Attachment #2

SIERRA CLUB
FOUNDED 1892

San Francisco Bay Chapter
Serving Alameda, Contra Costa, Marin and San Francisco Counties

Mayor copy

REPLY TO: 802 Balra Drive
El Cerrito, CA 94530

January 8, 2007

Honorable Mayor Robert Lieber
And Members of the City Council
City of Albany
1000 San Pablo Avenue
Albany, CA 94706

Re: Resolution Following Recommendations of the WTA Site Alternative Analysis for Ferry Terminal

Dear Mayor Lieber and Council Members:

As you may know the Water Transit Authority (WTA) is just beginning the process of analyzing the various alternative sites for a new ferry terminal and parking in the East Bay. In July 2006 the WTA published its "Site Alternative Analysis." This Analysis found that two sites at University Avenue in Berkeley were the "leading contenders for being carried forward for further analysis." (p.ES-5). The Analysis further found that, "The Gilman Street and Buchanan Street sites, Site D and Site E, have multiple unfavorable conditions, especially waterside, where the sites front on the Eastshore State aquatic parkland and areas of eelgrass and rafting bird." (Id.) The Analysis recommended studying the two University Avenue sites.

The prior Albany City Council had not had the benefit of the WTA's Site Alternative Analysis. The Sierra Club asks that the City Council go on record opposing the Gilman Street and Buchanan Street sites and supporting the recommendation in the WTA's "Site Alternative Analysis" that only the two University Avenues sites be studied further. This wills save anywhere between $100,000 to $300,000 in additional estimated costs for studying those two sites.

I have enclosed a short summary expressing the reasons why the City should oppose the Gilman and Buchanan Street sites. The summary often quotes directly from the WTA's "Site Alternatives Analysis." I am also including a copy of the "Recommendations" from the Executive Summary of the "Site Alternative Analysis" and the WTA staff report which recommended studying only the two University Avenue sites.

The Sierra Club asks that the City Council express its opposition to the WTA studying the Gilman and Buchanan Street sites.

Sincerely yours,

Norman La Force, Chair
East Bay Public Lands Committee

Reasons to recommend to the WTA that it not study the Gilman Street and Buchanan Street Sites for a Ferry terminal and parking

The Water Transit Authority (WTA) has proposed studying various alternatives for an East Bay ferry service;

The proposed alternatives are three at the Berkeley Marina, the end of Gilman Street, and the end of Buchanan Street;

The WTA prepared a "Site Alternative Analysis" in July 2006 outlining the advantages and disadvantages of each alternative;

The City Council for the City of Albany passed a resolution prior to the publication of the WTA's "Site Alternative Analysis" in which it urged the WTA to study the Berkeley Marina, Gilman Street, and Buchanan Street sites but at that time did not have the benefit of that analysis when it passed that resolution;

The WTA's "Site Alternative Analysis" of July 2006 did not recommend studying the Gilman Street and Buchanan Street sites as alternatives for the reasons summarized in the Executive Summary's "Recommendations" from the "Site Alternative Analysis," a copy of which is attached hereto.

That summary states that the Gilman Street and Buchanan Street sites "have multiple unfavorable conditions, especially waterside, where the sites front on the Eastshore State Park aquatic parkland and areas of eelgrass and rafting birds."

The summary further states in regard to both the Gilman and Buchanan Street sites: "In addition, the sites provide the slowest in-vessel travel time and require substantially greater volumes of dredging material to allow ferries to enter the shallow terminal areas." And further, "The resource agencies indicated that the potential impacts to eelgrass beds at Gilman and Buchanan sites, Sites D and E, would be significant. When impacts are potentially significant, a full EIR/EIS environmental analysis is required."

The summary states that the "Gilman Street site is further constrained by the addition of Gilman Playing Fields, currently under construction...the Eastshore State Park, ...and "the planned route of the Bay Trail along the waterfront;"

The summary states further: "The merits of the two University Avenue sites, Sites A and B, are superior to sites C, D, and E; as a result it is recommended that they be carried forward for environmental analysis."

Studying both the Gilman and Buchanan Street sites will significantly increase the costs of the environmental assessment and preliminary design activities to between an extra $100,000 to $300,000;

The Albany Waterfront Committee passed a resolution that recommended that the WTA study the Berkeley Marina sites and that the WTA not study the Gilman and Buchanan Streets sites;

Neither the Gilman or Buchanan Street sites enjoy strong public support;

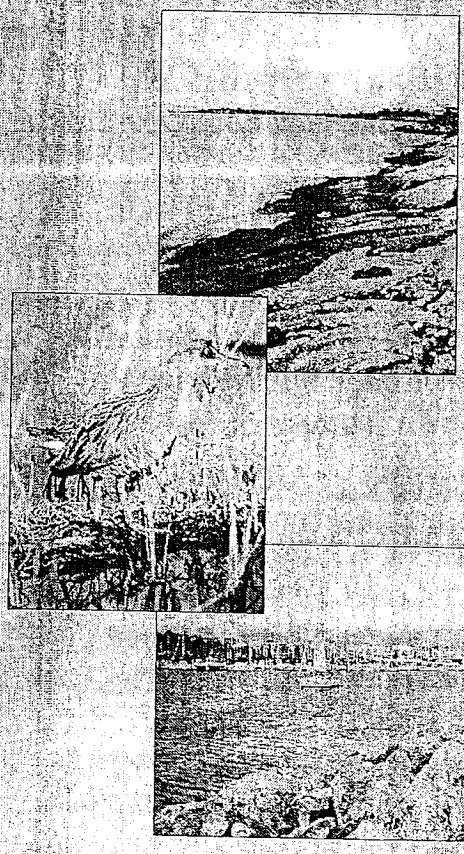
A ferry at the Buchanan Street site would be inconsistent with the wishes of many Albany residents and would not enjoy support of large numbers of Albany residents who expressed their opposition to development on the shoreline of Albany.

Both the Gilman Street and Buchanan Street sites are not reasonable alternatives because the land for the ferry terminal and parking would need to be purchased from a private landowner by eminent domain because there is no willing seller while the University Avenue sites are publicly owned and would be available for use with an agreement with the City of Berkeley, which has expressed clear support for a ferry terminal at one or the other of the University Avenue sites;

The Sierra Club urges the Albany City Council to oppose the WTA studying the Gilman Street and Buchanan Street sites, Sites D and E in the WTA's report, and to urge the WTA to drop those two sites from its study, thus saving the taxpayers anywhere between $100,000 to $300,000 (and possibly more) that would be wasted on studying sites that have clear significant negative environmental impacts, would be more costly to acquire, develop, maintain, and use, do not enjoy strong public support, and would

BERKELEY/ALBANY FERRY TERMINAL STUDY

Site Alternatives Analysis



Prepared by:

URS

July 2006

Prepared for:

WATER TRANSIT AUTHORITY

The summary information comparing the advantages and disadvantages of each site was used to evaluate the five alternative sites. Ratings of best, neutral, and worst were given to provide a more easily observed comparison of the sites according to the evaluation criteria presented. The ratings were placed in a matrix, which is presented in Figure ES-3.

ES.4 RECOMMENDATIONS

The summary matrix clearly indicates that two University Avenue sites, Site A and Site B, are the leading contenders for being carried forward for further analysis. Very favorable ratings (green dot) are indicated in 17 out of 21 evaluation categories for Site A, and 16 categories for Site B. Site A has existing docking and parking facilities that could be readily converted for ferry use and adequately support existing uses in the vicinity. Site B offers the fastest travel time to San Francisco and has unimpeded access to deep water, requiring minimal dredging. Each site has poor transportation access, particularly from I-80, the sole poor (red-dot) category.

The other University Avenue site, Site C, would be less favorable, garnering only four green dots on the summary matrix. The site would have greater travel times and require more extensive dredging than Sites A and B due to its location behind the point on Brickyard Cove. Ferry service would also conflict with environmental classes and recreational activities emanating from the Nature Center and the boat clubs on Brickyard Cove. Poor access would also be a negative factor.

The Gilman Street and Buchanan Street sites, Site D and Site E, have multiple unfavorable conditions, especially waterside, where the sites front on the Eastshore State Park aquatic parkland and areas of eelgrass and rafting birds. In addition, the sites provide the slowest in-vessel travel time and require substantially greater volumes of dredging material to allow ferries to enter the shallow terminal areas. More favorable are the opportunities for mixed-use, transit-oriented development of Golden Gate Fields parking areas, particularly at Buchanan Street, and easy access from I-80. The Gilman site, however, is constrained by the addition of Gilman Street Playing Fields, currently under construction immediately to the east, Eastshore State park to the south, and the planned route of the Bay Trail along the waterfront.

The resource agencies indicated that the potential impacts to eelgrass beds at the Gilman and Buchanan sites, Sites D and E, would be considered significant. When impacts are potentially significant, a full EIR/EIS environmental analysis is required. Conversely, Sites A and B are in areas for which potential impacts can be readily mitigated, requiring a less extensive level of environmental analysis, such as an Environmental Assessment/Mitigated Negative Declaration.

The merits of the two University Avenue sites, Sites A and B, are superior to those of Sites C, D, and E; as a result, it is recommended they be carried forward for environmental analysis.

AGENDA ITEM 8
MEETING: 7/27/06

MEMORANDUM

TO: **Authority Members**

FROM: **John Sindzinski, Manager of Planning and Development**

SUBJECT: **Albany/Berkeley Alternative Ferry Terminal Location Study and recommended sites for further environmental review**

Recommendation
Confirm the staff recommendation to focus the subsequent environmental review of the sites along the Albany/Berkeley waterfront to two preferred locations. The two sites are at University Avenue and include the Berkeley Marina itself and an area along the western shoreline south of the Berkeley Pier. (See figure ES-1).

Background
Since early this year, URS (the environmental consultant for the Berkeley service) has performed technical analyses to characterize and evaluate alternative sites for the proposed ferry service along the East Bay waterfront. The URS work provided a thorough and transparent technical analysis to support recommending a smaller set of locations that would be studied in the formal environmental assessment. The formal environmental assessment constitutes the next phase of the URS work scope.

At this time staff and URS recommend limiting the formal environmental assessment to two sites. These include a site inside the Berkeley Marina and a second alternative located on the western shoreline of the Marina just south of the Berkeley Pier. In the past, such actions were made administratively. This item is being brought for your discussion to engage the broadest possible public input and to provide an opportunity to interested parties and stakeholders to comment on the proposed staff direction. This approach also has the decided advantage of documenting a thorough and transparent "alternative analysis" of a range of potential sites.

Discussion
Attached to this memorandum please find a copy of the URS report on the five sites that were studied. These sites include the shoreline at the foot of Buchanan St in Albany, the foot of Gilman St in Berkeley and three other locations in and around the Berkeley Marina located immediately west of University Ave.

As part of their work URS looked at marine navigation issues for each alternative site, environmental issues, rafting birds, dredging requirements, landside access and parking, compatibility with existing and proposed land uses at each location and a number of other technical factors. Each site was then evaluated relative to each other against these criteria. (See Figure ES-3 and table ES-1).

The URS work also included an outreach effort to inform and advise this technical analysis. Key staff with the cities of Albany and Berkeley was consulted during the three-month study period as were representatives from resource agencies, landowners including the east bay Park district, the BCDC and other technical staff. Meetings were also held with environmental groups with an active interest in the issues surrounding these sites as a location for a ferry terminal. URS staff along with Authority staff also met with the Mayors of both Albany and Berkley to garner their perspective on these alternatives. In addition we attended a meeting with the Albany Waterfront Committee to discuss their input on the alternatives analysis. Accordingly, the URS report provides a relative assessment of stakeholder support for each site.

In general, the University Avenue sites have fewer environmental impacts, particularly related to dredging, disruption to rafting birds, and disruption to eelgrass. The Gilman and Buchanan sites were historically thought to have better access and parking availability. However, ridership forecast results did not support that access to the Gilman and Buchanan sites generated more riders.

A majority of Berkeley City Council members have publicly endorsed the University Avenue sites, as has Berkeley Mayor Tom Bates. Albany Mayor Alan Maris, who is a member of the WTA's Community Advisory Committee, has asked that the Albany sites be further considered. We have also received a letter from Golden Gate Fields General Manager Peter Tunney asking that the Albany sites be further considered.

In addition to the ferry service alternatives, there is also a proposal for a new development project at Golden Gate Fields. That project, being proposed by Caruso Affiliated, is opposed by several environmental groups. Those groups have placed a measure on the Albany ballot for November that would limit development on the site.

Financial Implications

The cost of the formal environmental assessment increases as the number of sites included increases. Staff estimates the analysis of the Albany sites would increase the cost of the environmental assessment and preliminary design activities by $100,000 to $300,000. In addition, the resource agencies consulted have indicated limiting the environmental assessment to these two sites makes it more likely that this project can be delivered in the shortest time possible.

Options

Staff recommendation is to proceed with formal environmental documentation of the two University Avenue sites. Other options would include 1) proceeding with full analysis of all five sites, 2) adding only one additional site, most likely the Buchanan site, to the formal analysis, 3) analyze additional sites on the condition that the University sites are "preferred", or 4) proceed with two sites at this time, but reevaluate adding sites after the formal public scoping meetings on the project and after the November election related to the development project.

END

NOTE: DUE TO A LACK OF QUORUM, THE MAY WATERFRONT COMMITTEE MEETING WAS NOT CALLED TO ORDER.

WATERFRONT COMMITTEE
MINUTES
Thursday, May 4, 2006
Council Chambers
Albany City Hall-1000 San Pablo Avenue
7:30 p.m.

Members Present:	Preston Jordan Bill Dann Jerri Holan
Members Absent:	Robert Cheasty Steve Granholm Billy Blattner
Staff Present:	Nicole Almaguer, Ann Chaney

I. CALL TO ORDER

II. ROLL CALL

III. ANNOUNCEMENTS

IV. PUBLIC COMMENT

V. CONSENT CALENDAR
   a. Approve Minutes from the April meeting

VI. NEW BUSINESS
   a. Absences
   b. Committee Rules of Order
   c. Waterfront Planning Process
   d. Planning for Albany's Portion of the Eastshore State Park

VII. STATUS REPORT/DISCUSSION
   a. Albany/Berkeley Ferry
   b. Caruso Development Process update (standing agenda item)
   c. Bay Trail update (standing agenda item)

VIII. CORRESPONDENCE

IX. POSSIBLE FUTURE AGENDA ITEMS
   a. Waterfront Committee role in Golden Gate Fields Development Planning Process
   b. Alternate development proposals for Albany Waterfront
   c. Eastshore State Park funding for Albany: list of funding needs

X. ADJOURNMENT

Golden Gate Fields

April 20, 2006

Steve Castleberry
System Planning
San Francisco Bay Area Water Transit Authority
120 Broadway
San Francisco, CA 94111

Dear Steve:

Per our discussion, the San Francisco Bay Area Water Transit Authority (WTA) is about to begin an environmental review of one or more sites in the Berkeley/Albany area as a possible future location for a new ferry terminal.

As you know, Golden Gate Fields property encompasses most of the land on the west side of the freeway between Buchanan Street in Albany and Gilman Street in Berkeley. Also, in partnership with Caruso Affiliated, we are proposing a new outdoor mixed-use development on what today are the property's North parking lots.

The proposed project will be an outstanding destination for people looking to take advantage of the waterfront that will be created as part of the project, the Eastshore State Park that adjoins our property on the north, the race track, and the restaurants and shopping among other sites. Caruso Affiliated has already proposed, as part of the project, to have a shuttle that takes people both to and from Solano Avenue in Albany/Berkeley, as well as to the BART station, which will further connect the property to neighboring destinations. Given all of the proposed amenities that will be built at the property, and its connections to the surrounding areas, we strongly believe that the WTA should consider both the Gilman and Buchanan sites as possible locations for the ferry terminal.

We understand that the project on our property has yet to be approved. Yet, in the event that it is approved, it would seem that the WTA would want to be in the best position to consider all location options. We strongly urge you to study all possible East Bay locations, and we look forward to working closely with you to answer any questions you may have. Thank you for taking time to discuss these options.

Sincerely,

Peter W. Tunney
Executive Vice-President

Pacific Racing Association
1100 Eastshore Highway, Berkeley, California 94710
A Magna Entertainment Corp. Facility

TOTAL P.01

Attachment 1

Attachment #3

RESOLUTION NO. 04-5

A RESOLUTION OF THE ALBANY CITY COUNCIL SUPPORTING ALAMEDA COUNTY REGIONAL MEASURE 2, WHICH PROVIDES FUNDING FOR THE ESTABLISHMENT AND OPERATION OF AN ALBANY/BERKELEY FERRY.

WHEREAS, the Albany City Council passed Resolution #02-89 supporting spending transportation revenues for an Albany/Berkeley Ferry service; and

WHEREAS, Regional Measure 2 will provide the only foreseeable funding for the establishment and operation of an Albany/Berkeley Ferry; and

WHEREAS, ferries provide alternative public transportation and will increase access to and from recreational facilities at the Albany/Berkeley waterfront; and

WHEREAS, the Albany Waterfront Committee, therefore, recommends that the Albany City Council support Regional Measure 2, which goes before Bay Area voters on March 2, 2004.

NOW, THEREFORE, BE IT RESOLVED that the Albany City Council supports Alameda County Regional Measure 2 and encourages Albany residents to vote for this Measure on March 2, 2004.

JON ELY
MAYOR

City of Albany

1000 SAN PABLO AVENUE • ALBANY, CALIFORNIA 94706-2295

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FAX (510) 528-5797

CITY ATTORNEY
PH. (510) 524-9205
FAX (510) 526-9190

CITY CLERK
PH. (510) 528-5720
FAX (510) 528-5797

CITY COUNCIL
PH. (510) 528-5720
FAX (510) 528-5797

COMMUNITY DEVELOPMENT & ENVIRONMENTAL RESOURCES
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- Environmental Resources
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- Planning

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FAX (510) 524-9359

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PERSONNEL
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FAX (510) 528-5797

POLICE
PH. (510) 525-7300
FAX (510) 525-1360

RECREATION & COMMUNITY SERVICES
1249 Marin Avenue
PH. (510) 524-9283
FAX (510) 528-8914
- Friendship Club/ Childcare Program PH. (510) 524-0135
- Senior Center PH. (510) 524-9122 FAX (510) 524-8940
- Teen Center PH. (510) 525-0576

RESOLUTION NO. 04-5

PASSED AND APPROVED BY THE COUNCIL OF THE CITY OF ALBANY,

this 17th day of February ,2004 , by the following votes:

AYES: Council Members Good, Maris, Okawachi,Thomsen & Mayor Ely

NOES: None

ABSENT: None

WITNESS MY HAND AND THE SEAL OF THE CITY OF ALBANY, this 18th

day of February , 20 04.

JACQUELINE L. BUCHOLZ, CMC
CITY CLERK

Res. 04-5.

040-30

CITY OF ALBANY
CITY COUNCIL AGENDA
STAFF REPORT

Prepared Date: 2/12/04
Agenda Date: 2/17/04
Reviewed By: BP

TO: City Council

FROM: Dave Dowswell, Planning Manager

SUBJECT: Presentation by the Water Transit Authority on Regional Measure 2 (Regional Traffic Relief Plan), Which Would Increase Bay Area Bridge Tolls by $1, Except for the Golden Gate Bridge, in Order to Make Various Transportation Improvements in the Bridge Corridors, including Expansion of the Ferry Service in the San Francisco Bay Area

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RECOMMENDATION:

The Waterfront Committee recommends that the City Council support Regional Measure 2, which would increase Bay Area bridge tolls by $1, except the Golden Gate Bridge, to fund major transportation projects in the bridge corridors. These projects would include improved ferry service and the possibility of a new ferry terminal in the Albany-Berkeley area.

BACKGROUND

Senate Bill No. 428 created the San Francisco Bay Area Water Transit Authority (WTA) and empowered it to develop a water transit implementation plan for the Bay Area by the end of 2002. The purpose of the plan was to propose options to help the critical transportation needs and problems facing the Bay Area.

On December 12, 2002, the WTA submitted an implementation and operations plan (IOP) to the State Legislature. Last year the State Senate adopted, and former Governor Gray Davis signed SB 916. This bill authorized placing a measure on the March 2, 2004, ballots in Alameda, Contra Costa, San Mateo, Solano, San Francisco, Santa Clara, and Marin counties. The measure, if approved, would increase the bridge tolls by $1 on all of the Bay Area bridges except the Golden Gate Bridge. The money would be used to implement a number of transportation projects along the bridge corridors, which include new mass transit projects and critical highway improvements.

On February 5, 2004, the Albany Waterfront Committee (WFC) approved the attached resolution encouraging the City Council to endorse Regional Measure 2 (RM2), a potential funding source for a Albany-Berkeley ferry service. The WFC used as a basis for their recommendation Resolution #02-89, approved by Albany City Council on November 5, 2002, which supports

spending transportation revenues for an Albany-Berkeley Ferry Service if the results of the Environmental Impact Report and the IOP support an Albany-Berkeley ferry service.

ANALYSIS

The Waterfront Committee has taken a position asking the City Council to endorse RM2. Ms. Heidi Machen of the WTA, will be making a presentation to the City Council about RM2. At the conclusion of the presentation, she will answer questions. Attached for the Council's information is the Executive Summary of RM2.

An Environmental Impact Report would have to be prepared if RM2 were to pass and Albany-Berkeley were to be selected for a possible ferry site. This document would have to analyze all of the potential impacts from a new ferry site and service.

FISCAL IMPACTS

No cost impacts to the City of Albany.

ATTACHMENTS

A. Draft City Council Resolution #04-5
B. Waterfront Committee Resolution
C. Excerpt from the Waterfront Committee minutes.
D. City Council Resolution #02-89
E. Executive Summary of RM2

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Attachment #5

RESOLUTION #02-89

A RESOLUTION OF THE ALBANY CITY COUNCIL SUPPORTING SPENDING TRANSPORTATION REVENUES FOR AN ALBANY-BERKELEY FERRY SERVICE

WHEREAS, the I-80 Bay Bridge corridor has the worst level of traffic congestion in the Bay Area; and

WHEREAS, an Albany-Berkeley ferry service could reduce congestion on the I 80 - Bay Bridge corridor and provide emergency commuter service in a disaster and a Bay crossing for bicycle commuters, and

WHEREAS, the studies for the Environmental Impact Report (EIR) and the Implementation and Operations Plan (IOP) of a Bay Area ferry service are being conducted to determine environmental, economic and commuter congestion impacts,

NOW, THEREFORE, BE IT RESOLVED, that if the results of the EIR and IOP support an Albany-Berkeley ferry service, the Albany City Council supports spending transportation revenues for an Albany-Berkeley ferry service.

Mayor Thomsen

Regional Measure 2 Resolution

Whereas the Albany City Council passed Resolution #02-89 supporting spending transportation revenues for a Berkeley/Albany Ferry Service;

Whereas Regional Measure 2 will provide the only foreseeable funding for the establishment, and operation, of a Berkeley/Albany ferry;

and *Whereas* ferries provide alternative public transportation;

and *Whereas* ferries will increase access to and from recreational facilities at the Berkeley/Albany waterfront;

The Albany Waterfront Committee therefore recommends that the Albany City Council support Regional Measure 2, which goes before Bay Area voters on March 2.

Passed and approved by Albany Waterfront Committee on this 5th day of February, 2004 by the following votes:

AYES: Committee members Blattner, Granholm, Holan, Meniketti & Chair Schinnerer

NOES: None

ABSENT: Nelson, Ohlson