch & Daniel Ficker, EDAAW Inc.
Map date: December 7th, 2004.



- Existing Recreational Facilities**
- | | |
|--------------------------------|--------------------|
| Airport | Hiking Trail |
| Bicycle Trail | Hunting Area |
| Boat Launch | Interpretive Trail |
| Camping | Kayak Launch |
| Dogs Allowed | Picnic Area |
| Environmental Education Center | Viewing Area |
| Fishing | Visitor Center |
| Whole Access Trail | Parking |
| Historic Features | |

South Bay Salt Pond Restoration Project

Figure 4. Ravenswood Pond Complex
Existing Recreation and Public Access

LEGEND

- Project Area

Railroad

Bay Trail (Association of Bay Area Governments)

EXISTING

PROPOSED

Spine Trail

Spur Trail

Connector Trail

Spine Trail

Spur Trail

Connector Trail

Regional Trails (Bay Area Open Space Council)

Unknown

Bike Trails (Valley Transportation Authority & MTC)

Cyclists and Pedestrians

Cyclist Lane or Signed Roads

Regional Open Space / Protected Lands (GreenInfo Network)

U.S. Fish and Wildlife Service

U.S. Fish and Wildlife Service - New Acquisition

Midpeninsula Regional Open Space District

City of Palo Alto

City of Menlo Park

Other Open/Protected Space

Map datum and projection: NAD83, UTM Zone 10N
Map data: San Francisco Estuary Institute (habitats, bay shoreline, aqueduct); EDAW (project boundary); Cargill (ponds, buildings); Bay Area Open Space Council (highways).
Map by: Megan Gosch & Daniel Ficker, EDAW Inc.
Map date: December 7th, 2004.

PUBLIC REVIEW
DRAFT

Existing Recreational Facilities

| | |
|--------------------------------|--------------------|
| Airport | Hiking Trail |
| Bicycle Trail | Hunting Area |
| Boat Launch | Interpretive Trail |
| Camping | Kayak Launch |
| Dogs Allowed | Picnic Area |
| Environmental Education Center | Viewing Area |
| Fishing | Visitor Center |
| Whole Access Trail | Parking |
| Historic Features | |