Outlook

Public comment for upcoming BCDC DRB May 11, 2026 meeting on Berkeley pier-ferry project

From Camille Antinori <camilleantinori@gmail.com>
Date Tue 5/5/2026 1:36 PM
To BCDC Public Comment <publiccomment@bcdc.ca.gov>

Dear BCDC commissioners,

We read BCDC's scoping comments on the Berkeley Water Transportation Pier Ferry Plan from May 2025 and are forwarding you a copy of our public comment on the draft environmental impact report (DEIR) to be considered for the BCDC Design Review Board in advance of the May 11 meeting on this project.

After careful review of the DEIR, we found serious deficiencies that relate to BCDC concerns:

- **Project description:** no specifications for an electric ferry that meets the project's description, absence of service levels as assumed in planning documents, and no integrated analysis of transportation demand management programs.
- **New dredging** is misrepresented

BWCCDEIRCOMMENTSFINAL.pdf

as one-time, construction-related maintenance dredging and omits channel dredging and maintenance dredging necessary for life of the project.

- **Lack of baseline recreational inventory from available data:** The DEIR understates current baseline recreational activity. Our comment document quantifies recreational activity at the Berkeley waterfront, as BCDC requested of the DEIR but which was not provided.
- The DEIR **omits existing and foreseeable projects** from baseline conditions, e.g., investments in biking, walking, and rehabilitation of 199 Seawall lot. It tries to bundle these investments as only available should Berkeley adopt the project *in toto*.
- **Community feedback:** Its cursory treatment of the public engagement obscures a controlled public process and omits substantive public feedback. It cannot be said that the public input has shaped the project in any way.
- **Reported emissions impacts is dubious:** Vehicular traffic to access the ferry will increase by 77% in the south waterfront area. Data indicates an increase in VMTs rather than a decrease.
- **Biological impacts:** DEIR misrepresents data on eelgrass and under-analyzes fish habitat impacts, and only discusses construction-phase impacts.
- The project would **completely change the character of the shoreline area** from a low-cost recreational bluespace asset, serving the region as well as nearby SB535 communities, to a commuter-oriented portal oriented to ferry landside and waterside needs, such as ferry patron vehicle access.

- **DEIR ignores the elimination, against community feedback, of a popular aesthetic asset** for easy and low-cost in-car viewing historically popular with the public including families and anglers.

- **Alternatives:** The DEIR actually does not show that it meets transit objectives, and its range of feasible alternatives are unduly constrained and indistinct. Therefore, it must expand its analysis of feasible alternatives to include projects that meet objectives with less environmental impact, including a recreation-only pier and an in-marina ferry terminal.

- **Social and economic benefits:** Even though CEQA impact analysis should not be justified based on social or economic benefits, the DEIR falls back on that reasoning at various points. In anticipation of the lead agency overriding environmental impacts based on unsubstantiated benefits, we provide data that suggest negative social, economic and financial impacts to be taken into consideration.

Please see our comment document for more details and add this note plus our attached DEIR comments to the public record for the BCDC Design Review Board meeting on the project May 11, 2026. We also encourage you to view other non-agency DEIR public comments prior to the meeting. In our opinion, the DRB meeting may be premature. However, if it stands, we hope our review of the DEIR assists you.

Thank you,

Camille Antinori

Berkeley Waterfront Community Coalition

Date: **April 28, 2026**
To: **Liza McNulty, PE, Project Manager**
City of Berkeley, Parks, Recreation, and Waterfront Department
2180 Milvia, 3rd Floor
Berkeley, California 94704
From: **Berkeley Waterfront Community Coalition**
Re: **Berkeley Water Transportation Pier Ferry Draft EIR Comments**

Berkeley Waterfront Community Coalition (BWCC) is a nonprofit organization formed under the auspices of Berkeley Partners for Parks, a 501(c)3 organization. Its founding members seek to preserve and expand access for a diverse public to enjoy the waterfront and share ideas for supporting this unique urban shoreline. BWCC's mission is to develop projects that raise awareness of the waterfront, enhance a sense of community, and support the waterfront's role in providing affordable public access to blue- and greenspace amenities to the region and beyond. BWCC submitted scoping comments in response to the City of Berkeley's (COB) Notice of Preparation (NOP) in May 2025 for the Berkeley Water Transportation Pier Ferry project (the "project"). Below, we are pleased to submit comments to the City of Berkeley's Draft Water Transportation Berkeley Pier Ferry Environmental Impact Report, made available Friday, February 27, 2026 (~3pm). We submit these comments to inform the city that this Draft Environmental Impact Report (DEIR) is inadequate under the California Environmental Quality Act (CEQA), Public Resources Code § 21000 et seq., and the CEQA Guidelines, California Code of Regulations, title 14, §15000 et seq. (CEQA Guidelines).

This letter is submitted along with the reports/linked attachments prepared by BWCC, EBOWS, Placer.ai through COB's license managed by Visit Berkeley tourist bureau, and public comments on elements of the project. We also list references to studies which bear on the health and equity benefits of bluespace - areas near bodies of water like lakes, oceans and rivers - and the importance of those needs in California as they relate to the waterfront area in the vicinity of the project. We respectfully refer the city to those, both here and throughout these comments, for further detail on our comments.

We request that the city reply to each of the comments in this letter and prepare and recirculate a new and adequate DEIR.

I. Overview of principal deficiencies

The DEIR, as prepared, contains fundamental deficiencies that undermine its usefulness as an informational and decision-making document under CEQA. The project setting, description, and baseline conditions are incomplete and, in key respects, inaccurate. These shortcomings permeate the entire analysis and compromise the evaluation of environmental impacts relative to baseline conditions. The DEIR fails to incorporate readily available data necessary to characterize existing recreational use in and around the project area, and the impact analyses frequently ignore, misstate, or omit relevant evidence available at the time of the Notice of Preparation, including any meaningful cumulative impact assessment. Moreover, the DEIR provides no credible evidentiary basis for its conclusion that the project would result in a net increase in recreational activity along with less-than-significant impacts. On the contrary, available evidence indicates that the proposed ferry project would reduce public access to the waterfront and increase the cost of bluespace recreation. None of these impacts, nor the inconsistencies of the project, can be discerned from reading the DEIR.

The stated need for the project—beyond basic pier restoration—is not substantiated, calling into question the adequacy of the project objectives and the resulting range of alternatives, which are either improperly rejected or insufficiently analyzed. Many sections of the DEIR justify impacts or project as a whole based on obtaining a recreational pier, with the Water Emergency Transportation Authority (WETA) ferry expansion plan for Berkeley as the only option, with the ferry service almost incidental, for achieving this objective. The DEIR poses too narrow a framing for this objective. Moreover, as this letter notes, the ferry component of the project as framed in the DEIR and related documents not fully integrated into the DEIR introduces significant environmental impacts. It has a potential for significant environmental impacts, if the DEIR had included required CEQA information with analysis. Many of the project's recreational improvements as claimed by the DEIR will occur in the baseline scenario, and feasible alternatives exist for pier replacement/restoration claimed by the project based on historical patterns and recent documentation. The DEIR's rationale for rejection or noninclusion of these feasible alternatives is missing or cursory.

With regard to each of CEQA's substantive requirements—a complete and stable project description, a thorough analysis of significant impacts, identification of feasible and enforceable mitigation measures, an analysis of a reasonable range of alternatives—the DEIR falls short. As a result, the DEIR fails to meet CEQA's

fundamental purpose of providing disclosure to the public of the project's environmental effects.

Finally, as context for any consideration of overriding significant impacts, we present evidence demonstrating a lack of substantial economic benefits and the presence of adverse social impacts, further undermining any claim of overriding considerations. Rather, the DEIR relies on unsubstantiated claims of increased economic and social benefits for justification at several points.

II. DEIR fails to provide adequate project description

An accurate, stable and finite project description is the *sine qua non* of an informative and legally sufficient EIR."[1] On the other hand, "[a] curtailed, enigmatic or unstable project description draws a red herring across the path of public input."[2] "[O]nly through an accurate view of the project may the public and interested parties and public agencies balance the proposed project's benefits against its environmental cost, consider appropriate mitigation measures, assess the advantages of terminating the proposal and properly weigh other alternatives ... ."[3]

Further, "[t]he project description must contain (1) the precise location and boundaries of the proposed project; (2) a statement of the objectives sought by the proposed project, including the underlying purpose; (3) a general description of the project's technical, economic, and environmental characteristics; and (4) a statement briefly describing the intended uses of the EIR."[4]

A. Electric ferry - no vessel specifications

The cover photo of the DEIR shows a sailboat alongside the pier, a pier with recreational extension, but no ferry. The project objective is to put in a zero-emission ferry. The operational details in Section 2.7 call for a 250-passenger ferry. However, we were not able to identify an electric ferry model of 250-passengers. WETA is building

[1] Washoe Meadows Community v. Department of Parks & Recreation (2017) 17 Cal.App.5th 277, 287 quoting Citizens for a Sustainable Treasure Island v. City and County of San Francisco (2014) 227 Cal.App.4th 1036, 1052; South of Market Community Action Network v. City and County of San Francisco (2019) 33 Cal.App.5th 321, 332.
[2] San Joaquin Raptor Rescue Center v. County of Merced (2007) 149 Cal.App.4th 645, 655.
[3] Id.
[4] South of Market Community Action Network, 33 Cal.App.5th at 332 citing CEQA Guidelines, § 15124; see also 14 Cal. Code Regs. (C.C.R.) § 15124(a) [An EIR must include a project description that provides "the precise location and boundaries of the proposed project."]

three 150-seat electric ferries and two 400-passenger ferries[5]. BWCC members note that the 150-passenger electrics would probably only have the range for Treasure Island to San Francisco, and the 400-passenger boats could possibly manage the entire route. The diesel-powered Bay Breeze vessel class at 97' length overall does carry 250 passengers.[6]

The DEIR does not identify which vessel WETA is planning to use at the Berkeley marina. The project description cannot be based on hypothetical concepts that may come to fruition in the future, but must be based on **existing technology** and contractual plans at the time of the NOP scoping call. To properly understand the environmental impact, the EIR must provide specifications of the electric vessel it plans to use.

Further, it must provide specifications on infrastructure to serve an electric ferry vessel in an emergency. Alternative transportation across the Bay in an emergency is in the scope of the project and is one objective. It must specify electrification infrastructure to withstand natural disasters. It should also specify whether and to what extent the electric ferry service will be able to handle emergency vehicles and emergency personnel. If the city cannot perform this request, then it must change references to electric ferries as constituting only **hypothetical scenarios** not in the foreseeable future, and omit any project outcomes that rely on electric ferries.

B. Missing information on level of ferry service

City of Berkeley documents describe the project as a large-scale commuter ferry with fourteen roundtrips or 28 crossings during weekdays (Large-Scale Ferry Feasibility Study, City Council Work Session, Tuesday, December 7th, 2021) and thirteen departures or 26 crossings to SF and Larkspur on weekends. This information is not provided in the DEIR. Operational details give a generic WETA minimum systemwide standard for peak weekday service: "At least three round-trip services must be completed during peak hours for the Berkeley/San Francisco weekday service, per WETA Board-adopted standards." With three roundtrips in the morning and three in the evening peak hours, this implies only 12 crossings during weekdays and none on the weekends. The DEIR characterizes the ferry as recreational. However, the WETA Berkeley Ferry Service Business Plan Version 1, a CEQA and DEIR planning document, (WETA Berkeley Ferry Service)

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[5] See https://sanfranciscobayferry.com/reef/ and https://www.bairdmaritime.com/passenger/ferry/san-francisco-bay-ferry-to-introduce-new-fleet-of-all-electric-vessels-starting-in-2026)

[6] See https://www.nicholsboats.com/portfolio/project/bay-breeze.

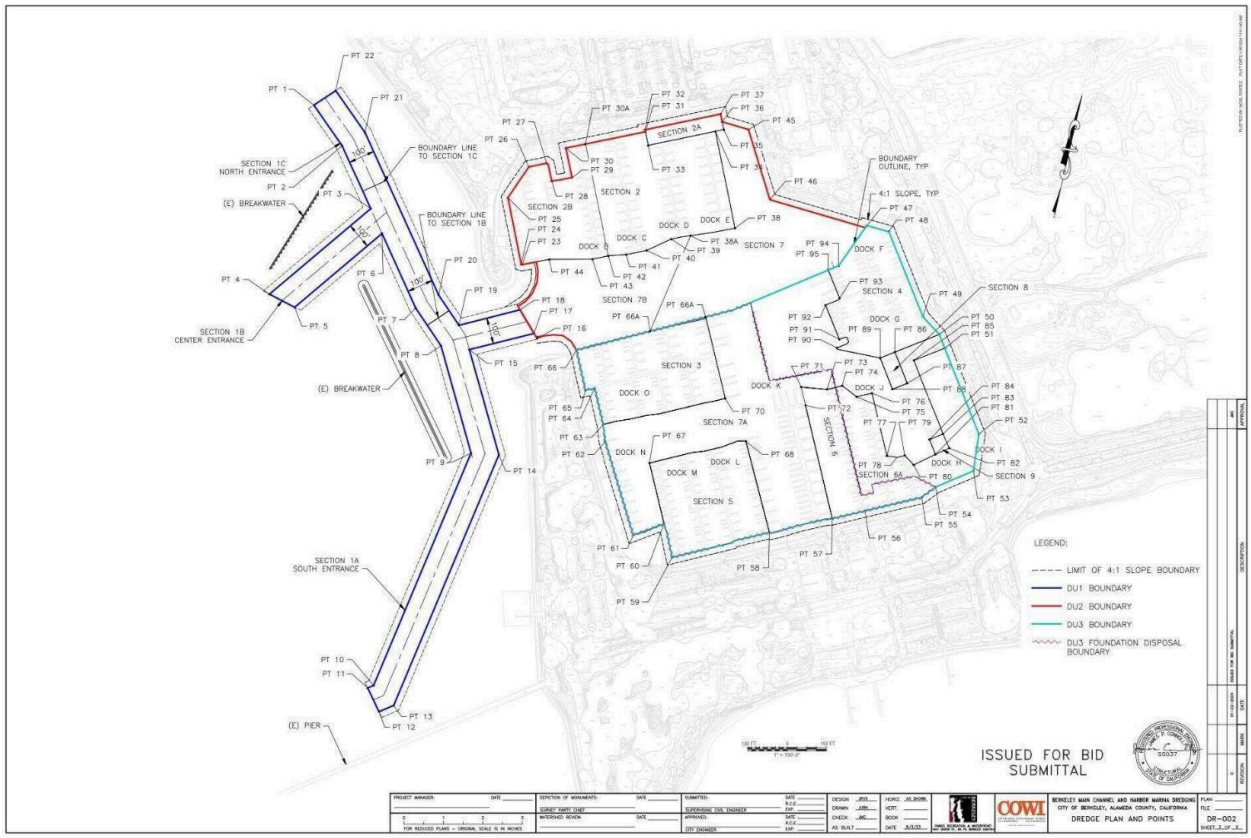
includes on page 58 of the pdf and Appendix B. Table 1 - service assumption of 8 AM peak direction and 6 AM reverse direction trips plus 6 PM peak direction and 8 reverse direction trips for the two vessels allocated to the service, for a total of 28 trips per day. Other City of Berkeley presentations have also included this same schedule. The lack of an approximate schedule within the DEIR itself makes it impossible to calculate marginal and cumulative environmental impacts. The current DEIR should be rescinded and re-issued whereby service schedule assumptions consistent with planning documents are provided.

C. Project transportation demand management omitted

Transportation demand management (TDM) to accommodate ferry patron traffic to the waterfront has been developed for the project and serves as a key design feature for the landside elements of the project. The COB has hired various consultants to address this project element. Both the latest draft of the Kittelson study and the Nelson-Nygaard studies address parking needs for the ferry, with the Kittelson study (link includes both Berkeley WTPF Baseline Parking Conditions, February 28, 2025 and the Water Transportation Pier-Ferry Project Parking and TDM Plan, March 7, 2025) as the most recent document. The DEIR partially integrates aspects of the Kittelson study in reference to mitigation measures, e.g. bicycle and bus facilities, but it does not include in the project description the project elements that call for the mitigation measures. The description should indicate clearly that across planning documents that the majority of ferry patrons arrive by car versus all other transit options, even with mitigation measures. The bulk of landside project features call for shifting land use from recreational public access to ferry patron parking. The Kittelson study estimates 421 ferry patron parking spaces needed versus the 250 currently accommodated in the project design. The needed 421 spaces reduces to 356-389 with the mitigation measures and 42 more with paid parking, still exceeding allotted spaces. This information bears on impact analysis throughout the document, such as for VMT estimates, noise, emissions, land use planning, and recreation. The current DEIR does not make this apparent. The full details of the TDM should be included in the project description and analysis along with descriptions of TDM enforcement and administration methods.[7]

[7]A waterfront benefits district plan has been discussed: CONSENT CALENDAR January 18, 2022 TO: Honorable Mayor and Members of the City Council FROM: Councilmember Rashi Kesarwani (Autho. To the extent this is still intended as part of the ferry TDM strategy, this plan should also be included in the project description and any mitigation measures.

D. New dredging activity described as one-time maintenance



Dredging area map for Berkeley Marina project as described in the maps and technical specification issue for January 2024 Bid Submittal (Marina Dredging 24-11644-C Plans.pdf).

BWCC submitted scoping comments pointing out that the NOP project description characterized **project dredging as maintenance** despite the project area not ever having been dredged. Maintenance has occurred in the marina and marina entrance channel but this is not the project area. We reiterate our NOP scoping comments: The area proposed for the ferry route includes a federal navigation channel under the Army Corps of Engineers. However, the channel is not dredged by the Corps, as it is not considered a critical navigational location, nor has it been dredged. The area proposed for the ferry dock is **new dredging**. The Berkeley marina was partially dredged under a recent Berkeley Marina maintenance dredging project. The area described in technical specifications for bid submittals is below. Note that this area was not fully dredged.

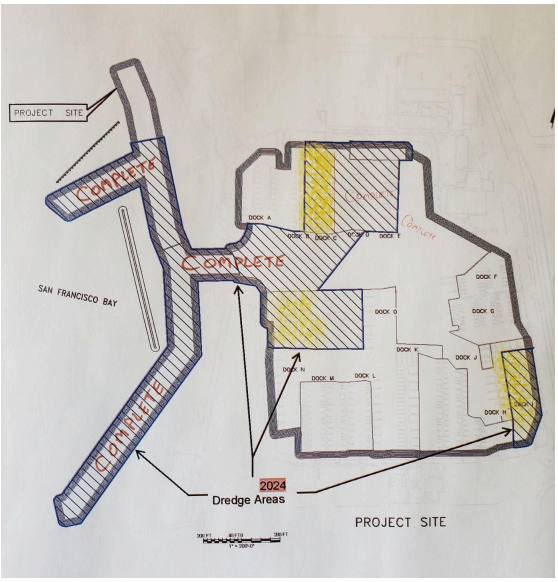
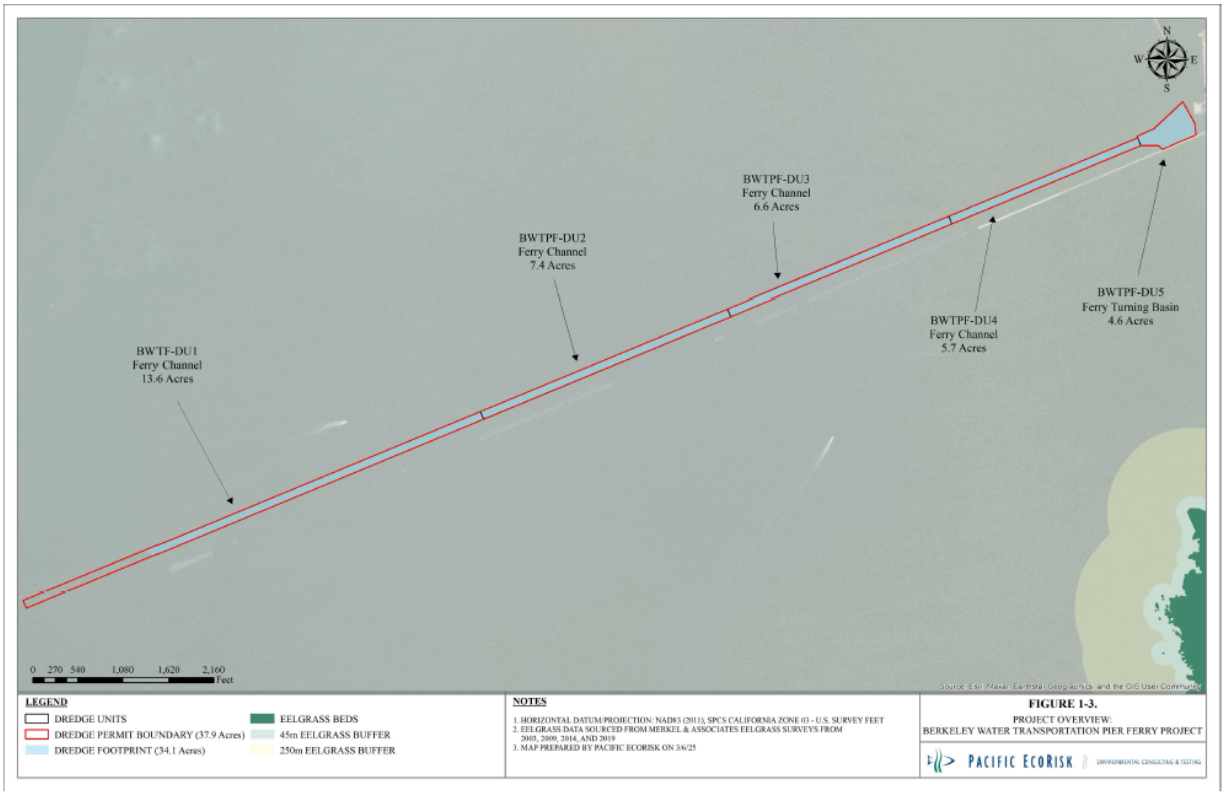


Image from Berkeley harbormaster office for the Berkeley Marina maintenance dredging shows areas actually dredged under this past effort.

The area intended to be dredged as envisioned under the current Project is orders of magnitude larger, indicated in the images below. There is no overlap in the Berkeley Marina dredging event except for a small section inshore. There is also no footprint overlap with any other dredging project past or present. Section 15125 of CEQA also says (3) An existing conditions baseline **shall not include hypothetical conditions**, such as those that might be allowed, but have never actually occurred, under existing permits or plans, as the baseline. In this case, any broader plans for dredging cannot be used as a baseline (as basis to claim maintenance dredging), even if it was permitted.

The project's dredging images (below) are from April 2025, prior to issuance of NOP and similar to actual NOP maps. The inshore "well" for the ferry terminal and turning basin and the new navigational channel for the ferry (required for the ferry only) have not been dredged. The Army Corp of Engineers website[8] shows the Berkeley Marina dredging project in 2024 where dredging was solely focused inside the Marina and Marina entrances.

[8] https://www.spn.usace.army.mil/Missions/Regulatory/Public-Notices/Article/3655212/spn-2005-299690-berkeley-Marina-dredging/



Areas required to be dredged and staged under the WETA ferry.

With the new breakwater design, siltation potential exists on top of existing siltation patterns. To provide context, the Task 2.1 Berkeley Marina Dredging Needs Technical Memo by Moffat and Nichol written for the Berkeley Marina Specific Plan, April 21, 2021, states that: “The average rate of sediment accumulation in the Harbor Basin is approximately 0.05’ per year and the rate at the harbor entrance is approximately 0.1’ per year. There are some locations at the harbor entrance which accumulate sediment at a faster rate – closer to 0.2’ per year.” For this reason, the marina has been dredged periodically. From this same report, we know Maintenance Dredging Permits issued to the City of Berkeley for maintenance dredging of the marina are as follows:

- 02/1973 dredging 5,000 Cubic Yards (CY)
- 08/1991 dredging 73,000 CY apparently from the harbor entrance
- 02/2005 dredging < 500 CY Dock H-I apparently to repair revetment
- 04/2006 dredging < 8,750 CY Dock A-C associated with dock replacement

With the 2025 dredging, the range of maintenance dredging events is 14-19 years. Comparable information for the Project is not provided, even though breakwater and

ferry terminal infrastructure added beyond the footprint of the existing pier would imply greater siltation rates.

Any dredging for the ferry project should be considered new dredging and then ongoing new maintenance dredging and treated as such under the rules and regulations of BCDC, CEQA, the Army Corps of Engineers and any other agency overseeing dredging in the Bay. It should also note that navigational channel dredging is not necessary but exists solely for the needs of the project. Then, the current DEIR should be rescinded and re-issued whereby all environmental impacts are re-assessed in light of this new information for both construction and long-term dredging over the life of the project.

Areas required to be dredged and staged under the WETA ferry.

E. Areas of Known Controversy ignores substantial community input on environmental, recreational, social and economic impacts of the project

While the Areas of Known Controversy section of a DEIR may contain a brief summary of issues raised by agencies and the public, this DEIR unduly omits the range and depth of controversy that contributed to an understanding of the project. Simultaneously, it overstates the level of meaningful community input integrated into the planning process. We note briefly here a more elaborated statement of public comment brought forward with evidence bearing on the DEIR, and as evidence itself of public concerns.

First, the project website hosted by the city contains documents with more extensive issues than those summarized in the DEIR:

- Focus groups 1-3 in 2021: meetings conducted to **prevent discussion** of the no-project alternative or recreational pier / no-ferry alternative. Comments note the amenity-only value of the ferry.
- Community workshop #1 in 2021: financial viability, post-pandemic work and business patterns, feasibility of site location; impact on recreational character of waterfront, value of current open space uses.
- Community workshop #3 and breakout sessions in 2021: project does not generate revenue for the Marina Fund; lack of data to support aspirations for secondary economic benefits of ferry to waterfront and BerkeleyPier ferry community feedback.
- Questionnaire #1 2021: Survey of 377 Berkeley residents noting amenity use rather than commuter use of a ferry; domination of cars as **mode of travel to the ferry**; Larkspur as second most desired destination although ferry project only offering weekend service for this destination; support of paid parking for ferry patrons only; comments on expanded recreation facilities around a recreational pier; fishing amenities as most often requested amenity for a recreational pier; noting existence of current recreational activity and scope for expansion of these activities. Most respondents lived within two miles of the project area.
- Pier Ferry community feedback: land use conversion from recreational public access to transit parking; Measure L consistency; call for reasonable range of alternatives to include recreation-only pier for sensitive environment; feasibility data; conflicts with existing uses; inquiries on Government Code 65302 for physical changes to areas; historical sources of federal funding for pier-only options as alternative

Second, a petition signed by 950 individuals in November 2022 and sent to city council and staff asked the city to coordinate the Berkeley Marina Area Specific Plan (later referred to as the Waterfront Specific Plan) with the WETA ferry and pier project, both of which implicate land use decisions and environmental impacts in the same area.

Planning processes for the project and BMASP/WSP were held where **the public was directed not to discuss the pier** in the BMASP meetings.

Third, in 2025, the city altered its State Coastal Conservancy (SCC) grant specifications for paving the South Cove West lot by converting the lot from a "free public resource that provides enhanced equitable access to waters of San Francisco Bay…" (quote from COB grant application) to a paid parking lot consistent with the project's transportation demand management plan for ferry patrons arriving by car. Through a public records act request and ensuing email communications, the SCC could not provide the basis to justify that the conversion remained consistent with equitable access criteria (documents available upon request). No local nonprofits or the Parks, Recreation and Waterfront Commission were notified of the proposal before it was placed as an action item on a COB city council agenda. The paid parking plan in the south lots in the vicinity of the ferry and within the ferry TDM met with strong negative Berkeley citizen response. See approximately **600 written comments in opposition sent to the city**, linked in Attachments.

Finally, a September 2022 preliminary summary report sent to the city and available here reported that over half of Berkeley shoreline fishers randomly selected for survey analysis expressed the view that a ferry at a restored recreational area would conflict with fishing, due to safety and regulations, congestion and scaring off fish, reducing the recreational experience.

The DEIR should expand its reference to areas of known controversy to assist decisionmakers in this land use decision as it offers evidence bearing on all aspects of the project: environmental, social, economic, environmental equity, and feasibility.

III. DEIR fails to establish an accurate project setting or baseline.

A. DEIR has incomplete baseline and environmental settings.

The baseline descriptions of the area and vicinity of the project and environmental settings throughout the DEIR are incomplete. As such, they do not provide a reference for near and long-term cumulative impacts.

1. CEQA requirements revisited

Baseline descriptions and environmental settings under CEQA §15125 - Environmental Setting state that:

> (a) **An EIR must include a description of the physical environmental conditions in the vicinity of the project.** This environmental setting will

normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project and its alternatives. **The purpose of this requirement is to give the public and decision makers the most accurate and understandable picture practically possible of the project's likely near-term and long-term impacts.**

(1) Generally, the lead agency should describe physical environmental conditions as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. **Where existing conditions change or fluctuate over time, and where necessary to provide the most accurate picture practically possible of the project's impacts, a lead agency may define existing conditions by referencing historic conditions, or conditions expected when the project becomes operational, or both, that are supported with substantial evidence. In addition, a lead agency may also use baselines consisting of both existing conditions and projected future conditions that are supported by reliable projections based on substantial evidence in the record.**

…

(c) Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region and would be affected by the project. The EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed and it must permit the significant effects of the project to be considered in the **full environmental context.**

(d) The EIR shall **discuss any inconsistencies between the proposed project and applicable general plans, specific plans and regional plans.** Such regional plans include, but are not limited to, the applicable air quality attainment or maintenance plan or State Implementation Plan, area-wide waste treatment and water quality control plans, regional transportation plans, regional housing allocation plans, regional blueprint plans, plans for the reduction of greenhouse gas emissions, habitat conservation plans, natural community conservation plans and regional land use plans for the protection of the coastal zone, Lake Tahoe Basin, San Francisco Bay, and Santa Monica Mountains.

2. Gaps in the existing environmental conditions

a. Section 3-1 omits current and reasonably foreseeable projects and conditions, rendering cumulative impact analysis incomplete

The following conditions exist or do so in the foreseeable future but are not included in the DEIR, rendering marginal and cumulative impact analysis inadequate, contrary to CEQA standards:

- COB and TSA Holdings LLC (TSA) are in option agreement negotiation for a 45-year ground lease.[9] Currently, TSA Holdings personnel have access to the site for environmental studies, design and engineering work, permitting work and can make city-approved repairs. This agreement provides the following[10]:
    - Renovate and reopen HsLordships facility to the public
    - Repave Seawall Lot as well as Seawall Drive
    - Extend Bay Trail pedestrian and bike paths
    - Allocate 150 spaces of the 199 Seawall Lot exclusively to TSA Holdings for customer use.
- D&E docks under construction during May 2025 are about to reopen, providing new 79 large boat slips initially with a total of 94 planned. This project brings greater recreational activity, as well as greater vehicle traffic and access demand to the waterfront in the vicinity of the project area.
- East Dock in the South Sailing Basin was closed in February 2025 due to needed repairs but reopened in September 2025 after the NOP was issued.
- Parking lots South Cove East, South Cove West and J&K lots are to become paid parking lots, converted from free public lots, by COB Resolution, June 2025.
- COB recently passed the Safe Streets (Measure FF) committing $15m for 14 years to increasing bike paths in the city. This information should be noted as a description of alternative bike recreation facilities enhanced nearby.

DEIR attributes bike and pedestrian path development in the future only to the adoption of this project. Yet, the Bay Trail bike and pedestrian paths, running through nine counties rimming the SF Bay, are typically funded as standalone projects.

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[9] Option Agreement with TSA Holding Group, LLC for 199 Seawall Drive; ANNOTATED AGENDA BERKELEY CITY COUNCIL MEETING Tuesday, January 27, 2026 6:00 PM; City Real Property: Leases and license Agreements.

[10] Lease states: “In addition to renovation of the leased premises, the Ground Lease requires TSA to complete a value of $17 million in off-site improvements, which includes improvements and maintenance of the entire Seawall Parking Lot, portions of the Bay Trail and Seawall Drive, or other Waterfront areas. In exchange for the off-site improvements, TSA is granted 150 exclusive-use parking stalls at the Seawall Lot for 45 years, the initial lease term. With improvements as required by this lease agreement, the 199 Seawall Lot is anticipated to have between 430-450 total parking spaces, pending final design.”

The initial Bay Trail and South Basin Bay Trail extension in the Berkeley waterfront (2014 onward) were **standalone projects funded primarily by non-COB funds**. The city already has an option agreement with TSA Holdings to build the Bay Trail in the waterfront on the south peninsula. This project should be **treated as a baseline and not contingent on the project**. Without the current DEIR project, permitting pathways may differ, but bike trail and pedestrian pathway development plans would continue.

These realized and foreseeable conditions must be included in the baseline and environmental settings discussions in the DEIR across impact categories to assess the cumulative impacts of the project, where CEQA requires looking at all projects, plans and activities for an area under review.

b. Failure to provide recreational baseline

BCDC scoping comments requested specific baseline information: " …please note that the Bay itself functions as a recreational facility …The EIR should document the recreational uses in and around the Project site, identify the service area and service population for the recreational facilities serving those uses…" Further specifics about the intent of this scoping comment can be found in the minutes of the two DRB meetings. BWCC also requested adequate baseline analysis in its scoping comments.

The DEIR asserts this information is provided elsewhere, but does not include a complete or quantitative inventory. We note (others have too) that, instead, on page 3.11-15 of the EIR, the city selectively quotes from the BCDC scoping letter, eliding the part about documenting the recreational uses. It then claims that Section 3.10.2 covers such uses. This is clearly a typo. Section 3.10 covers noise. There is a section in the discussion of recreation that provides only a general description of recreational activities without establishing the intensities at different locations, or applying **Bay Plan Policy Recreation Policy 3A-7**, which provides **protection for all existing recreational uses and establishes that such uses shall be "easily available from parking reserved for the public."**

The DEIR does not provide a quantitative inventory, map the spatial distribution of uses, or evaluate regional demand or intensity of use. It omits the role of nonprofit community-based recreational programs and the value of existing activities. Among other impacts, the project proposes to eliminate nearly all public parking such that this baseline information would be critical for impact analysis and determining consistency with other plans relevant to the DEIR. This omission is inconsistent with CEQA requirements. A full inventory and documented methodology for assessing recreational use must be included.

c. Incomplete spatial description of the integrated land–water recreational system

The DEIR does not adequately describe the interconnected recreational system that defines the project area. It omits the scale and connectivity of Cesar Chavez Park,

Shorebird Park, Horseshoe Park, Adventure Playground, Seawall Drive shoreline recreation areas, and McLaughlin Eastshore State Park units (North Basin Strip, Berkeley Meadow, Berkeley Beach, Brickyard Cove). This results in an incomplete spatial baseline that understates the functional integration of land and water recreation.

The DEIR does not consistently define recreational areas. Figure 3.11-1 (p. 3.11-2) includes Aquatic Park lagoon waters in its definition of park, increasing the number normally inferred as land acreage and ostensibly not including the park water areas of the waterfront. The DEIR notes that the park acreage ratio is 34.5 acres per 1000 residents. This number should be **recalculated** using consistent metrics. It either has to redo the figure and acreage ratio to be only land or both land and water, then treat the waterfront area's land and water acreage consistently with other city parks. Under the Berkeley Municipal Code definition of the marina 6.20.010 Definitions | Berkeley Municipal Code, these water areas are substantially larger and support extensive, unique water-based recreational use unavailable at inland parks. The park acreage ratio nevertheless does not distinguish the quality of the resources or the type of access. The waterfront affords "bluespace" access more than any other city park. The DEIR must recognize the *quality* of recreational facilities as well as the *quantity* of acreage.

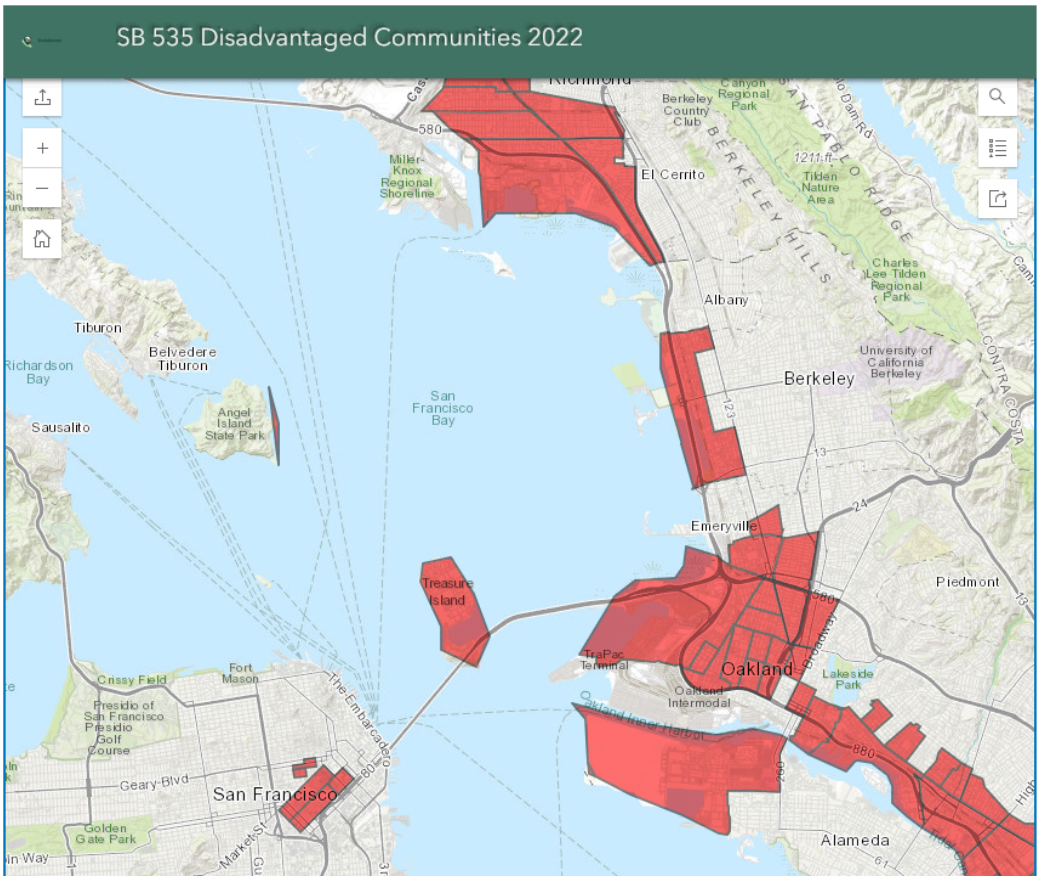
d. Omission of demographic and equity-relevant recreational data

Existing literature shows shoreline and pier fishing disproportionately serve low-income communities and communities of color, and often functions as subsistence or low-cost recreation. The DEIR does not incorporate this equity-relevant recreational baseline information, and therefore does not adequately describe who relies on the project site for recreation. This omission undermines the baseline's adequacy with respect to CEQA's requirement to consider social context where relevant to environmental conditions.

Further, if affected users are disproportionately from underserved communities, **SB 1000 Land use: general plans: safety and environmental justice (aka Planning for Healthy Communities Act)** https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201520160SB1000 and related guidance create an additional lens for CEQA analysis. SB 1000 intends to integrate environmental justice (EJ) into local land use planning to reduce health risks and inequities in disadvantaged communities. Planning documents are directed to consider SB1000 to integrate environmental justice, land use and open space elements among other elements, to promote equitable land use decisions. Open space under SB1000 is a limited and valuable resource. Impacts include public facilities access and access to physical opportunities. Disproportionate impacts are to be avoided. If the project is inconsistent with these goals, that is a significant impact.

The West Berkeley Census tracts lie within a SB535 Disadvantaged Community classification under the Office of Environmental Health Hazard Assessment. Therefore,

the DEIR must state impacts on local population for access to public facilities and access to affordable physical activity within a unique waterfront setting that has health benefits distinct from green spaces inland. Bluespace access will become increasingly important due to warming effects of climate change. Equity-serving availability of shoreline access must be weighed against project impacts.



Source: https://oehha.ca.gov/calenviroscreen/sb535

e. Reliance on regulatory text that does not reflect actual use

The DEIR (p.529 pdf) relies on Berkeley Municipal Code Section 6.20.180 to characterize swimming and windsurfing as prohibited within the project area. However, these activities occur regularly and have historically occurred at the site. The DEIR does not reconcile this discrepancy between regulatory designation and observed recreational use, resulting in a baseline that does not reflect actual conditions.

The court case *Fat v. County of Sacramento*, No. C037610, 02 C.D.O.S. 3642, 2002 DJDAR 4646. Filed April 2, 2002. Ordered published April 26, 2002. This holds that baseline is generally considered existing physical conditions at time of review, not what is legally permitted under zoning rules or in this case a municipal code prohibiting an

activity in a defined area so that actual on-the-ground use constitutes the baseline, not what "should" be there. Also, *Communities for a Better Environment v. South Coast AQMD (2010)* 48 Cal.4th 310 found that the baseline must reflect realistic actual existing conditions and agencies cannot use permitted levels of activity as the baseline. *Union of Medical Marijuana Patients v. City of San Diego (2019)* 7 Cal.5th 1171 reinforces that actual conditions matter even if legally complicated. Illegality does not automatically exclude a use from baseline. Therefore, the existing use of the marina area around the pier in the Project area includes swimming and windsurfers as part of the baseline recreational environmental setting. The city as lead agency cannot distort its baseline with unused legal entitlements.

f. Inconsistency with Federal Recreation Protections (U.S. DOT Act Section 4(f))

The DEIR asserts that Section 4(f) does not apply because the project does not receive federal funding. This conclusion may be premature. As the project is not yet funded, federal funds are a potential source of funding. Federal funding has recently been used for both the Santa Cruz and Santa Monica pier renovations. Federal funding provided Berkeley's pier both in 1937 and in 1965. The DEIR does not evaluate this potential or reassess applicability, and its determination is not supported by substantial evidence.

B. Inventory of recreational activity available at time of scoping comments but unused

As the DEIR does not include an inventory of regional and local recreational use at the waterfront for baseline analysis, we attempt to fill the gap here with information readily available for DEIR preparation.

The Berkeley waterfront land area constitutes the city's largest park area, with over 100 land acres of public open space. The land area includes Cesar Chavez Park, Shorebird Park, Horseshoe Park, Adventure Playground, in addition to the general walking and bike paths connecting the entire waterfront and the casual in-car viewing area along Seawall Drive and the shoreline fishing areas along Seawall Drive. McLaughlin Eastshore State Park areas are officially the North Basin Strip, the Berkeley Meadow, and the Berkeley Beach and Brickyard Cove, which are integrally linked to the Berkeley waterfront managed by the city. The recreational space coextensive with the ferry project includes waterways that come under BCDC jurisdiction, including the recreational South Sailing Basin serviced by three public docks and two small-boat hoists, and the recreational boating and sportfishing yacht harbor. The harbor was built with two major infusions of federal or state funds, once in 1936 (as a WPA project) and once in 1965 under the State Small Boat Harbor Law, for purposes of recreation. The California Wildlife and Conservation Fund gave money for the rehabilitation of the pier as a recreational fishing pier in 1957.

1. City-licensed cell phone mobility data for waterfront recreation

Data from Visit Berkeley, the tourism bureau for the City of Berkeley. This office, with funding from COB, pays for a Placer.ai license, a database/software company collecting mobile cell phone data. The private sector and government agencies value this service for the outlook it provides on potential markets and client needs. This data is available to the COB. The public made COB aware on numerous occasions of its usefulness but the DEIR does not incorporate any of this information for baseline and expected future conditions at the waterfront.

BWCC requested data on the marina for 2019, the furthest back the data is available, and for the most recent year, 2025, separating the waterfront into three zones: 1) south, where the Project WETA terminal would go, 2) central area where the Doubletree and Marina Boulevard lot is located, and 3) the north area which includes Cesar Chavez park. The basic data trends are as follows:

Table of visits from Overview reports

	Visits 2019	Visits 2025	% chg	Visitors 2019	Visitors 2025	% chg	Avg income 2019	Avg income 2025	% chg
South	245.2k	283k	15.4%	151k	171.1k	13.3%	151k	159k	5.3%
North	212.5k	260k	22.3%	99.9k	111.3k	11.4%	160k	167k	4.4%
Central	109.9k	134.8k	22.66%	72.5k	85.5k	18%	159k	163k	2.5%
Total	567.6k	677.8k	19.42%	323.4	367.9k	13.76%			

Source: Placer.ai report requested from Visit Berkeley under COB license.

The number of visits (defined as 15 min or longer) and visitors between 2019 and 2025 increased, even with the closure of HsLordship restaurant, the 199 Seawall Lot parking lot, the continued closed pier, and the closure of D&E docks for reconstruction. In 2025, waterfront visits totaled 678k, translating to >1800 visits per day. The current number of visitors in 2025 to the project area in the south waterfront alone is 171.1k/365 = 469 visitors per day. According to WETA Berkeley Ferry Service Business Plan, March 17, 2022 Version 1.0, a DEIR planning document, weekday ridership is estimated at 955 per day (most coming by car and some by bus or shuttles) in the first year, increasing to 2036 in the tenth year. This would increase per-person visitation to this project area by 104% to board the ferry in the first year. This is also corroborated by Table 3.10-18 which shows average daily traffic from Seawall Drive to Marina Boulevard, the route to the project's proposed ferry terminal, increasing 77% with the project (DEIR p. 489 pdf). These baseline conditions and the marginal and cumulative impacts are not disclosed in the DEIR.

Current visitation trends revealed in Placer.ai data relevant to the DEIR are as follows[11]:

- Peak seasons of visitation in the south waterfront in 2025 are April, late June and August and are much higher than in the north waterfront areas. In 2019, peaks were June and July.
- Peak seasons in north waterfront in 2025: visitation looks steadier throughout the year with March and September as slight peaks. In 2019, visitation trends were similar to the south, with a major peak in July, most likely indicating 4th of July celebrations. Otherwise, visitation hovered below the south.
- Visit duration is longest in the south waterfront.
- Average income of visitors is less in the south waterfront.
- Ethnicity makeup is similar across 2019 and 2025: south waterfront attracts more nonwhite visitors.
- The catchment area for visitors goes well beyond Berkeley, into Richmond and Oakland, and beyond. Visit origins are regional and not concentrated in Berkeley.
- All areas show increases in visitation >10% as compared to three years ago.

This data is corroborated by another Placer.ai report specifically made available earlier to the city of Berkeley. The number of visits totaled 1.8 million from Jun 1, 2024- May 31, 2025. The number may be larger due to a looser definition of visits (of smaller duration, e.g.). However the number of visitors is remarkably similar – 675.1k – to this report. That report is linked here:

https://view-su2.highspot.com/viewer/b16127e1532dd08df95725fbfd8b4fc4#1

This version of the waterfront visitation also shows that the south area of the waterfront in the project area receives more visitors than the north waterfront; the south receives visitors of lower income and lower education, who are more nonwhite on average. Their visit duration is longer.

2. City-commissioned waterfront park visitor survey data

The City of Berkeley hired Kittelson and Associates, Inc. to conduct an in-person survey of park visitors arriving by car. The report, while aimed at understanding how to reduce parking demand for the Project, also serves as a source of information on the quality and intensity of recreational visitors for representative baseline conditions. An in-person

[11] https://drive.google.com/drive/folders/1dLnk8zbFW2kiOLZSuy5Po51TjP5T5opy?usp=sharing
Please let us know any issues accessing these reports.

intercept survey was conducted on three Thursdays and two Saturdays between April and August 2024 for those arriving by car, although some persons interviewed arrived by bike, bus or other modes. This report is referenced in the DEIR only in Section 3.10 discussion of noise impacts. Here we draw on the raw data for the in-person survey we obtained through a Public Request Act to provide a more complete overview of baseline and environmental setting useful for assessing all categories of impacts listed in the DEIR. We find the following conditions pertinent to a DEIR:

- Most recreational visitors arriving by car are coming from outside Berkeley (63%) (Figure 18 in Kittelson report).
- Many are older: 52% are 50 or over.
- Frequency of visits is high. Over 50% visit once a week or more and about 30% visit more than once a week.
- 36% of visitors earn <= $75k. And 47% reported earning *below* the median household income for Berkeley of $108,558 (Figure 34 of Kittelson study) and (U.S. Census Bureau QuickFacts: Berkeley city, California).
- Duration of visit is long in a number of key public access lots: In O-lot, J&K, South Cove West, and FGHI, the average stay is greater than four hours on a weekday, weekend or both. FGHI may be dominated by liveaboards while the others have turnover more typical with recreational visits.
- Walking is the most popular activity, followed by sailing/boating and sightseeing/photography.

We verified this data in a BWCC analysis and extended the analysis. See report (CEQABaselineReport.pdf): Berkeley Waterfront Visitation Characteristics and Distribution, BWCC, April 2026, linked in Attachment section.

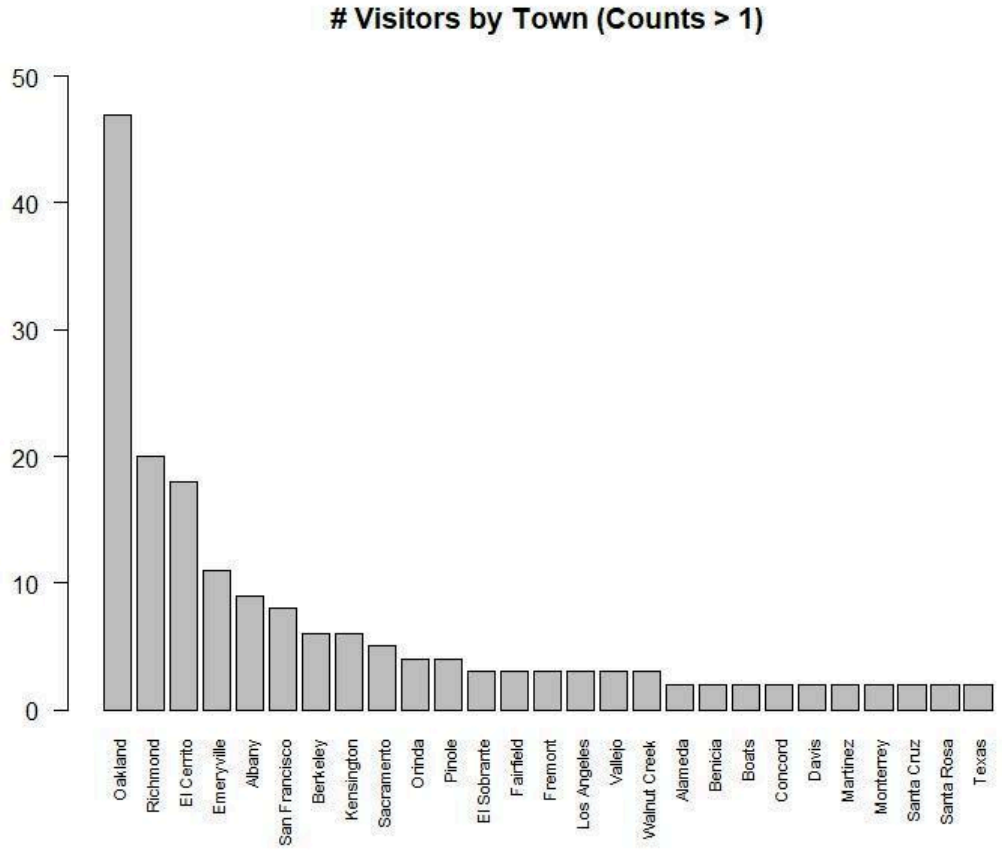
To illustrate the waterfront's role in equitable public access to the shoreline, the data also shows that:

- Seawall Drive and South Cove West have most lowest-income (<$25k) income visitors.
- J&K lot next to the bait shop sees a high number of those earning less than $75k, as does L&M lot and H&I.
- The lowest income group (<$25k) most often parks in South Cove West, which is part of the Project area.

Defining the north and south and central area as above, we reported to the city that the the south waterfront area (area of the project) in aggregate attracts lower-income (<$75k) visitors more than other parts of the waterfront, consistent with Placeer.ai data. See attached report for barchart.

Regarding race/ethnicity (RE) which was reported in the Kittelson data, we note the following distributional patterns of importance to environmental justice and affordable access to the coastline:

- Seawall Drive, **slated to be eliminated as a recreational viewing location**, has the greatest percentage of those identifying as Black/AA alone (Table 9).
- Seawall Drive and 199 Seawall both host the largest percentage of Black/AA and Hispanic waterfront visitors as compared to other public access areas (Table 9).
- Seawall Drive and 199 Seawall together attract most of the Black/AA and Hispanic waterfront visitors (Table 10).



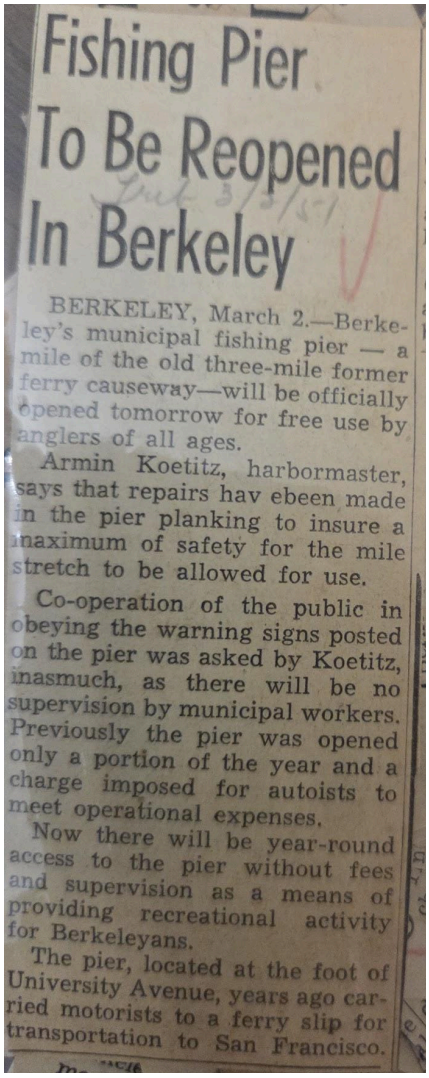
Source: Survey data for waterfront visitation from Kittelson; plot generated by BWCC.

While the cell counts for non-White alone groups are small, the patterns coincide with other studies with larger cell counts across a sample, namely the Berkeley shoreline fishing study by Antinori et al. (2025, 2026). Within this sample drawn randomly from Seawall Drive shoreline fishers in 2022-2023, demographic data shows 21% Black/African-American, 26% Hispanic and 24% White alone, a pattern “flipped” in

comparison to Berkeley demographic data. Along Seawall Drive, shoreline fishers are Both Seawall locations are slated to be eliminated from public access under the project plan and by lease agreements. The 199 Seawall public access lot will be dedicated exclusively to TSA Holdings and ferry patrons. Seawall Drive public in-car viewing access area is to be mostly eliminated under the project, as discussed in the Recreation/Land Use section of this document.

Despite direct impact on public access and equitable access goals noted elsewhere in this document, the **DEIR omits this information from baseline and project descriptions and from impact analysis across multiple categories** (e.g. land use, recreation, aesthetics, biological, cultural, greenhouse gas/energy).

3. **Public input and publicly available reports on Berkeley shoreline and pier fishing as major recreational and cultural resource**



Fishing Pier To Be Reopened In Berkeley

BERKELEY, March 2.—Berkeley's municipal fishing pier — a mile of the old three-mile former ferry causeway—will be officially opened tomorrow for free use by anglers of all ages.

Armin Koetitz, harbormaster, says that repairs hav ebeen made in the pier planking to insure a maximum of safety for the mile stretch to be allowed for use.

Co-operation of the public in obeying the warning signs posted on the pier was asked by Koetitz, inasmuch, as there will be no supervision by municipal workers. Previously the pier was opened only a portion of the year and a charge imposed for autoists to meet operational expenses.

Now there will be year-round access to the pier without fees and supervision as a means of providing recreational activity for Berkeleyans.

The pier, located at the foot of University Avenue, years ago carried motorists to a ferry slip for transportation to San Francisco.

BWCC NOP scoping comments specifically directed COB to include available data on fishing activity. This is absent in this report. Although the WETA and WSP plans mention adding much-valued fishing amenities like fish-cleaning stations and seats to the proposed pier extension, the project makes practically no reference to nor includes data on current fishing activity, nor historical pier fishing which was a central feature of the waterfront. Data has existed on the value of the project area as a recreational and subsistence fishing area. These reports and readily available sources of data have been available to the city at the time of the NOP and were not integrated into the draft EIR.

Fishing has been a long-standing and well-documented use of the site. The DEIR covers the waterfront from ice age to the 1906 earthquake, but there has been little on the recreational activity at the pier since 1938. In 1935, the city received a $1.5m federal grant from the Works Progress Administration (WPA) to build a yacht harbor and Aquatic Park. Simultaneously, the Bay Bridge, funded by President Roosevelt's New Deal, rendered the auto ferry obsolete. In 1938, title to the two-lane pier transferred to the city. The recreational pier was an immediate hit for recreational and subsistence fishing. Newspaper stories of the day ran with headlines like: "Short on Ration Stamps? Fish biting at local pier" (1943), "Youngsters enjoy fishing lessons at Berkeley Pier" (1938), "Halibut are taking hooks off city pier" (1943), "Fishing's

Good on Berkeley pier: bass are running heavy" (1945). In 1940, the Berkeley Gazette reported that 35,000 people had used the fishing pier in the previous year. In 1946-1947, repairs were made. Garbage fill was stuffed under the near-shore portions of the pier and used to expand parking lots, with intermittent weekend pier openings for fishing even during construction due to demand. The California Wildlife Conservation Fund (WCF) provided funds in 1957 to rebuild and restore the pier on the basis of **its value as a recreational resource.** The Berkeley pier was its first pier project. The fishing pier saw around 101,100 people and the yacht harbor 94,100 in 1957, according to 1958 city documents. Before closure in 2015, the Berkeley Pier was one of the most heavily used fishing locations in the Bay Area.

Urban fishing is distinct from fishing in "destination" areas. It is close-to-home, affording much more access to angling as a recreational sport and as another source of food. In parts of California, fishing on public piers has been free with no license required since at least 1914, and Governor Earl Warren made it official for all California public piers in 1951 as long as it was for fun and not profit. It plays a large social, economic and social role in addition to distributional equity aspects in California and elsewhere (Quimby, Stevenson, Joose).

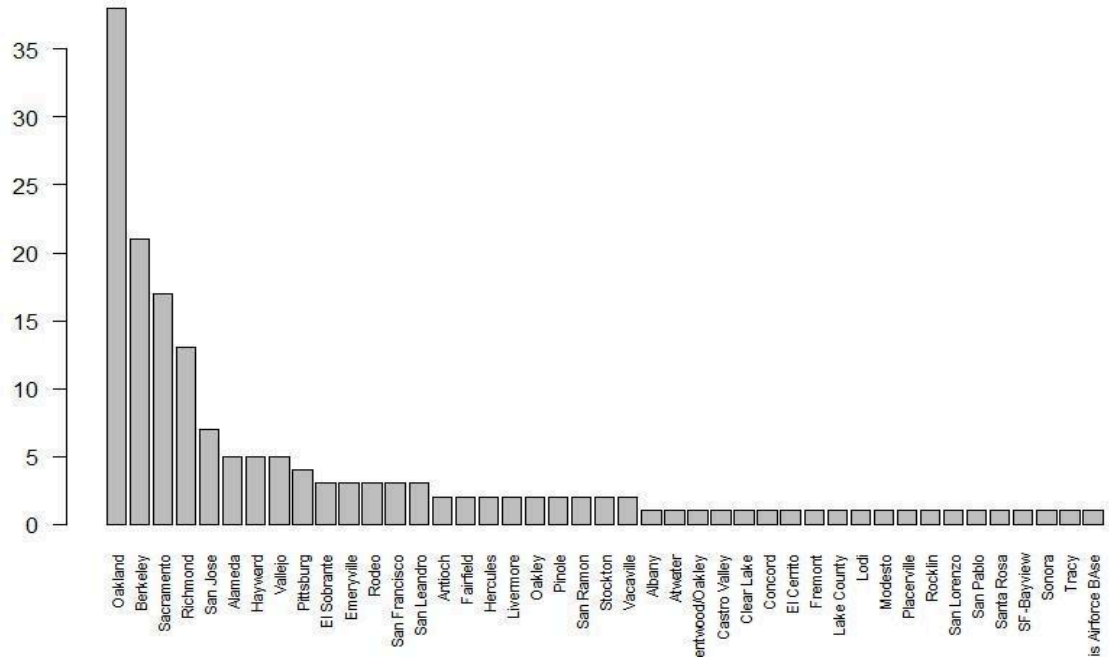
Ken Jones, a chronicler of pier fishing in California, states: "If a survey had been done over the past twenty-five years as to the most visited pier in the Bay Area, the winner undoubtedly would have been either the pier at Pacifica or this pier in Berkeley." He adds, "For availability, transportation, ease of fishing, and facilities, Berkeley was hard to beat." (https://www.pierfishing.com/berkeley-pier/).

The DEIR states: "Two of the evaluation efforts focused on the Berkeley Pier and did not consider the property's larger developmental context, current ownership, and functionally related relationship of the Berkeley Pier to the larger Berkeley Marina, to which it is historically linked. As recommended by guidance from OHP, the evaluation was updated in 2025 to support the proposed project's environmental review to amplify information about the resource and document changes that have occurred since the previous evaluation.[43] Additionally, the updated 2025 Berkeley Pier evaluation assessed local eligibility, which was not included in previous evaluations." The outcome of that evaluation is not clear.

Despite having closed the pier in 2015 and started WETA ferry service negotiations in 2016, the City of Berkeley is still a major draw for fishers. These reports based on recent survey analysis from 2021 to 2023 document this activity - apart from any CDFW data:

- *Fishing the Berkeley Waterfront: How much is it worth and for whom?*, Presentation to Bay Conservation and Development Commission, January 17, 2023.
- *Fishing at the Berkeley Waterfront - What is it Worth?*, with M. Banal, P. King and M. Peterson, Preliminary Summary Report, September 2022. This report was in the packet for Parks, Recreation and Waterfront Commission agenda packet for Wed 9/14/2022 at 7pm.
- Normal for Whom? Exploring socioeconomic variation in a travel cost analysis of urban shoreline fishing (Antinori et al. 2025). This was provided as a link and described in the NOP. The peer-reviewed published version of this report is at: "Normal for whom? Exploring socioeconomic variation in a travel cost analysis of urban shoreline fishing,"

According to Antinori et al. 2025 (and Antinori et al., 2026), 77% of anglers fished in Berkeley before COVID, 61% prefer Berkeley over other locations, and 55% fish for consumption purposes. These patterns reflect both recreational and subsistence fishing, neither of which is incorporated into the baseline. Current average annual visitation for angling at this urban shoreline is 30. Thirty-three percent and 35% of anglers in the sample earn less than $50k and between $50k-$90k, respectively, and lower income anglers visit this area more frequently.



Town of origin for shoreline fishers at Berkeley waterfront. Note that Oakland is the most frequent town of origin, followed by Berkeley then Sacramento. *Source: Survey data 2021-2023, reported in preliminary form in 2023 presentation above.*

The graph below shows the town of origin for angler visits to the Berkeley shoreline, 2022-2023. Note that most by far are coming from Oakland. After Berkeley, the next most common town of origin is Sacramento. Anglers also visit from as far away as Livermore. **The park is a regional open space asset, providing respite from heat in the inland areas, which will become more important with climate change.**

The DEIR also omits policy literature quantifying recreational fishing value, including per-trip estimates of approximately $36–$78 per visit, and broader literature showing high statewide participation in marine recreation and the regional significance of shoreline fishing sites (Christensen, J., King, P., 2017; Reineman et al. 2016; Pendleton and Rooke, 2006; Pendleton 2011). This omission prevents accurate characterization of use and social benefits.

The Berkeley marina is also the home port for numerous sportfishing operations and small commercial fishers who rely on fisheries productivity in the Bay. Readily available local sources of Berkeley-specific fish reports generated by local recreational/subsistence fishers and commercial operations include:

- BerkeleyMarina_baitntackle: Instagram posts regularly from the marina's bait shop show catches from nearby Berkeley waterfront locations (see Biological resources section for more data).
- California Dawn sportfishing Facebook page: https://www.facebook.com/californiadawnsportfishing/
- Golden Eye 2000 sportfishing Facebook page: https://www.facebook.com/goldeneye2000sportfishing/
- Amethyst Fishing Charters
- Reel Fishing

4. **City-mandated reporting on nonprofit recreational programming in project area and beneficial public use contributions**

The DEIR does not include nonprofit recreational operations under the City's berth fee waiver program, including the Pegasus Project, Blue Water Foundation, Berkeley Racing Canoe Center, or Cal Sailing Club. These organizations provide sailing education, youth programming, and public access recreation. In April 2020 alone, these organizations provided approximately $354,500 in services in exchange for $40,863 in berth value (88% return on investment), demonstrating substantial public benefit and recreational intensity. The City has not provided updated fee waiver reporting since 2020, as required under City Council Resolution 58859-N.S. adopted in 1997 and updated in Resolution No. 66544-N.S. of April 29, 2014 (see attached), and the DEIR does not incorporate updated data. The omission of this program significantly understates the scale, social value, and equity dimensions of recreational use at the

marina and, therefore, must be included in the project description, project setting and environmental setting.

The City of Berkeley remains unique in California in providing a fee berth waiver program for community service and recreational outreach. Nestled within the marina's 1000 slips, there are currently four nonprofits under the berth fee waiver program:

- **Pegasus Project:** Founded in 1994 by Peter Hayes, co-founder of Nautilus Institute for Security and Sustainability and the "No Child Left Ashore" vision, using Hayes' 51' wooden ketch for youth outings from K-Dock.
- **Blue Water Foundation:** founded in 1992 to provide at-risk and under-represented youth an opportunity to sail, using K-dock.
- **Berkeley Racing Canoe Center (BRCC):** Encourages competitive dragon boat racing and recreational paddling for all ages and abilities, using two slips on M-dock. BRCC gives free boat rides to massive numbers of Bay Festival visitors each year and hosts field trips for schools and youth groups, and donates "private cruises" as fundraising auction items to many local nonprofits. BRCC Board could provide details, BRCC Board <brccboard@dragonmax.groups.io>
- **Cal Sailing Club (CSC)**: Founded in 1948 under auspices of the University of California and transmuted to a nonprofit in 1982 to provide low-cost sailing education and access, using six slips at J dock. In 2025, this organization gave 1512 free rides on keelboats and dinghies in the South Sailing Basin to the community during seven open house sails and additional free rides to support the city's Bay Festival. These had a value of $125,496.

The Parks Department has not provided updated fee waiver reports as is required under City Council Resolution 58859-N.S. (1997) and City Council Resolution 66,544-N.S. (2014) to the PRW Commission or City Council since the 2020 report. The DEIR likewise does not recognize the value, level, intensity and quality of recreational activity represented by this program. Information available to the city on CSC alone, **and which is available for all the organizations,** is found in the box below as a **source of recreational inventory available for the DEIR but omitted**.

Cal Sailing Club (CSC), a nonprofit, volunteer-run cooperative, has for decades made water sports available to all. Long known as The Beating Heart of the Berkeley Marina, CSC welcomes everyone through low-cost and no-cost access to membership, ongoing free community events like monthly open houses, and youth rides. CSC's major activity is teaching sailing and windsurfing safety. Membership is open to the public. Members get lessons and, after achieving ratings, use of the club's fleet of 26 dinghies, 6 keelboats and 80 windsurfing boards including novice, intermediate, and advanced designs. Membership dues and volunteer work provide access to lessons and

recreational use of the club's equipment. There are no charges for lessons or use of equipment. Members have to pass rating tests and contribute work in order to achieve ratings. Our clubhouse is located on the south side of the Berkeley Marina. The Club is open all year, from noon to sunset on weekdays and from 9:00 AM to sunset on weekends. Instruction, maintenance, and administration are all done by volunteer members. CSC is a registered Community-Based Organization (CBO) under the San Francisco Bay Conservation and Development Commission (BCDC).

For more information, see our website https://www.cal-sailing.org/ and come on down!

Other useful information:
• Link to video of typical day at CSC: https://www.youtube.com/watch?v=lymUxgywFDY
• Link to open house schedule: https://www.cal-sailing.org/activities/csc-open-house
• Link to community events other than open houses: https://www.cal-sailing.org/activities/community-events?view=communitywork

CSC By The Numbers (dated from 2024)

2500+: total number of free rides per year that have been provided to the public for decades now, giving visitors aged 5 and up superb views of the Golden Gate and the Berkeley waterfront during our monthly Open Houses from April to November.

$90,000 in estimated annual Value of Presence in Marina or Community Service for these free introductory sails provided to the general public and diversity groups.

1,100: annual active memberships.

19,026: number of members since 2009.

$1.33: Average daily cost for full membership (yes, that is one dollar and thirty-three cents, or $120 on a quarterly basis). Fee is waived if a member contributes additional volunteer hours.

$450 annual membership fee. Fee is waived if a member contributes sufficient volunteer hours.

54.4% of new members self-identified as other than White in the last 12 months as of November 2023 (29% as Asian, 9.5% as Hispanic, 3% as Black, 1.8% as Middle Eastern, 0.3% as Hawaiian, 0.2% as Amerindian, and 45.6% White). In comparison,

some studies have shown that sailing practitioners in the US are more than 80% white, and Berkeley is 55.5% white according to the census.

2,942: lessons given last year in sailing and windsurfing.

$45,000 grant from California Department of Boating and Waterways every year to teach Boating & Water Sports Safety.

7,126: estimated area in square miles from which CSC draws members.

50: Number of years CSC has been at the Berkeley waterfront and marina teaching high-level sailing skills in one of the most iconic sailing spots in the world.

5. Publicly-provided recreational swimming information

The DEIR understates the project area as a resource for swimming although this information was provided. In scoping comments by Julie Allen, the city and consultants were made aware of the high volume of swimmers that needed to be included in the DEIR. Allen's concerns included access issues, but because access was mediated though parking displacement, the DEIR dismissed the comment as not relevant, as parking is "not a CEQA environmental impact in and of itself" even though the main point was public access impacts. Allen's comments also included a request to recognize the volume of swimmers in the planning documents, requests that went ignored in community engagement exercises: "I ask also that all recreational users be invited to the table to give input. Hundreds of swimmers use this area and we were not included until April, and only then after aggressive insistence, and even then our #1 concern, parking, was declared off the table for discussion."

We here include further testimony from an East Bay Open Water Swim member:

*I started swimming at the marina during COVID (6 years ago this month!) and I only joined EBOWS then. I know that a lot of other folks had the same good idea and the number of Bay swimmers has gone through the roof in the past few years. There are **150** members of our Berkeley Marina Swim WhatsApp group, and that group started only a year or so ago and grows daily. The EBOWS Google group (all easy bay locations) had more than **600** swimmers for a bit, then we had to move to another platform and the new group has nearly **350** members -- that started from 0 less than a year ago (many regulars quickly re-joined), with more joining all the time. I also know*

that a LOT of marina swimmers are not in any of these groups. A while back we created a survey about parking habits and had 135 responses.

See EBOWS marina swim survey report in Attachments section.

Additional swimming groups which frequent the project area and nearby facilities:

- **Selkies:** 250 members.
- **Odyssey**: 55-75 swimmers out of the South Sailing Basin at Sunday swims. Swimmers launch from the south sailing basin in high water and HsLordships launch in low water and when the East Dock was closed. The regular schedule for many years has been Sunday mornings year round and Tuesday evenings in summer.
- **Other groups in Bay:** https://baynature.org/magazine/summer2025/swimming-together-in-san-francisco-bay/

Open water swimming in the Bay is growing in popularity for many reasons. As the Bay has been getting cleaner, swimming has become more attractive. It is a less-injury-prone activity for the aging population which is growing in size. Open water swimming has well-known health effects - with a literature that was available to the DEIR preparers (see Gascon et al, Pouso, Sturm et al, White et al. studies in reference section for verification).

C. DEIR revision necessary

Given the inaccurate and incomplete environmental baseline setting, we urge a revision to the DEIR to include a complete and quantitative description of existing baseline conditions to reevaluate environmental impacts and support informed decision-making. Without a full description of existing recreational uses, an EIR cannot provide substantial evidence to support its conclusions or determine whether impacts such as displacement, increased use, or loss of access will occur.

IV. DEIR shortcomings on project environmental impacts

A. Impacts on Aesthetics omitted

The Berkeley waterfront includes heavily used public access and viewing areas which the project area subsumes. The DEIR however understates both the scope of the visual impact and the range of affected scenic and cultural experiences which the public currently enjoys.

CEQA defines public views as those experienced from publicly accessible locations. The San Francisco Bay Plan states provides aesthetic objectives applicable to the project and stated in the DEIR:

- **Public Access Policy 9**. Public access improvements provided as a condition of any approval should be consistent with the project, the culture(s) of the local community, and the physical environment, including protection of Bay natural resources, such as aquatic life, wildlife and plant communities, and provide for the public's safety and convenience.
- **Appearance, Design, and Scenic Views Findings and Policies, Finding d.** Probably the most widely enjoyed "use" of the Bay is simply viewing it-from the shoreline, from the water, and from afar; a Bay view can add substantially to the value of a home, office, or apartment building. Also, the Bay is a major visitor attraction for the tourist industry.
- **Recreation Policy 9:** Ferry terminals may be allowed in waterfront park priority use areas and marinas and near fishing piers and launching lanes, **provided the development and operations of the ferry facilities do not interfere with current or future park and recreational uses, and navigational safety can be assured.** Terminal configuration and operation should not disrupt continuous shoreline access. Facilities provided for park and marina patrons, such as **parking, should not be usurped by ferry patrons.** Shared parking arrangements should be provided to **minimize the amount of shoreline area** needed for parking

1. Incorrect CEQA significance standard

The DEIR treats "remain visible" and "low profile" as the significance test. That is not the CEQA standard. CEQA Guidelines §15064.5(a) and Appendix G require analysis of whether a project would cause a substantial adverse change to a scenic vista, including degradation of scenic quality, fragmentation or interruption of view corridors, the introduction of dominant new visual features, and alteration of the character of a recognized scenic resource. Partial visibility of distant features does not satisfy this inquiry.

2. Scenic-quality effects of major project components not evaluated

The DEIR identifies the project's major new visual components — a 300- to 400-foot breakwater, ferry terminal infrastructure, solar canopy structures, and frequent ferry vessel operations — but neglects full and reasonable evaluation of whether these elements, individually or collectively, would fragment panoramic sightlines across the Bay, reduce the openness of the water foreground, alter skyline framing and scenic composition, or transform the shoreline from a natural panorama into an infrastructure-dominated view.

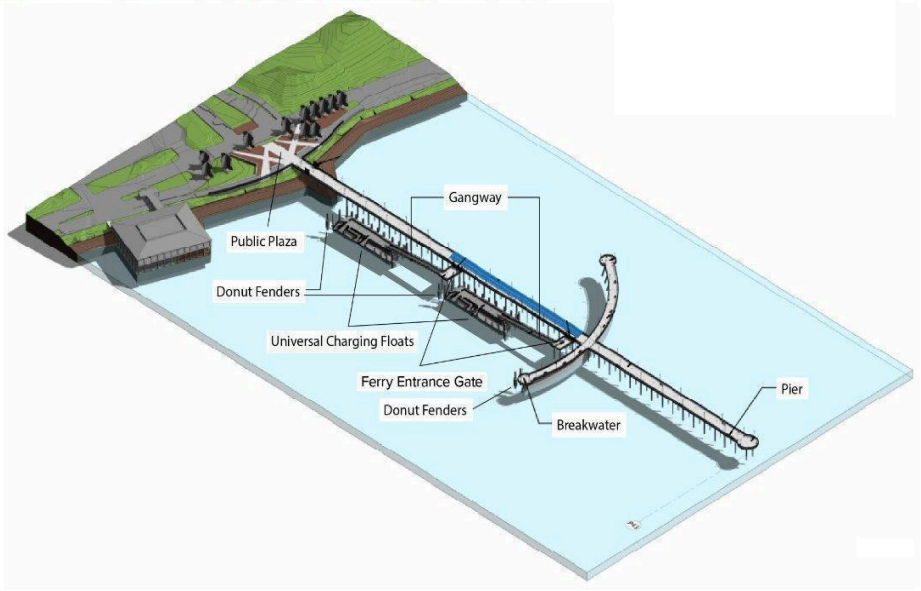
First, the DEIR acknowledges the breakwater but does not evaluate whether its scale and placement would materially alter scenic composition or degrade the visual character of the Bay shoreline. The breakwater introduces a large, continuous structure into existing open-water views along the shoreline. DEIR analysis focuses on selected views of retained visibility of distant scenic resources **rather than on the loss of open-water foreground conditions and uninterrupted view corridors.**

Second, the central visual element of the project — the ferry vessel itself — is absent from the DEIR's renderings and infrastructure figures. The project proposes ferry operations with approximately 28 weekday and 26 weekend crossings at a new 1,080-foot pier on the Berkeley waterfront. The DEIR cover rendering depicts the proposed pier with two pedestrians and a sailboat in the middle distance. No ferry vessel is shown. This is the image members of the public encounter first when reviewing the project, and it **portrays a misleading and largely inaccurate representation of the visual change** the project would introduce.

DEIR cover of the proposed pier and Figure 2-4 water rendering show no ferry vessel.

Internal Figure 2-5, entitled "Proposed Pier, Breakwater, and Ferry Vessel Infrastructure Layout," labels the gangway, ferry entrance gate, donut fenders, universal charging floats, and the breakwater. It also does not depict a ferry vessel. A reader examining the figure cannot determine the scale of the vessels relative to the pier or breakwater.

Figure 2-5 Proposed Pier, Breakwater, and Ferry Vessel Infrastructure Layout



DEIR Figure 2-5. Ferry infrastructure is labeled; the ferry itself is not shown.

We attempted to AI-generate a rendering to include a 250-passenger Bay Breeze-style vessel as specified in the project description. While not perfect, with ferry in wrong location, it gives some idea of the ***scale*** of a ferry within the project area:

Our

ChatGPT prompt for generating this above image was: *here is a picture on the cover of the Water Emergency Transportation Authority Berkeley ferry environmental impact report showing the proposed pier. But it does not depict the 250-passenger ferry that it*

says will dock at this pier. Can you recreate the rendering with a 250-passenger ferry docked next to the ferry terminal pictured?

Images from the WETA website depict other ferries that may be used at the project site:

Left: 400-passenger battery-electric ferry to be built for San Francisco Bay Ferry. Specificaiotns are 142ft 1in x 34ft 9in Subchapter K vessels. https://www.advancedmaritimetechnologyinternational.com/news/vessel-build-and-maintenance/nbbb-to-design-and-build-two-400-passenger-battery-electric-ferries-for-san-francisco-bay-ferry.html. *Right: 400-passenger Hydrus model at Richmond terminal.* [About Us - San Francisco Bay Ferry](#) *which has similar dimensions as the 400-passenger ferry vessel.*

Observations:

- Were WETA to go with the 400-passenger electric ferry (recall that no 250-passenger electric ferry exists yet for WETA capable of servicing the Berkeley route), the vessel's 35 ft beam is wider than the 22 ft pier itself (by approximately 60%).
- The Hydrus and the Dorado regularly used in the WETA fleet and potential vessels for the Berkeley route rise approximately 22 ft (or more) above the waterline — roughly twice the height of the pier deck, and comparable to a two-story structure.
- At 28 weekday and 26 weekend crossings, a 250-passenger ferry is arriving or departing the pier on average every 30–35 minutes during operating hours. The vessel is therefore a **recurring visual element throughout the day**, not an incidental one.
- The DEIR states that a 250-passenger vessel is the operational assumption. WETA's current comparable vessels (MV Dorado class) are 130 ft × 35 ft and carry 320 passengers. A smaller passenger count does not imply a smaller vessel footprint at this hull length.
- None of these dimensions or relationships are illustrated in the DEIR.

Therefore, the DEIR has not presented evidence and analysis accounting for the cumulative presence of multiple large shoreline structures, continuous ferry vessel movement across key sightlines, the various vessels themselves which could be used for the route, or repeated daily visual intrusion across scenic viewpoints. CEQA requires evaluation of operational and combined effects on scenic resources and the viewer experience, not only of individual project elements. The DEIR needs to be rewritten to include this information in project description and impact analysis.

3. Construction-phase impacts not evaluated

The DEIR does not analyze visual obstruction from construction staging, pile driving, or infrastructure installation.

4. North-side pier and Skates Restaurant views not adequately analyzed

The ferry terminal and vessel operations would obstruct existing public views for pedestrians and patrons at Skates Restaurant and surrounding north-of-pier vantage points, which constitute a key public recreational area. The renderings in Figure 3.1-4 Key Viewpoints could be from Skates but show no vessel, which could intrude on views continuously with 28 weekday and 26 weekend crossings across to the Golden Gate Bridge and San Francisco skyline. **This is a substantial adverse change** under §15064.5(a). The DEIR's less-than-significant conclusion is unsupported: no mitigation measures, design alternatives, redesign, or reductions in frequency are evaluated.

5. Scenic-highway visibility is not the CEQA standard

The DEIR concludes no AES-2 impact because the project is not within, and is not visible from, State scenic highways SR 24 (~5.5 miles away) and I-80 (~1.7 miles away). CEQA does not confine scenic resource analysis to designated State scenic highways, nor does it require direct line-of-sight from such a highway to establish an impact. The governing inquiry is whether the project would cause substantial adverse effects to scenic resources — degradation of visual quality, alteration of scenic character, or obstruction of public views — from any affected public vantage point. Therefore, this impact standard is improperly applied.

6. Traffic-related aesthetic impact not reflected in the AES-2 analysis

Table 3.10-18 shows average daily traffic from Seawall Drive to Marina Boulevard — the route to the proposed ferry terminal — **increasing 77%** with the project (DEIR pdf p. 489; calculated as project-generated trips divided by existing ADT). This is a substantial change to the aesthetic experience of visiting the waterfront and is not reflected in the AES-2 analysis.

7. The DEIR does not treat Seawall Drive as a recreational amenity nor recognize its loss as an aesthetic impact

A BCDC permit opened the Seawall Drive lot on landfill in 1966. It has been free and open to the public ever since. The view from the lot is unavailable anywhere else along the San Francisco Bay shoreline: open water, the Golden Gate, the skyline, the Marin

headlands. The Berkeley Historical Society and Museum uses a historic illustration of this view as one of its site icons (berkhistory.org). Since its opening, it has become a **cultural and community landmark**, providing a space for low-cost recreation and public respite for generations of visitors.

Berkeley Historical Society icon: "Berkeley — Exactly Opposite the Golden Gate." (berkhistory.org)

The city acknowledges that a key and consistent concern in community engagement activities for the WETA ferry-pier was to keep Seawall Drive in-car viewing on the west side of Seawall Drive. The October 24, 2025 City Manager's *Berkeley Pier-Ferry Update* to City Council states:

"...the City received consistent feedback from the public that **preserving parking on the western side of the road to maintain 'in-car Bay viewing' as a key public amenity is a priority.** Given this feedback, the design will include not only the new Bay Trail segment but **also parking stalls on the western side of Seawall Drive** where feasible."

This area is used extensively by families, fishers, persons on lunch breaks, and figures in countless conversations held – all while looking at one of the most iconic views in the world, protected from wind and waves. The Kittelson Transportation Demand Management data shows that Seawall Drive has the highest share of recreational visitors of Black/African-American, and Hispanic visitors. For the public in general, it is a low-cost, high quality public recreational asset.

Gordon Stout has assembled a series of Google Earth images of the south peninsula from October 2015 through September 2020. The series documents both sustained recreational use of Seawall Drive after the pier closed in July 2015 and COVID-19, indicating its location as a safe mental health stability activity which one could enjoy safely, even for mobility-challenged people. In all photos, you see cars along Seawall Drive, and in many photos, the spaces are full end to end. On any particular day, one can observe that many of the cars are not empty but are occupied with people

observing the view, fishing, or simply relaxing. **The area itself is a recreational asset,** not merely a parking lot, and should be treated as a recreational asset in the DEIR.

Figure 1. October 2015 — three months after the pier closed.

Figure 2. March 2017

Figure 3. October 2017.

Figure 4. February 2020.

Figure 5. April 2020 — early COVID-19 period.

Figure 6. August 2020.

After the pier closed in July 2015

Note that Hs Lordships closed in July 2018

Figure 7. September 2020.

The same October 2025 update goes on to report, and the COB's BCDC *Design Review Board Staff Report November 3, 2025* reiterates that **all but 20 of these spaces would be removed for the Bay Trail improvements and stormwater treatment.** The Kittelson report suggests dedicating the spaces to ferry patron parking. Figure 3.1-3 of the DEIR (pdf p. 118) shows a single arrow for KVP#2 at the tip of the peninsula — not along its length, which is where the public experiences the Bay today, reflecting that the project acknowledges that Seawall Drive in-car viewing is eliminated. The Figure 3.1-4 photos show no viewpoint from shore along Seawall Drive looking west because that view is eliminated for in-car viewing options, and blocked by the breakwater.

Seawall Drive in the '70s illustrating historical in-car viewing recreation. Credit: Evie Vetterlein Wozniak.

The Seawall Drive lot is a community and cultural landmark. Removing this in-car viewing area, building the breakwater and ferry terminal, and running vessels across the shoreline would alter this setting irreversibly, obstruct visual access to the Bay, and eliminate a recreational resource that does not exist anywhere else on the shoreline.

The DEIR concludes the project would not conflict with the Berkeley General Plan, the Marina Master Plan, the Berkeley Municipal Code, or the San Francisco Bay Plan. It reaches that conclusion without analyzing Seawall Drive recreation. It does not ask whether removing the Seawall Drive parking lot, adding a breakwater and ferry terminal, and running vessels across the shoreline is consistent with the policies those documents were written to uphold — policies that protect public visual access and scenic quality. Seawall Drive is a distinct public visual access and recreational resource. **The DEIR does not evaluate it as one, and the AES-3 finding of no policy conflict is not supported by substantial evidence.**

In conclusion, the DEIR omits key information for aesthetics impact analysis, and misapplies policies and standards. The "less than significant" and "no impact" determinations for aesthetics impacts are not supported by substantial evidence. CEQA Guidelines §15064.5(a) and §15125(c) require the DEIR to consider impacts to both aesthetic and cultural or historic resources. The DEIR does not do so, and proposes no mitigation. The DEIR's finding under Impact AES-1 — that the project has a "relatively low profile" and needs no mitigation — does not constitute consistency with the San Francisco Bay Plan, *Appearance, Design, and Scenic Views upon the Bay* or Recreation Policy 9, or the BMMP — public access to shoreline recreational resources. In addition, the project removes a culturally and historically significant (even if not landmarked as such) shoreline viewing asset, a primary access point to the shoreline recreation area which the policy exists to protect.

Photos showing high use of Seawall Drive for unobstructed in-car viewing, shoreline fishing, picnicking. by CM Antinori.

B. Recreation and Land Use Impacts

1. What policies and CEQA guidelines apply to recreational displacement, degradation of existing recreational facilities and land use / human interaction change?

a. CEQA Guidelines

CEQA's Appendix G (Recreation) provides a checklist which asks whether the project would increase the use of existing recreational facilities such that substantial physical deterioration would occur or be accelerated, or whether it includes/requires construction or expansion of recreational facilities with an adverse physical effect. But the threshold of significance is not limited to the checklist. The appendix states "Substantial evidence of potential impacts that are not listed on this form must also be considered." The lead agency must consider any substantial adverse effect on recreation, including loss of access, displacement of users, and degradation of the recreational experience (noise, visual, air quality, safety, severance of trails, loss of parking/staging areas, etc.). The checklist is a floor not a ceiling.

Appendix G for Land Use Planning asks whether the project would physically divide an established community or impose a significant environmental impact in conflict with a rule to avoid environmental impact.

b. Public trust

Because the project affects tidelands, navigable waters, shoreline areas, or other resources subject to the public trust, the lead agency must consider potential effects on public trust uses, including navigation, fishing, recreation, and ecological values *(National Audubon Society v. Superior Court (1983) 33 Cal.3d 419; Marks v. Whitney (1971) 6 Cal.3d 251)*.

Under *National Audubon*, state and local agencies have an affirmative and continuing duty to consider and balance public trust uses when making decisions affecting trust resources. CEQA requires disclosure and analysis of environmental impacts, including impacts on recreational access and use where applicable, which may inform the agency's separate obligations under the public trust doctrine.

Where a project may impair public trust resources or uses, the agency must evaluate those effects and, consistent with its public trust responsibilities, avoid or minimize impairment where feasible or otherwise ensure that any impairment is justified in light of competing interests.

c. San Francisco Bay Plan

SF Bay Plans emphasizes the importance of preserving and enhancing public access to the Bay and aims to balance environmental preservation with recreational opportunities. These SF Bay Plan policies apply the recreational and land use impacts of the project:

Environmental Justice Policy 1: The Commission's guiding principles on environmental justice and social equity should shape all of its actions and activities.

Recreation Policy 9: Ferry terminals may be allowed in waterfront park priority use areas and marinas and near fishing piers and launching lanes, provided the development and operations of the ferry facilities **do not interfere with current or future park and recreational uses,** and navigational safety can be assured. Terminal configuration and operation should not disrupt continuous shoreline access. **Facilities provided for park and marina patrons, such as parking, should not be usurped by ferry patrons.** Shared parking arrangements should be provided to minimize the amount of shoreline area needed for parking.

Transportation Policy 5. Ferry terminals should be sited at locations that are near navigable channels, would not rapidly fill with sediment and would not significantly impact tidal marshes, tidal flats or other valuable wildlife habitat. Wherever possible, terminals should be located near higher density, mixed-use development served by public transit. Terminal parking facilities should be set back from the shoreline to allow for public access and enjoyment of the Bay.

Public Access Policy 5. Public access that substantially changes the use or character of the site should be sited, designed, and managed based on meaningful community involvement to create public access that is inclusive and welcoming to all and embraces local multicultural and indigenous history and presence. **In particular, vulnerable, disadvantaged, and/or underrepresented communities should be involved.** If such previous outreach and engagement did not occur, further outreach and engagement should be conducted prior to Commission action.

Bay Plan Map No. 4 Policy 15. Berkeley Waterfront - Cesar Chavez Park - Preserve marina, beach, small boat launch, windsurfing access, fishing pier, interpretive center and multi-use trails. Possible ferry terminal. Allow if compatible with park and marina use; serve with bus public transit to reduce traffic and parking needs. Provide signage regarding fish consumption advisories for anglers.

d. The McAteer-Petris Act

McAteer-Petris Act requires that development within San Francisco Bay promote public access, enhance recreational opportunities, and balance development with preservation of shoreline recreation.

e. Berkeley Marina Master Plan (BMMP)

The Berkeley Marina Master Plan, adopted by City Council in 2003, represents a commitment "on the part of the citizens and City to provide a long-term recreation, and

open space enhancement program for the Marina, including limited commercial and non-profit activity by lessees (Action Calendar, City of Berkeley, June 24, 2003). It provides the following relevant principles:

Principle 4. Provide for appropriate recreational, commercial and nonprofit development that both encourages use and protects or enhances the natural resources of the Marina lands.

Principle 5. Enhance access and use of the Marina, especially for members of special user groups such as elderly, economically disadvantaged or physically challenged persons.

Principle 6. Pursue a fiscally responsible and sustainable implementation program for the Marina.

2. DEIR is inconsistent with applicable policies for recreation and land use

The project site currently supports about 675,000 recreational visitors a year to this waterfront park, both on land and on water, with daily usage in the south waterfront project area alone at about 470 per day. The waterfront itself has a community character. Survey data from the Kittelson study and the shoreline fishing study show that visitors come frequently, often more than once a week. When they visit, visit durations tend to be long. Seawall Drive in-car viewing is a cultural and recreational activity in and of itself, with a community character, as described in the Aesthetics section of this document. The marina's approximately 100 liveaboards also constitute a resident community. The Berkeley waterfront supports unique, non-substitutable recreational uses, including unique shoreline views, wind-based recreation in both protected windsheds and unprotected in the wind slot, rare off-leash dog walking areas, and open water swimming.

The **Impact Rec-1** claims that there is no impact on recreational access (and land use) because the Project will lead to a net increase in recreation. By this claim, it recognizes that the level of recreation is an implicit impact under CEQA. However, the argument that there is a net gain in recreation is specious. First, there is quantification of neither the increase in recreation nor decrease in recreation, so a claim of net positive increase is unsupported. As noted in the baseline section of this document, Bay Trail extensions for bike tracks and pedestrians would happen around the peninsula or a shortened loop on the peninsula even in the No-Project scenario, and do not rely on the project. The Bay Trail and bike paths would be funded under the lease with TSA Holdings. Safe Streets Measure FF project commits $15m a year for 14 years in funding for increased commuter and recreational bike paths in the City of Berkeley. D&E docks are opening for slipholders. These activities would continue without the project and should not be attributed to the project.

The DEIR would need to provide analysis, modeling or assessment for the decrease in human use of the environment expected due to many changes in public access conditions and land use changes under the project, such as:

- 199 Seawall lot will be taken over as a private client lot and by ferry patron parking and not be accessible to the public to access shoreline facilities except as a patron of the ferry or the HsL tenant.
- The elimination of Seawall Drive as an in-car viewing area.
- The introduction of paid parking which will reduce affordability for recreational visitors.
- The implied beginning of enforcement of municipal code not currently enforced and not reflecting actual baseline use. The beginning of enforcement would reduce current recreation to the Bay waters.
- The change in biological resources in terms of fish habitat referenced in this comment document, and therefore reducing catch rates for fishers, a major attraction.
- Vehicular traffic to access the ferry would increase by 77% in the south waterfront area.

While not all recreational visitors will come by car, the Baseline section of this public comment shows that current visitation is characterized by a substantial proportion of older adults, visitors from outside of Berkeley, and those carrying gear and animals for dogwalking and and watersports. Reduction in demand among the population relying on cars for mobility issues will occur simply because the price of access will increase and available space decrease, leading to a change in human-use patterns. **Principle 5 of the BMMP aims to enhance access and use of the marina especially for elderly, disadvantaged and physically challenged. The DEIR claims it is consistent with this principle because it provides a cycle track.** In addition, it avoids analysis of the diminution of currently diversely accessible public areas, offering mainly benches and barriers between pedestrians and vehicles as substitutes. This also makes it inconsistent with **McAteer-Petris Act** because it fails to demonstrate that existing recreational uses will be preserved or enhanced and does not analyze the displacement of established shoreline recreation.

The 2003 WETA Program EIR for system expansion offers quantitative analysis on how new ferry terminals increase VMTs. The ferry system expansion will only decrease VMTs by **0.07%** system-wide (section 3.12 Transportation of 2003 WETA EIR), with decreases only in areas that compete with congested highway facilities in San Francisco, Marin and San Mateo. This finding is compatible with this DEIR that average daily traffic (ADT) in the Project area will ***increase* 77%** (see DEIR noise section). Daily ferry users, most expected to depart from Berkeley, is estimated at 1160 (Table 2-4 of DEIR). This impact is not analyzed for impact on recreational facilities, degradation or change in public access, and potential to split a community comprised of regular waterfront recreational users. This in itself is inconsistent with **Impact LU-1** determinations and **Bay Map No. 4 Policy 15**.

The DEIR fails to analyze the displacement of these users, the degradation of the recreational experience from the 77% increase in average daily traffic, and the lack of comparable facilities offering similar recreational opportunities at a comparable price. These are potentially significant impacts that must be analyzed, disclosed, and mitigated. The DEIR's treatment of impacts as only occurring temporarily during the

construction phase is inconsistent with other data on VMTs and ADT, and land use as described in available Project documents. Therefore, the **project is inconsistent with Bay Plan Map No. 4 Policy 15.**

Principle 4 of the BMMP provides for nonprofit development that enhances the natural resources of the marina lands. One of the Marina nonprofits, Cal Sailing Club, brings new visitors to the waterfront, often those who have never sailed before, through its low cost operations and also free Open House days each month (except in winter), which attract upwards of 400 visitors each event (data available upon request). However, the transportation demand management plan was not described in the DEIR that has been partially put in place by the city for three lots adjacent to the nonprofit (South Cove East and West and J&K lots). The DEIR omits discussion of the TDM even though it has potentially significant impacts on recreational access, and omits discussion on any impacts on nonprofits. Therefore the DEIR runs afoul of both the **BCDC Recreation Policy 9** and the **BMMP Principle 4**.

The Bay Plan requires that access to recreational facilities be easily available from public parking. **The DEIR does not demonstrate that access will remain adequate and instead contemplates the reduction and reallocation of shoreline parking for ferry use.** This reduces access for recreational users, particularly those who rely on vehicle access or have mobility constraints, and is inconsistent with **Recreation Policy 9**.

For the DEIR to say that there is a net increase in recreation ignores the distribution and quality of recreational activities given current and predicted trends. The Berkeley waterfront recreational area is the site of historical and heavy use for watersports recreation and bayside walking. The nearby McLaughlin Eastshore State Park has conservation and restoration projects. The DEIR does not acknowledge how the project displaces current and historical recreational usage, which is increasing from baseline (see section in this document under Baseline).

For perspective, the proposed project would constitute the **only ferry terminal and route traversing a pre-existing state and city park.** We list other WETA ferry terminal locations:

- Richmond – site of former Ford factory and WWII shipbuilding site
- Oakland and Alameda WETA ferries are in a shipping canal within Oakland's Inner Harbor and shipping lanes for Port of Oakland, next to barge docks and naval ships
- Mare Island and Vallejo terminals – built in an unused location around Mare Island naval base and shipyard within the Mare Island Strait at mouth of Napa River. The land has long been dominated by housing development and the naval base.
- South San Francisco – an industrial location within an existing Marina near the airport
- Alameda Seaplane Lagoon – within a decommissioned naval base

- Harbor Bay – the terminal serves the housing development and businesses around Bay Farm Island that closely abut the shoreline
- San Francisco terminals – at preexisting marine terminals and piers within industrial sites

At none of these ferry terminals is fishing, swimming, sailing, boating, or other windsports a dominant activity on the water as they are at the Berkeley waterfront. There is a rationale for this pattern. Those venues are already high-density and environmentally degraded: a large-scale ferry there does not displace the pattern of park usage nor add much marginally or cumulatively to pre-existing environmental damage as is consistent with **Bap Map No. 4 Policy 15**. As currently conceived, the Berkeley pier-ferry plan attempts to allow for recreation with what would be the only intentionally dual-use pier in the WETA system. The Bay Plan requires ferry terminals to be located in areas served by higher-density, mixed-use development and transit access. **The DEIR is inconsistent with this requirement because the project is located in a recreation-dominant waterfront park** rather than a mixed-use or transportation-oriented area. Other ferry terminals in the system are located in industrial areas, former military bases, or developed waterfronts. By contrast, the Berkeley waterfront is an active recreational park with established uses centered on public access and low-cost recreation. The DEIR therefore is inconsistent with **Transportation Policy 5**.

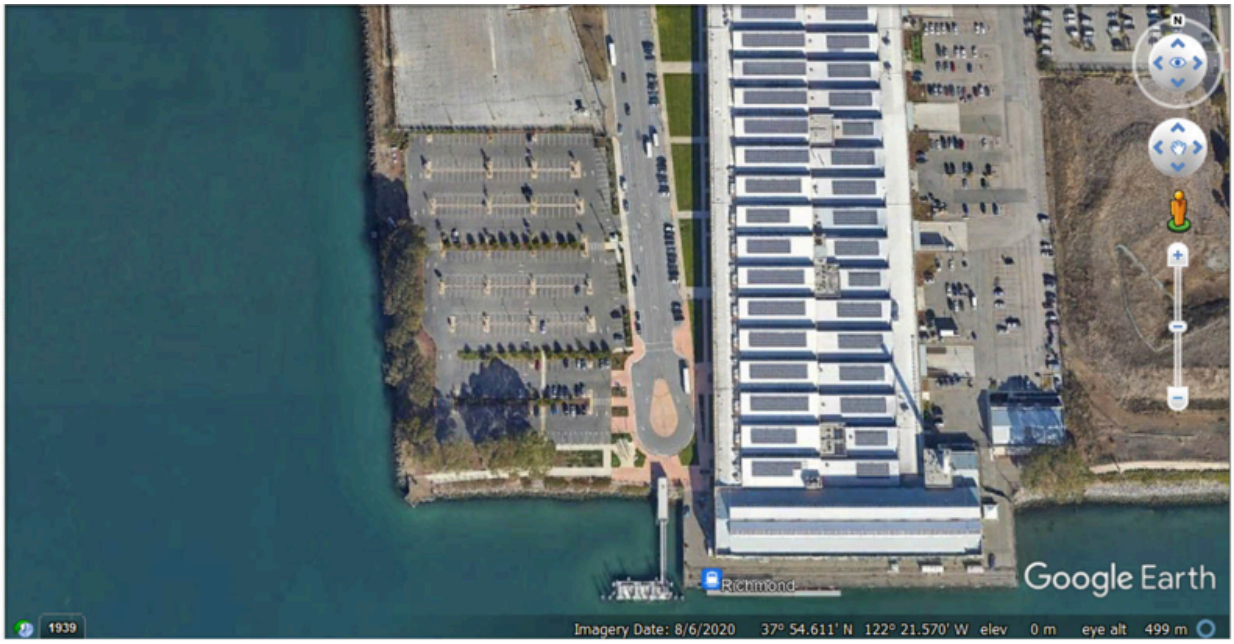
Ferry terminal locations typically consume real estate for parking, as evidenced by this comparison to other existing ferry terminal lots. The Google Earth images below were all taken at 499m by Paul Kamen, naval architect and marine engineer.

Above: South waterfront peninsula, site of project. Note that HsLorship's restaurant has been closed since 2018. COB is in lease-option stage with a tenant who will have exclusive use of

150 parking spaces in the 199 Seawall Lot (empty lot space in above photo adjacent to the restaurant). Another 250 spaces in this lot will be dedicated to ferry parking. Seawall Drive in-car viewing area will be virtually eliminated. Therefore, the entire peninsula will be closed as a facility to access recreation at the waterfront.

Above: Larkspur Landing Golden Gate ferry terminal with 1800 parking spaces. This was taken during covid when the lot was empty.

Above: Larkspur Landing terminal during regular operation.



Above: WETA Richmond ferry terminal. Free parking is available in the lot adjacent to the terminal and includes 362 spaces for ferry patrons alone, with 15 public access spaces and 8 accessible spaces. The dichotomy in use assignments for ferry v recreation is indicative of this area not being a historically major recreational waterfront access area, having been the site of the former Ford factory, now converted to commercial purposes.

Above: WETA Harbor Bay ferry terminal in a modern residential development devoid of historical and existing recreation. The City of Alameda offers parking for 250 cars and two motorcycles at this terminal.

Above: WETA Vallejo ferry terminal. There is a waterfront parking garage and several surface lots directly across from the ferry terminal that serve ferry commuters. These include the City of Vallejo's waterfront garage plus multiple adjacent public lots. Over ~750+ spaces are available in the waterfront parking garage and surface lots near the ferry terminal combined (for daily paid parking). The main waterfront garage and the adjacent surface lots across from the Vallejo Ferry Terminal require payment (around $8 per 24 hours or a $50 monthly pass) for ferry patrons and other users. There are five paid parking lots available around the Vallejo Ferry Building which have security regularly patrolling the lots. Source: Vallejo Ferry Parking map.

Above: WETA Vallejo ferry terminal with text emphasizing business plans prioritization of ferry patron convenient access to the ferry boarding site.

WETA Implementation and Operations Plan | PDF | San Francisco Bay Area | Public Transport, p. 38.

The DEIR claims recreation impacts due to construction, **Impact Rec 2**. The claim is that the impact is significant but mitigated because all the recreation **activities can move someplace else**. This belies the unique nature of recreation at the waterfront. During construction, much of the peninsula would be closed for project staging. The EIR argues that since that closure is temporary, and there are other areas in the marina, the impact would not be significant. Such truncated analysis ignores the language in the existing Marina Plan that protects access adjacent to the old restaurant and ignores Bay Plan policies which also protect those and other recreational uses like shoreline fishing and swimming. A loss of protected access for a long construction period and during project life is a significant impact.

3. Other impacts on recreation and land use not addressed

Additionally, the DEIR does not analyze impacts on and mitigation measures for recreational fishing as a distinct resource use, despite its documented presence and regional significance. It does not evaluate how ferry traffic, noise, habitat modification, or breakwater construction could affect catch rates and fishing behavior.

Moreover, the analysis does not address crossing-path conflicts at the marina entrance or the deterrent effect of commercial ferry operations on small-craft recreation. The marina's south entrance is the most heavily used entrance and exit for the marina, and the navigation path is at cross purposes - in that it crosses the ferry path, which is opposite or diverging directions, with the ferry route and docking maneuvers. There needs to be an adequate accounting of the effects of general navigational safety for these opposing activities. Boat traffic will increase with planned D&E dock completion. Despite the mitigation measures for slowing speed to reduce wake, the interference of marine traffic traveling at cross purposes with the ferry should be considered and alternatives assessed.

The DEIR does not analyze functional displacement of recreation, meaning the loss or degradation of specific recreational activities that depend on this location uniquely. Instead, it treats displacement as a general redistribution of users to other parks. Missing from the analysis is any evaluation of impacts to place-dependent activities such as shoreline fishing along Seawall Drive, wind- and sail-based recreation in the localized wind corridor, open-water swimming, and unique shoreline viewing. The DEIR does not assess whether these activities would be reduced, constrained, or rendered less viable by changes in circulation, water-space configuration, and infrastructure placement.

Additionally, the DEIR does not analyze intensity and congestion impacts on recreation access. It fails to evaluate how the addition of approximately 955-1053 ferry patrons, needing more than 400 parking spaces, in combination with a heavily-used waterfront would affect crowding, user conflict, safety, and recreational quality. There is no quantitative analysis in the DEIR of carrying capacity, peak-use conditions, or conflict between commuter and recreational users in shared shoreline and water space.

The project potentially introduces a profound change in character of the waterfront from a shoreline park created for recreational use under federal grants. The residents of Berkeley have reasserted the priority of this area for recreation many times over. Notable movements supporting recreation include Save the Bay, which prevented the landfill/dump now known as Cesar Chavez Park from becoming a shopping mall in the sixties, leading to the creation of BCDC, and again in the eighties when Sante Fe Railroad sought to build a large commercial development. The developer push was so aggressive and the citizen response so emphatic that a moratorium was placed on waterfront development in 1987, and remained in place until adoption of the 2003 BMMP.

The process of advancing this ferry project has also been highly controversial, as indicated in the Areas of Known Controversy of this document but highly understated in the DEIR. Even the incremental implementation of the ferry plan elements, namely paid parking in the ferry transportation demand management plans, has met with controversy and opposition when the city approved paid parking in the three south waterfront lots in the Project area, a plan carried out without advance input from the community or advisory commissions.

The project has potential to change the recreational character of the area, meaning a shift from a low-cost, informal, mixed-use recreational waterfront to a transportation-dominant facility with commuter ferry operations. The analysis does not evaluate whether this represents a qualitative loss of recreational experience, even if some physical access remains. This is inconsistent with **BCDC Public Access Policy 5** and potentially the **McAteer-Petris Act**. Further, recreation policies require that facilities serve people of all races, cultures, ages, and income levels. Both the BWCC visitation report (attached) and the fishing study point to a lower-income demographic favoring visits to the Seawall Drive area of the waterfront, as well as non-white-only. The DEIR does not analyze recreational equity impacts, despite the waterfront's current functioning as a regionally significant, low-cost recreational resource. The project introduces increased access barriers through reduced parking, congestion, and changes to shoreline access, but the DEIR does not evaluate these effects and is inconsistent with **Environmental Justice Policy 1** of BCDC. Visitation to the waterfront is characterized by frequent (once a week or more) visitation of relatively long duration, **signifying a recreational community.** By introducing major traffic along University Avenue to Seawall Drive and then eliminating Seawall Drive in-car viewing, the project divides a uniquely-Berkeley cultural community that is connected by enjoyment of low-cost and convenient-for-all access to the Bay. **Therefore, impacts as evidenced in this document impose a CEQA impact for land use change**.

In conclusion, impact significance is ultimately a question of substantial evidence about whether an impact is "substantial, or potentially substantial." A diminishment of public-trust-protected recreational access is, by definition, substantial in kind. The DEIR indicates diminishment of public-trust-protected recreational access and land use changes. Because of related inconsistencies with plans pertinent to the project and CEQA impacts left unanalyzed in the DEIR, we advise that the DEIR be revised to (1) quantify current recreational use and the project's effect on it, (2) analyze consistency

with plan policies, (3) address the public trust implications on the record, and (4) evaluate a reduced-footprint or relocated alternative that preserves existing access.

C. Biological resources sections have serious omissions and inaccuracies

1. Environmental settings for eelgrass beds and related discussions misreport published studies and are inconsistent with state and regional plans for eelgrass policies and goals.

Eelgrass (*Zostera marina*) is a foundational species in the SF Bay and the only seagrass species in the Bay. It provides critical habitat for species, offering foraging, refuge and spawning grounds. In recent years, its potential for "blue carbon" has come to be known. Nevertheless, the DEIR repeatedly neglected substantial information and misreported data from sources they did cite, calling into question all aspects of this section.

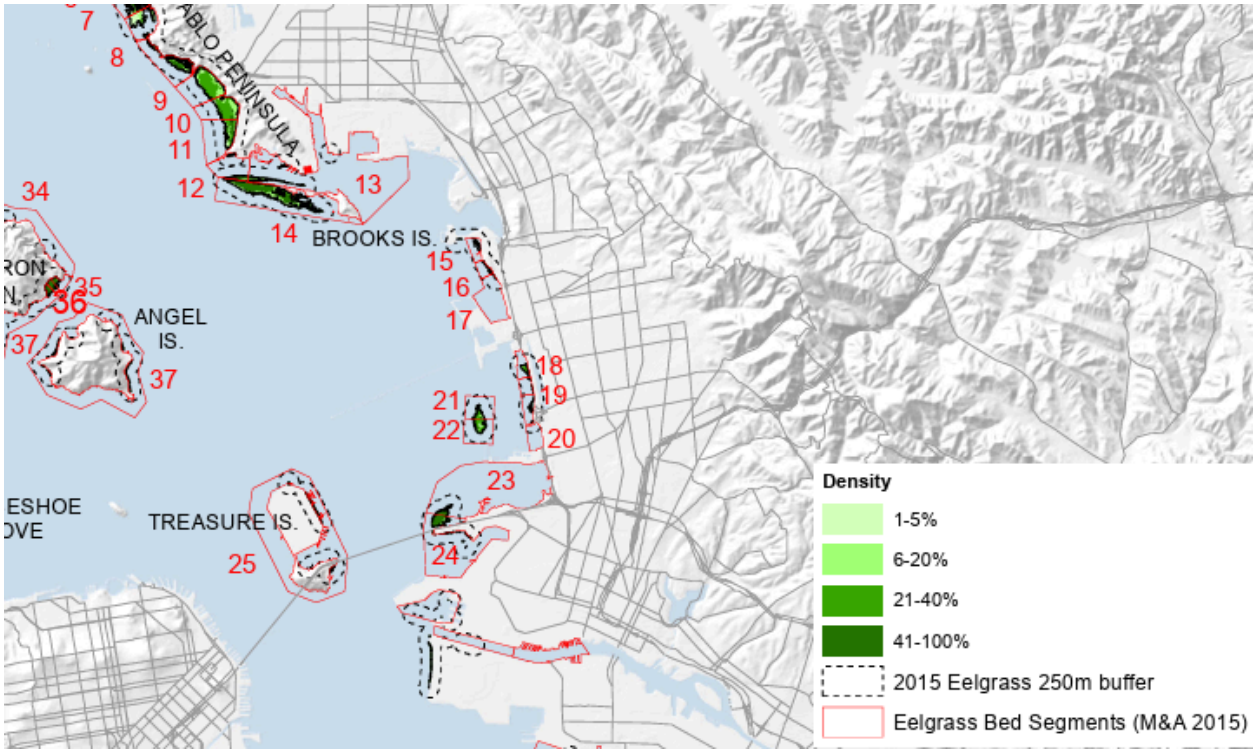
a. Inadequate and incorrect data on eelgrass beds.

There is only cursory treatment of eelgrass in the current DEIR in the environmental setting section, even after years of increasing knowledge of eelgrass's significance to the ecosystem and restoration programming. The treatment extends into neglect and misstatement of available data. The eelgrass inventory available at the time of NOP is not represented. P.181 of the pdf and 3.3-11 states: *"There are previously documented eelgrass beds in the vicinity of the project site, but no documented occurrences of eelgrass within the project site. The nearest documented occurrence of eelgrass is from the South Sailing Basin, approximately 3,800 linear feet from any areas where in-water work is proposed, where less than 0.01 acre of eelgrass was mapped during the 2003 Baywide Eelgrass Inventory of San Francisco Bay.[39]"*

This passage cites Merkel & Associates, 2004 Baywide Eelgrass Inventory of San Francisco Bay: Pre-survey Screening Model and Eelgrass Survey Report, which has long been superseded. There was also no groundtruthing in the project vicinity nor at the Berkeley shoal at that time of this report due to cost considerations (Figure 13). Further, we could not find the quoted ".01 acre" in the report, although we did see that predicted suitable eelgrass distribution shows a high density potential around the project site (Figures 7 and 8b).

The passage goes on to say *"This small patch of eelgrass was not re-detected during the subsequent baywide eelgrass inventories conducted in 2009 and 2014.[40, 41]"* citing the newer Merkel and Associates SF Bay Elgrass Inventory for 2009 and 2014. This is again incorrectly reported. Here is an image of Figure 2 from the Merkel 2014 report

clearly showing the presence of eelgrass beds as described in previous years, beds 18, 19, 21, 22.



Further, Table 1 from the Merkel 2014 report (below) shows eelgrass acreage at the Berkeley shoal (sites 21 and 22) increasing from 2003 to 2014, as well as at nearby Albany Beach, Golden Gate Fields, Brickyard Cove, and the Emeryville shoal. These increases are notable because of sensitivity of eelgrass to water and light conditions and implications for supporting the ecological health of the Bay. Only the Berkeley shoreline along freeway I-80 seems to be suffering in the most recent 2014 inventory, though this trend may reverse in the future given eelgrass sensitivity to environmental conditions.

Table 1. Location and Area of Eelgrass in San Francisco Bay (2003, 2009, and 2014 Surveys)

Eelgrass Segment Number	General Region	Bay Region	2003 (acres)	2009 (acres)	2014 (acres)
1	Pt. San Pablo/Pt. Pinole	Pt. San Pablo/Pt. Pinole (East)	345.51	514.11	393.07
2	Pt. San Pablo/Pt. Pinole	Pt. San Pablo/Pt. Pinole (Central-East)	419.64	614.49	528.17
3	Pt. San Pablo/Pt. Pinole	Pt. San Pablo/Pt. Pinole (Central-West)	316.94	558.23	360.81
4	Pt. San Pablo/Pt. Pinole	Pt. San Pablo/Pt. Pinole (West)	307.1	329.94	247.63
5	Pt San Pablo	Navy Supply Depot Pt. San Pablo	36.3	52.54	58.03
6	Pt San Pablo	Navy Supply Depot Pt. San Pablo	34.12	32.11	29.13
7	Pt San Pablo	Point Molate Beach	17.91	23.29	33.1
8	Pt San Pablo	Point Molate Beach	14.05	29.39	74.24
9	Pt San Pablo	Kellers Beach North	29	69.6	90.24
10	Pt San Pablo	Kellers Beach South	38.83	53.94	72.73
11	Pt San Pablo	Kellers Beach South	24.26	32.29	40.82
12	Pt San Pablo	Inside Richmond Tr. Jetty	9.51	10.3	14.57
13	Pt San Pablo	Inside Richmond Tr. Jetty	10.24	10.38	13.64
14	Pt San Pablo	Outside Richmond Tr. Jetty	68.17	86.79	125.17
15	Emeryville / Berkeley	Albany Beach	0.7	3.66	1.88
16	Emeryville / Berkeley	Golden Gate Fields	0.36	1.2	1.59
17	Emeryville / Berkeley	Golden Gate Fields	0.22	0.03	0.21
18	Emeryville / Berkeley	Brickyard Cove	5.98	10.02	7.15
19	Emeryville / Berkeley	Berkeley Shoreline	4.13	4.4	1.1
20	Emeryville / Berkeley	Berkeley Shoreline	7.6	11.67	3.76
21	Emeryville / Berkeley	Berkeley Shoal	11.7	10.48	12.08
22	Emeryville / Berkeley	Berkeley Shoal	17.03	18.56	21.49
23	Emeryville / Berkeley	Emeryville Shoal	9.34	9.69	11.36
24	Emeryville / Berkeley	Emeryville Shoal	16.8	19.82	25.45
25	Emeryville / Berkeley	Clipper Cove/Treasure Island	6.2	5.41	5.68

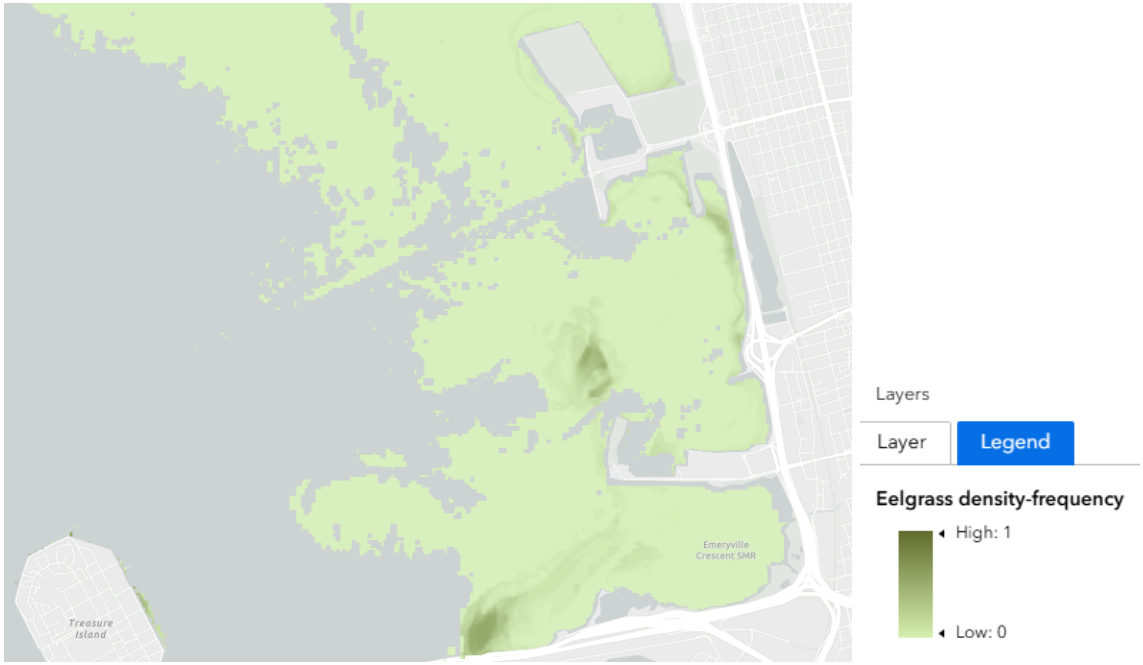
Table 1 from the Merkel 2014 report

Page 183 of the pdf and 3.3-12 of the DEIR says: *"Eelgrass beds, a component of EFH, was not observed and does not contribute to EFH within the project site,"* in regards to essential fish habitat (EFH). Page 184 of the pdf and 3.3-13 states *"Eelgrass beds also provide refuge from predators and an abundant food supply. No eelgrass is currently documented to be present in the project site and has only been documented in very small patches in the South Sailing Basin over the last 15 years."* These claims must be rescinded in light of the above evidence.

Furthermore, the San Francisco Bay Eelgrass Habitat Suitability Model managed by a collaboration among the Ocean Protection Council, The Audubon Society and the Estuary Ocean Science Center shows the entire area around the localized project site as suitable for eelgrass and the possible presence of eelgrass density.

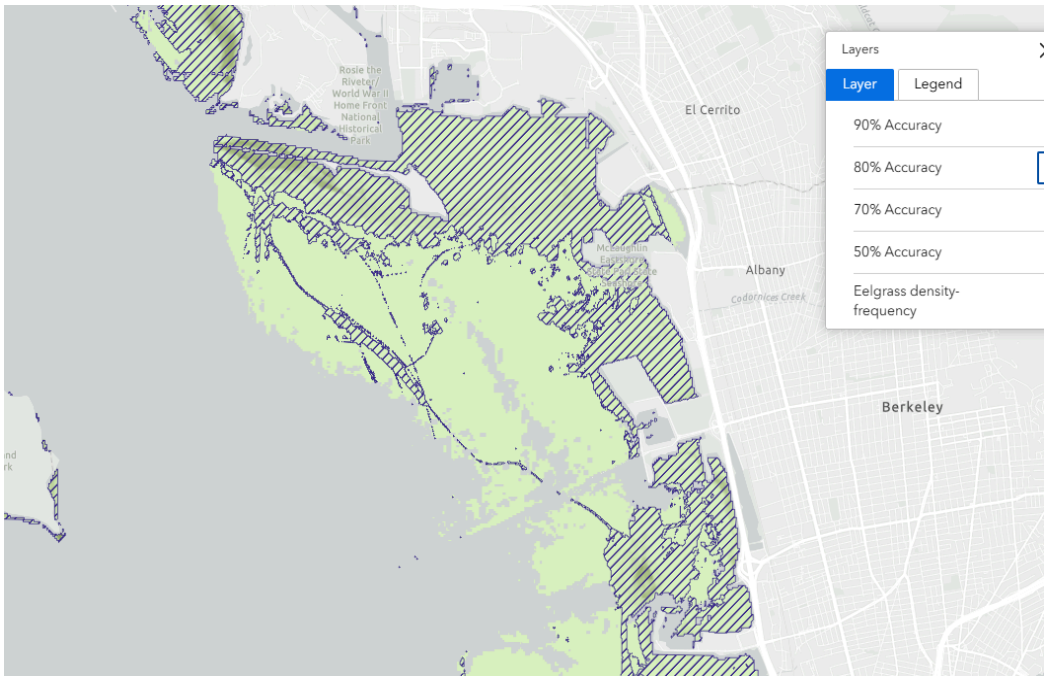
- https://experience.arcgis.com/experience/58ccd2fb13064cc590dbc646573253cd/
- San Francisco Bay Eelgrass Habitat Suitability Model | Audubon

The text explanation for this figure states: Current Conditions shows the presence of Zostera marina along Berkeley waterfront with greater patches at the Ashby Shoal and the Berkeley Beach. Shown: Eelgrass density-frequency: The frequency of eelgrass occurrence multiplied by the mean value of each bottom cover class of eelgrass observed during three baywide surveys conducted in 2003, 2009, 2014, and the eelgrass survey of Richardson Bay in 2019. Eelgrass bottom cover classes included 100%, 40-100%, 20-40%, 5-20%, and 1-5% cover.

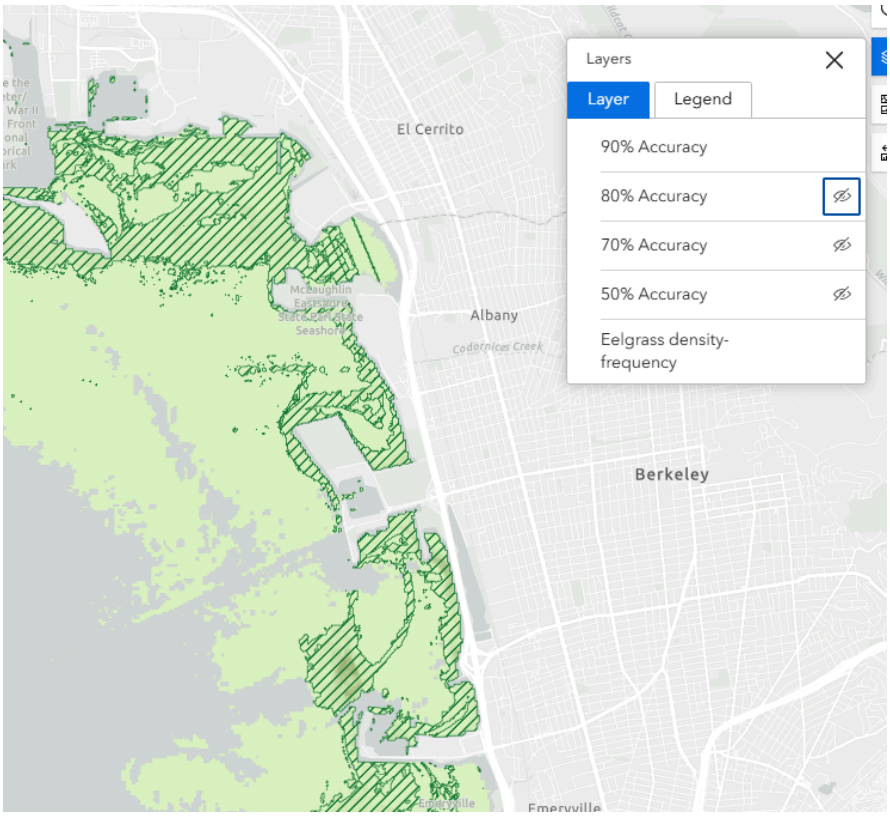


The description of the model states that this baseline layer should not be used to demonstrate presence or absence of eelgrass beds. However, additional layers indicating accuracy at 80% and 90% levels continue to show high likelihood of eelgrass in the project area. Eelgrass is detected with 90% accuracy in the project area in the area designated for major dredging of a turning basin.

80% accuracy layer:

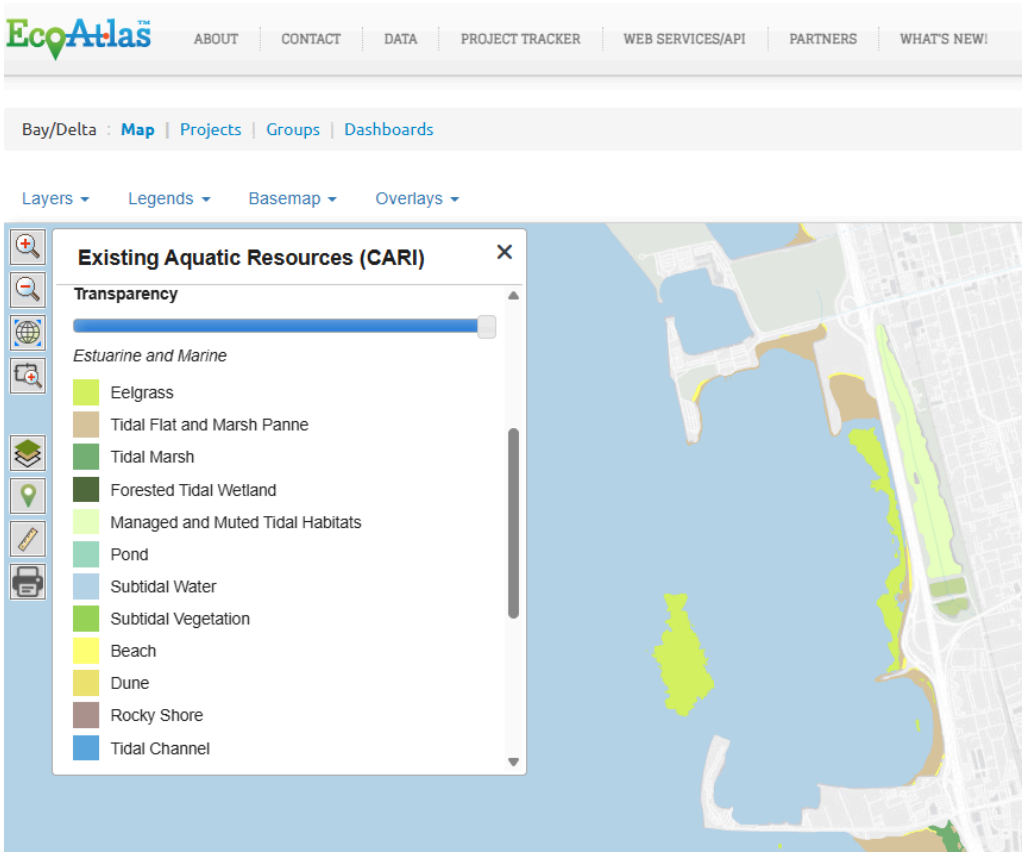


90% accuracy layer:

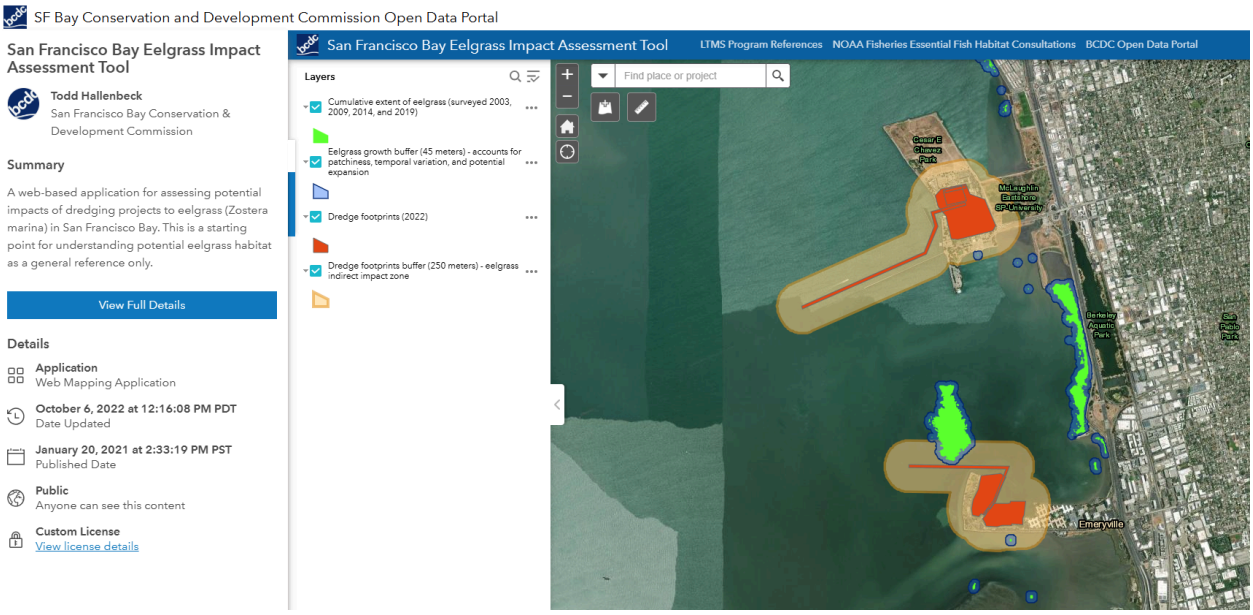


It also appears that the existing pier itself, both the pedestrian portion (out to 3000' and closed in 2015) and the "ruins," beyond the "gap," provides eelgrass shelter from wave action, as seen by the greater concentration of eelgrass indicators just north of and parallel along the pier.

Further the EcoAtlas tool (EcoAtlas: Bay/Delta - Map) managed by the San Francisco Estuary Institute also corroborates the presence of persistent eelgrass beds along the Berkeley shoreline and the Berkeley/Ashby Shoal. See image below.

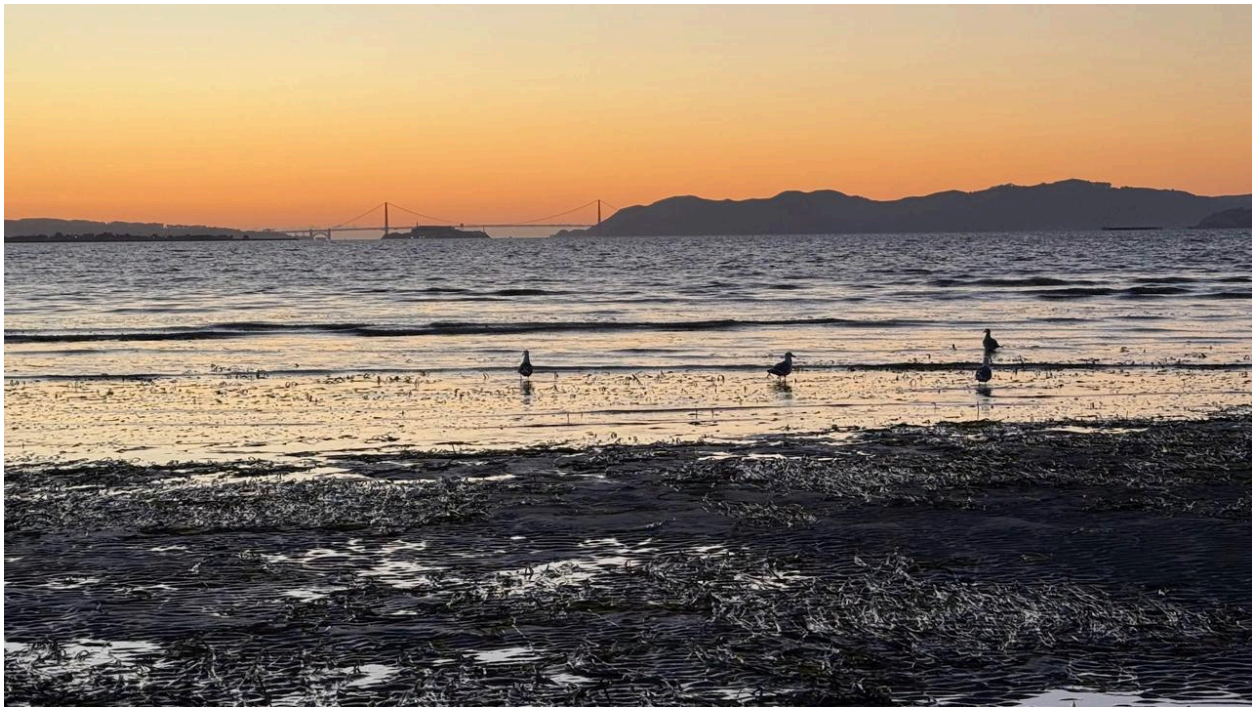


From the BCDC eel grass assessment tool:
https://data-bcdc.opendata.arcgis.com/apps/BCDC::san-francisco-bay-eelgrass-impact-assessment-tool/explore

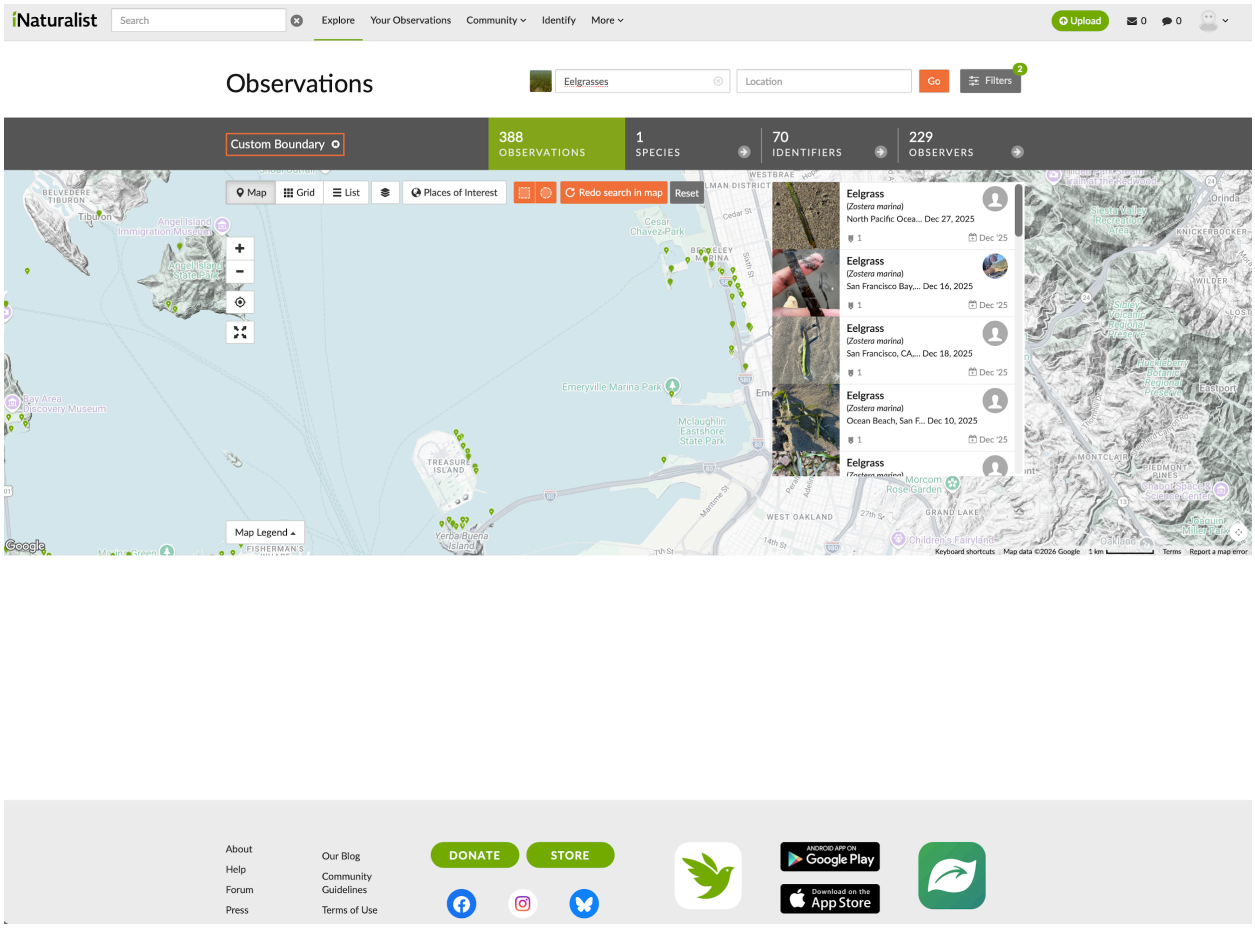


We also have firsthand accounts from swimmers and kayakers in the South Sailing Basin that the eelgrass bed exists and is even a wayfinder for swimmers. A representative from the East Bay Open Water Swimmer group provides the following testimony:

“I swim from Hs Lordships regularly and the Ashby Shoal is a popular low-tide attraction for swimmers; I can vouch that there is eel grass there and so can dozens of other swimmers. Photos taken in 2025 show eel grass mixed with other veg. The directions swimmers give one another for finding the Shoal when it is not fully exposed: Swim towards the port cranes about half a mile till you are swimming through eel grass.” Julie Allen



iNaturalist also provides evidence of eelgrass occurring within the project site:



Source of image above is iNaturalist website April 17, 2025.

This area will need to be dredged, not only for new dredging during construction, but also for maintenance dredging for the life of the project, in the turning basin and along the navigation channel running parallel to the existing pier footprint (including ruins). The breakwater itself can create or exacerbate silting and scouring, with potential harmful impacts on the Bay's plant and animal life. Eelgrass could be negatively impacted. This construction and maintenance dredging and ferry transportation activity would most likely destroy eelgrass growing here now and remove any option of restoring eelgrass in this area of the Bay.

A description of EFH, p. 3.3-12 (p. 183 of pdf) concludes again, based on inadequate and incorrect reporting described above: "Eelgrass beds, a component of EFH, was not observed and does not contribute to EFH within the project site." And p. 184, 3.3-13 for Habitat Areas of Particular Concern (HAPC), the report repeats: "No eelgrass is currently documented to be present in the project site and has only been documented in very small patches in the South Sailing Basin over the last 15 years." Page 190 claims that eelgrass is "not anticipated to occur."

This representation gives a false account of the environmental setting and therefore cannot be a basis for the DEIR's less than significant and no impact conclusion on eelgrass habitat, EFH and HAPC. The extensive initial dredging and then lifetime maintenance dredging could impact habitat restoration efforts for generations to come.

The consultants conducted a terrestrial land survey on one day in September 2024 but no assessment was done for in-water species.

As it stands, the DEIR cannot conclude that no eelgrass exists in the project area.

b. The project is inconsistent with State and regional eelgrass habitat conservation and restoration policies and goals.

i. Inconsistent with SF Bay Subtidal Habitat Goals

The Ocean Protection Council seeks to protect the state's 15,000 acres of eelgrass and restore more. Worldwide, seagrass bed conservation could lead to avoided emissions of 0.65 Gt CO2 per year (Hoegh-Guldberg, p. 50 cited in *Eelgrass restoration in San Francisco Bay: an Interdisciplinary Stated Preference Classroom Experiment*). The US EPA (Program Priorities: Subtidal Habitat, Eelgrass and Oyster Reef Restoration | US EPA) lists eelgrass restoration as a program priority for the San Francisco Bay Program for subtidal ecosystems:

"Subtidal ecosystems are where many shellfish, invertebrates, fish, marine mammals, diving ducks, and other wildlife feed, rest, hide, and reproduce. Native oysters can form reefs that filter nutrients from the Bay water and are a food source for fish and birds. Eelgrass in shallow areas depends on light filtration to grow and when present in large acreages support a wide range of marine life and have the added benefit of stabilizing shorelines by reducing wave energy and preventing erosion of sediments. Urbanization of the shoreline and shipping channels areas have significantly reduced native eelgrass beds and other beneficial underwater vegetation . EPA's San Francisco Bay Program works closely with regional partners to achieve the subtidal restoration goals outlined in the Subtidal Habitat Goals Report (pdf)."

Under Regional and Local regulations on page 3.3-37-8, for the San Francisco Bay Subtidal Habitat Goal Report, A 50-Year Conservation Plan, SUBMERGED AQUATIC VEGETATION GOALS include: protect existing eelgrass habitat …through no net loss to existing beds, identify and protect areas ..for future eelgrass expansion, restoration and

creation, increase eelgrass population where one of the priority areas are the Albany and Berkeley shorelines.

The existing available eelgrass inventories and habitat models demonstrate a conflict with these policies and significant impact and must be addressed as such.

On the same basis, the project is not consistent with **BCDC Subtidal Area Policy 2 (**see p. 451 of pdf).

ii. Inconsistent with NOAA Fisheries California Eelgrass Mitigation Policy and Implementing Guidelines October 2014

NOAA Fisheries have a stated goal of no net loss of eelgrass habitat function in California. Their policy states the following: *Eelgrass warrants a strong protection strategy because of the important biological, physical, and economic values it provides, as well as its importance to managed species under the Magnuson Stevens Fishery Conservation and Management Act (MSA).*

Given the proximity to known and persistent eelgrass beds and the habit suitability and likely presence of eelgrass in the project area, and the continued project-lifetime dredging activity in the project area, the project conflicts with this goal and does not adequately address mitigation measures.

See:

- California Eelgrass Mitigation Policy and Implementing Guidelines | NOAA Fisheries
- https://www.fisheries.noaa.gov/s3//dam-migration/cemp_oct_2014_final.pdf

iii. CDFW scoping input on eelgrass impact assessment not addressed

The CDFW submitted scoping comments to the NOP specifically stating state and federal policies, including no-net-loss policies for wetland habitats, including eelgrass beds. Given the inadequate and misleading information presented in the DEIR, we suggest that the DEIR be rescinded and redone to include a responsible and honest assessment which will also serve to address CDFW concerns.

Finally, we note that a loss of this habitat also foregoes the opportunity for carbon sequestration and potential revenue from blue carbon credits. The Audubon report

states a value under a verified carbon standard for carbon sequestration trading of eelgrass in SF Bay to be $1.4-1.6 million / year.
(Eelgrass, Herring, and Waterbirds in San Francisco Bay: Threats and Opportunities OCTOBER 2018, p.11).

c. Inaccurate framing of project activities

Overall, the mitigation measures only address construction. They do not address ongoing maintenance dredging and impacts of a ferry schedule with 28 Bay crossings/day weekdays and 26 on weekends. A proposed schedule must be added to the DEIR plus a complete project description as explained in the first section of this comment. Then the DEIR must be redone to assess impacts - both marginal and cumulative.

2. Fish habitat and marine ecosystem impact for operations and life of project not assessed

The Bay waters around the pier prior are known among sportfishing operators and recreational fishers as fish spawning grounds. Fish populations are also migratory and seasonal, and interact with other parts of the Bay ecosystem. A number of plan elements were not discussed or mitigated in terms of their impact on fish species and habitat and spawning:

- Ongoing maintenance dredging around the ferry terminal, breakwater and navigational channel running parallel to the existing pier for the project ferry route. Only construction activity seems to be addressed.
- The assumed ferry schedule of 28 ferry crossings per day and impact on the underlying marina ecosystem is not included for analysis. The DEIR concludes, in reference to water quality but also relevant here, that “[g]iven that Bay waters are naturally highly turbid and subject to pronounced fluctuations due to tidal action, wind-driven waves, and regional sediment transport, project-related turbidity would not be expected to measurably increase local or regional turbidity beyond baseline conditions and impacts would be less than significant.” (p. 3.8-30 and 423 of pdf). However, the resuspension of particulates and other turbulence caused by the WETA-assumed operational schedule, plus the cumulative impacts overall, are not analyzed for fish habitat.
- The original WETA plan called for a diesel ferry, while electric ferries were mentioned later in the process. Uncertainty remains whether an electric ferry would accommodate the natural conditions of the Berkeley pier, which experiences high winds and waves during much of the year. As no electric ferry model exists for the route and service as described, the analysis should be

reassessed on the assumption of a diesel ferry. Impacts cannot be assessed based on hypothetical conditions.

We also did not see any discussion of impact on recreational fishing, particularly in regards to white sturgeons and halibut, which are historically popular species caught at the Berkeley pier. A white sturgeon was recently caught from the shoreline by a night fisherman and reported on social media for the Berkeley Bait shop. The DEIR needs to reassess its impacts with a new project description and include analysis of all elements of the project.

Photo of a white Sturgeon along Seawall Drive, Berkeley Waterfront, 2025. Photo credit: Berkeley Bait and Tackle Instagram. The project area includes sturgeon habitat.

The tendency for eelgrass to grow along the north side of the pier (see above section) also is suggestive that the project area is fish spawning grounds. The DEIR notes some mitigation measures prior and during construction but none for operation. The DEIR needs to be rewritten to address operational impacts, cumulative and otherwise, on fish habitat. The current conclusions and mitigation measures are not supported.

D. Emissions data needed

For section 3.6, Greenhouse Gas Emissions and Energy, emissions claims are unclear. The increase in ADT (+1127 ADT at the project site above baseline) indicates a substantial increase in traffic noted elsewhere in this document. Based on this ADT, the DEIR says that most of these trips would have otherwise been vehicle trips across the Bay Bridge to San Francisco. And that “some” would have been by bus or BART. We would like clarity on how much is “some.” Further, how many of those trips would be induced demand for the ferry option? Or recreational pier? Antinori et al. (2025, 2026)

report doubling of fishing trips were a recreational-only pier to be opened. The COB Berkeley questionnaire on the ferry service indicates most ferry patrons would use the ferry as an amenity, not for commuting. The DEIR eventually defers modeling details to two references not in the DEIR package: CEQA Review of Sustainable Transportation Projects Technical Advisory and federal Guidelines for Providing Access to Public Transportation Stations. The modeling derived from these reports needs to be made transparent.

V. The DEIR fails to substantiate objectives and therefore a feasible range of alternatives, falling short of CEQA intent

A. EIR fails to substantiate the basic purpose or need for the ferry service as proposed, thereby artificially constraining the range of alternatives.

The DEIR has not demonstrated an underlying need for ferry service at the Berkeley location. The Berkeley terminal is a part of several of WETA's Network Concepts in the Business Evaluation. However, this in and of itself does not establish a need for the City of Berkeley, particularly when the project may not meet the narrowly defined project objectives listed on page 5-3 of the DEIR and following.

According to the DEIR and the 2003 EIR, the project does not meet the objective of reducing vehicle miles traveled as associated with reducing single-occupancy vehicles. It converts recreational parking to commuter parking. There is no substantiated evidence to say that the project is cost competitive or meets higher performance standards than other transportation options, as noted in the Social and Economic Benefits section of this comment document. Very little mitigation of transportation loads is expected or demonstrable with the project. The WETA 2003 EIR shows minimal percentage **(0.07%)** change in vehicle miles traveled as a consequence of ferry system expansion *systemwid*e, much less for new terminals, including the Berkeley terminal as part of the overall plan. To the contrary, **new terminals *increase* VMT (WETA 2003 EIR). This DEIR corroborates that the current project *increases* ADT because of vehicles - many single-occupancy - driving to the ferry terminal located in a low-density zone and nature-based recreational park not zoned for housing, away from any transportation nexus, as discussed in the Recreation/Land Use impacts section. It has not demonstrated that the project reduces VMT overall.** The city's survey of Berkeleyans on the planned use of the ferry indicates that most will use the ferry as an amenity, not for commuting.

But the project as described in the DEIR appears to address a second objective of restoring a recreational pier, a generally desired goal for the City of Berkeley. Since it has not established that large-scale ferry service meets its project objectives, alternatives under CEQA must consider alternative bluespace amenities that legitimately increase recreation, including ferry service scaled as a recreational amenity and recreational-only pier. These are feasible alternatives that fulfill project objectives as well as those that fill some project objectives. By limiting the analysis to incremental modifications of the commuter-scale ferry service for which there is unsubstantiated need, the DEIR fails to provide a reasonable range of alternatives as required.

Here, DEIR objectives stated in Section 5 effectively predetermine the outcome of the alternatives analysis by prioritizing a large-scale ferry-based solution that does not meet its objectives. This approach improperly constrains the range of alternatives and undermines CEQA's core requirement that alternatives be capable of attaining most of the project's basic objectives while reducing environmental impacts. (CEQA Guidelines, §15126.6(a).)

Cases to support these claims:

- ***City of Santee v. County of San Diego*** **(1989) 214 Cal.App.3d 1438**
- The court invalidated an EIR where the project objectives were framed so narrowly that they **effectively precluded meaningful alternatives**.
- *Laurel Heights Improvement Assn. v. Regents* (1988) 47 Cal.3d 376
- *San Francisco Tomorrow v. City and County of San Francisco* (2014) 229 Cal.App.4th 498
- *Bay-Delta Programmatic EIR* (2008) 43 Cal.4th 1143
- *Citizens of Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553
- *California Native Plant Society v. City of Santa Cruz* (2009) 177 Cal.App.4th 957 The court faulted the EIR for failing to adequately consider **feasible alternatives raised in comments**.
- *Banning Ranch Conservancy v. City of Newport Beach* (2017) 2 Cal.5th 918 Reinforces that CEQA requires **serious consideration of feasible alternatives**, and dismissal must be supported by **substantial evidence**.

B. DEIR alternatives analysis is biased towards the proposed project; it is unclear, unsubstantiated, shows minimal differentiation and is unrealistic.

1. Alternative 1 "No Project" is presented in a misleading way and with a false baseline.

MISLEADING BASELINE. Alternative 1 No Project is inconsistent with CEQA Guidelines §15126.6. CEQA Guidelines §15126.6(e)(2) requires that the **"No Project" Alternative be based on existing conditions** and what would reasonably be expected to occur in the foreseeable future if the project is **not** approved. For development projects, this requires analysis of the conditions under which the project does not proceed, evaluated against a baseline grounded in existing conditions and independently supported foreseeable changes. What is given in the DEIR is a constrained or outcome-oriented scenario constructed to emphasize the benefits of the proposed project. See the Baseline section of this document for exposition of existing conditions not represented in the DEIR. Because the required CEQA No Project Alternative is derived from the environmental baseline, **any incompleteness or distortion in the baseline necessarily carries through into the No Project analysis.** Where existing conditions are not fully and clearly established, the resulting No Project Alternative lacks a stable evidentiary foundation for projecting reasonably foreseeable future conditions and evaluating environmental change. These flaws undermine the function of No Project as a reliable CEQA comparison scenario, as explained in the Baseline section, and disqualifies the No-Project assessment.

The DEIR assumes, without substantial evidence, that environmental conditions would worsen in the absence of the project, including increased VMT, higher emissions, and stagnant recreational opportunities. These assumptions are speculative and do not meet the evidentiary standard under CEQA. (CEQA Guidelines, §15064(a).)

The DEIR also omits reasonably foreseeable improvements to the project area, including ongoing redevelopment efforts. By artificially constraining the baseline, the DEIR inflates the perceived benefits of the proposed project and undermines the validity of the alternatives comparison.

UNSUPPORTED ASSUMPTIONS. Beginning at page 5-3 of the DEIR, the analysis assumes that the **project's absence** will result in worsened environmental conditions, including increased vehicle miles traveled, higher emissions, and static recreational opportunities. These claims are speculative and do not meet the substantial evidence standard required under CEQA Guidelines §15064. Baseline conditions are such that recreational opportunities in fact ***increase*** without the project, as explained in the baseline section of this document. In contrast, many ***project elements decrease recreation or have the potential to decrease recreation.*** See the Recreational and

Land Use Impact sections of this comment document. **It is specious and incorrect to say that no improvements would be made without the Project.** As noted, there are material precedents for such improvements. For example, the 199 Seawall site building and parking lot is currently under an option agreement between the city and with TSA Holdings, LLC (TSA) to renovate the building and repair the parking lot and Seawall Drive and Bay Trail. Before its closure, Hs Lordships restaurant was heavily used as an event space for large groups (e.g. school proms, Berkeley Public Schools Fund annual fundraiser, family reunions, etc.). The No Project Alternative does not include any demand forecast for this in-negotiation lease for activities developed for this location within the project area.

This assumption is repeated across Alternatives 1–4. The No Project Alternative therefore could maintain a lower VMT and ADT in comparison to the project and the other stated alternatives, and should incorporate the 2003 EIR analysis.

EMISSIONS. The DEIR provides no mode-shift modeling, empirical substitution analysis, or quantified travel demand data demonstrating that ferry users would otherwise drive alone across the Bay, as opposed to taking BART, for example,[12] or that ferry service is the determinative factor in regional emissions outcomes.

SPECULATIVE. Under CEQA Guidelines §15064, impact determinations must be supported by facts, reasonable assumptions based on facts, or expert analysis grounded in evidence. The DEIR's reliance on **speculative** behavioral assumptions and **unsupported projections** of future conditions fails to meet this standard. By presenting a future No Project scenario that is not grounded in evidence, the DEIR inflates the relative benefits of the proposed project and undermines the integrity of the alternatives comparison required under CEQA Guidelines §15126.6.

2. Alternatives 2–4 are not meaningfully distinct approaches.

An EIR may not limit its analysis to variations of a single project where other feasible approaches exist. (*Laurel Heights*, supra, 47 Cal.3d at 400.) By failing to evaluate fundamentally different approaches—such as alternative locations, reduced-scale development, or non-ferry-based improvements—the DEIR does not provide the "reasonable range" required under CEQA.

SPURIOUS ALTERNATIVES. Alternatives 2, 3, and 4 do not represent meaningfully distinct options, but instead consist of minor design variations of the same ferry-based project. All retain the same core elements, including ferry service, project location, and

[12] Daily transbay BART passenger rides are estimated at around 60,000 to 83,000, with rush-hour use increasing, translating to 30,000 - 41,500 roundtrips. Source: BART Ridership Reports. The WETA ferry project for Berkeley estimates 955 roundtrips for their base scenario used for the DEIR.

operational assumptions, and differ only in limited features such as pier length, breakwater configuration, or landside amenities. As a result, the DEIR does not evaluate alternative approaches such as **eliminating** ferry operations, relocating the project, or pursuing non-ferry or recreation-focused improvements.

The descriptions are so limited that the alternatives collapse into vague variations that are difficult to distinguish beyond the most general level. This lack of clarity prevents meaningful evaluation and comparison, further undermining the purpose of the alternatives analysis.

By embedding project benefits into the comparative framework and relying on unsupported assumptions about future conditions, the DEIR effectively **treats the proposed project as the functional baseline** for comparison, rather than evaluating impacts relative to existing conditions and a properly defined No Project scenario.

While CEQA Guidelines §15126.6 of the California Environmental Quality Act Guidelines Section 15126.6 does not require that alternatives be entirely different projects, it does require a reasonable range of alternatives capable of fostering informed decision-making and meaningful environmental comparison. Here, the alternatives analysis fails to meet that standard because it does not evaluate fundamentally different ways of achieving the project's underlying objectives.

By limiting the alternatives to minor variations of the same project, the DEIR constrains the range of feasible alternatives and precludes a meaningful comparison of environmental outcomes. This approach undermines CEQA's purpose of ensuring that decision-makers and the public are informed of a true range of options, rather than a narrow set of variations that inherently favor the proposed Project.

We also note the potentially irresponsible mention of a shortened breakwater. As the design is currently presented, the breakwater barely protects the docking platform from south winds and has no protection from north winds. A shorter breakwater would cause unsafe situations. **This is not a feasible alternative**.

Alternative 3 envisions a ferry terminal without the pier extension. This would not achieve the objective of recreational access. Instead, it would cede space to a WETA ferry, to be compatible with standard WETA terminal design noted in the Recreational/Land Use impact section of this comment document. By following this option, Berkeley would **sacrifice 100 years of pier access to the Bay for recreation to support WETA business plans**. Most project environmental impacts would remain and recreation would decrease substantially from baseline, failing this project objective for which there is a reasonably substantiated need.

Therefore, Alternatives 2, 3, and 4 do not constitute a reasonable range of alternatives capable of informing environmental decision-making under CEQA Guidelines §15126.6. Instead, they function as incremental design variations of a predetermined project. Accordingly, the DEIR fails to provide adequate alternatives analysis: it does not present a meaningful spectrum of project options that could avoid or substantially reduce environmental impacts.

C. Reasonable alternatives rejected and no valid range of options

CEQA Guidelines §15126.6 requires an EIR to evaluate a reasonable range of feasible alternatives that could achieve most of the project's basic objectives while reducing environmental impacts. §15126.6(c) requires that the EIR "identify any alternatives… that were rejected as infeasible… and briefly explain the reasons." The purpose of this requirement is to ensure informed decision-making through meaningful comparison of different project options. The DEIR does not satisfy this requirement. The DEIR fails to articulate a need for the ferry commuter service. For waterfront access and recreation as an objective, the DEIR purports to restore a recreational pier. Yet, the DEIR has improperly screened out reasonable alternatives of a pier-only option and ignored other ferry terminal options, contributing to its constrained alternatives analysis. In this situation, public comments suggesting broader or different feasible alternatives become especially important, and agencies must address them.

1. DEIR does not adequately explore pier-no ferry alternative

Analogous to the ferry-only pier Alternative 3, the DEIR should include a pier-only alternative consisting of a 500' or longer public access pier without a ferry.

The DEIR provides **no explanation** for why a pier-only (without ferry) alternative was excluded, even though funding needs for Berkeley would be much less. The DEIR does not evaluate a pier-only alternative, and provides no explanation as to why it does not, despite substantial evidence that such an alternative is feasible and would meet key objectives related to public access and recreation while avoiding ferry-related impacts.

It would achieve the first project objective, i.e., repairing and extending the pier. By ignoring a pier-only alternative as in fact feasible, meeting recreation and public access objectives while reducing ferry-related impacts, the DEIR fails to provide a meaningful comparison or rationale for rejecting alternatives, thereby limiting informed decision-making and public participation.

A pier-without-ferry option was in fact funded by a state grant of $15 million for pier and marina infrastructure. **Funding was diverted to other uses**; however, the fact remains that potential funding options exist. The GHD engineering firm has already provided

COB with a feasibility study of replacing the existing pier. COB (2021) states that replacing the existing structure alone with a 2,000-foot pier would cost $26 million (and to 3,000 feet, around $32-$44 million). City staff have indicated in public meetings that COB's share of the waterside costs alone for the pier/ferry project would be approximately $26 million. **Therefore, a reopened pier up to 2,000' at least, without a ferry, is a feasible alternative. While WETA, COB and GHD estimates can be updated, a recreational pier without ferry service is a feasible option for COB.**

Research and reports indicate a large increase in public demand if the pier were reopened and a basic functional facility maintained for fishing, walking, and cycling. Data by Antinori et al. (2025) (provided to the city prior to NOP date) and peer-reviewed in Antinori et al. (2026), predicted a restored *pier alone* would see a 96% increase in annual average visitation among anglers. Breaking this into income categories, the predicted increases are 70%, 88% and 114% for low, medium and high-income anglers. These increases are above baseline for the recreational pier-alone alternative. The benefits of this option should be considered against the DEIR project and its environmental impacts.

2. Rejected in-marina alternatives

The Berkeley Waterfront Community Coalition (BWCC), in scoping comments, asked city staff to analyze in-marina locations. They rejected the option based on the WETA 2008 Berkeley/Albany Ferry Terminal Study Draft EIS/EIR prepared by URS that configured a terminal and new dock next to the Hornblower docks. The DEIR fails to consider any other reasonable configurations or locations that reduce environmental impacts. This version of the in-marina alternative from the 2008 WETA EIR functions much like a "straw man" in the current analysis. Other options exist. Hornblower docks next to the DoubleTree Hotel are one option. These docks are an underused space. See image below. The DEIR dismissed this alternative without analysis. The image below by Paul Kamen shows cost as well as impact comparisons.

Another possibility is the K-dock slips used by the Genentech and Tidelines ferries. This is a central location in the Marina and adds only two minutes' travel time to San Francisco, based on the Genentech ferry departures/arrivals, excluding docking maneuver time. Tidelines was a private company operating under a public grant which ran twice in the morning and twice in the afternoon. The Genentech ferry ran a similar schedule. Neither posed major interference with marina traffic. These ferries blended into marina activity without costly investments. All that was lacking was regular parking enforcement to restrict ferry patron parking to their designated Marina Boulevard location.

BWCC scoping comments asked: "*Data on current usage by Genentech ferry and previous usage of Tidelines ferry ridership must be made available publicly for the report for a feasibility comparison of a small commuter ferry service operating in Berkeley."* This data was not provided, although it was requested prior to the DEIR issuance. This data would assist in decision-making on the viability of in-marina service.

This alternative also meshes with WETA's Tack-to-Wind business outlook, under which WETA focuses on recreational instead of weekday commuter use, reflecting most Berkeleyans' pattern of usage.

An in-marina terminal was in fact assumed for the first assessment of the Berkeley-SF WETA ferry route in 2003. In Figure 5.1.1 and Table 5.1.5 of that 2003 EIR, it is estimated that dredging for a Berkeley/Albany service would only require 13,260 cubic yards of dredging, implying an in-marina terminal. Under these options, the in-marina alternative still meets the objective of enhanced recreation with transportation options for commuter service through a potentially modified weekday schedule. Reduced CEQA and COB impacts include:

- Reduced dredging and shared WETA/COB marina maintenance costs
- Lower project costs and potentially greater revenue generator for Berkeley
- Access to a ferry consistent with demand
- Reduced environmental impacts on water quality, acoustics, biological and aesthetic resources

VI. Social and economic benefits to Berkeley contextualized for decisionmaking

A. Social and economic context relevant to DEIR

In response to BWCC scoping comments, the DEIR says that "Economic factors are not an environmental impact of CEQA. This comment will be considered by the City decision-makers as part of the project approval process." In fact, the DEIR relies at several points on economic or social benefits to deliver its analysis:

- P. 447 of pdf and 3.9-10 says there will be positive economic and social benefits to dismiss public comment.
- P. 452 of pdf to claim consistency with BCDC **Climate Change Policy 7**
- Address **Berkeley Marina Master Plan Consistency Principle 5** to enhance access and use of the Marina, especially for elderly, economically disadvantaged or physically challenged persons (p. 469 of pdf).

It is also worth noting social and economic impacts because of the lead agency's authority to override significant environmental impacts and mitigation measures based on claims of economic and social benefits:

- Page 1-15: **Lead Agency Project Decision.** The lead agency may a) disapprove of the proposed project because of its significant environmental effects; b) require changes to the proposed project to reduce or avoid significant environmental effects; or c) approve the proposed project despite its significant

environmental effects, if the proper findings and statement of overriding considerations are adopted (CEQA Guidelines Sections 15042 and 15043).

- **Findings/Statement of Overriding Considerations.** For each significant impact of the proposed project identified in the EIR, the lead agency must find, based on substantial evidence, that either: a) the proposed project has been changed to avoid or substantially reduce the magnitude of the impact; b) changes to the proposed project are within another agency's jurisdiction and such changes have been or should be adopted; or c) specific economic, social, or other considerations make the mitigation measures or proposed project alternatives infeasible (CEQA Guidelines Section 15091). If an agency approves a project with unavoidable significant environmental effects, it must prepare a written Statement of Overriding Considerations that sets forth the specific social, economic, or other reasons supporting the agency's decision.

In this section we review social and economic factors to provide context to the project and better inform decisionmaking.

B. Weak evidence of economic or social benefits to Berkeley

1. WETA service economic and cumulative impacts

There is no evidence to support the claim of net positive economic and social benefits to Berkeley, although there is evidence to support the opposite conclusion. From the WETA Business Plan Evaluation, April 12, 2023, Summary of Network Concepts pages 2-6 of report, WETA lists the following visions for expansion:

1. Existing Network: 10 terminals
2. Plan Bay Area Network: 14 terminals
3. Core Network: 18 terminals
4. Coverage Network: 26 terminals

Plans 2-4 offer some form of Berkeley/Albany/Emeryville ferry service but the cumulative impacts are considerable, and are not fully discussed in the DEIR, as noted above. Compared to the existing 10-terminal network, the Coverage Network shows worse cumulative environmental impact, worse financial capacity, and worse productivity (Business Plan Evaluation, Table 8). The plan continues to outline four business future outlooks for the year 2050 (Table 2), with two based on pre-pandemic ridership levels (Steady as it Goes and Chart a New Course) and two with 30% reduction in commuter travel (Throttle Back and Tack to the Wind). They have no probabilities assigned to each scenario.

Across all four of WETA's 2050 ridership outlook scenarios, the existing network remains the most productive, and operating costs per passenger-mile are highest under Coverage Network in every scenario. It is clear that we are not on a "new course." BART itself has not returned to pre-pandemic levels. Even under the "Throttle Back" scenario, operating costs jump substantially over the existing system. If anything, current outlooks appear to be most aligned with the "Tack-to-Wind" scenario that envisions as follows for WETA: 30% reduction of commuter travel but in order "to diversify its ridership base, WETA would expand its midday and off-peak and weekend service offerings, align its fares with other regional operators, and substantially enhance access to ferry terminals" (p.8 of 29), i.e. **an amenity ferry**.

The Berkeley terminal would require subsidies from general public and Berkeley funds costing more than twice as much per passenger as the existing bus network. Kamen calculated from WETA's 2024–2025 budget that WETA annually delivers 2.57 million one-way rides at an actual cost of **$61.60 each**, with fares recovering 8.9% of cost and a **public subsidy of $56.10 per ride**. AC Transit, by contrast, delivers 34.6 million one-way bus rides annually at a cost of **$25.20** each, with farebox recovery of 3.4% and a subsidy of **$24.30 per ride.**

Kamen analysis (used with permission)

Cost and revenue data from the WETA 2024-2025 budget (https://weta.bynder.com/share/85AFA60B-3C3F-43B9-A69010245CFBEC9D/). Note that of 2/16/26, the 2025-2026 budget has not been approved or published.

Total annual revenue and expenditures, including capital costs (new ferries, terminal development, admin, planning, etc.):
$158.2 million.
Total number of one-way rides:
2.57 million. $158.2/2.57 = $61.6/ride.
Farebox revenue:
$14.1 million. Farebox Recover Ratio = $14.1/$158.2 = 8.9%
Subsidy per ride = (100%-8.9%) x 61.6 = $56.1/ride

Compare to AC Transit:
https://www.actransit.org/sites/default/files/2024-11/FY2024-25%20ACT%20Adopted%20Budget%20Book_2024.10.30.pdf

$605.8M Operating budget
$267.1M Capital budget
34.6 million rides
605.8+267.1)/34.6 = $25.2/ride
Fares = $29.7M
Farebox Recovery Ratio = 29.7/(605.8+267.1) = 3.4%
Subsidy per ride = (1-0.034) x 25.2 = $24.3/ride

The economic costs to Berkeley should be kept in mind. WETA's Berkeley ferry business plan describes local funding as a source of capital and operating funds for several currently existing routes as well as for the Berkeley route. The ferry project's paid parking plans, currently being considered within the city, rely on recreational users to defray the city's costs of maintaining the ferry project's infrastructure and operations and will depress recreational visitation.

Historically, Berkeley ferries have failed. Tidelines commuter ferry service, which operated from inside the Marina, has not returned after the pandemic. Genentech closed its employee ferry to the Oyster Point campus as too expensive and replaced it with buses. In planning meetings (e.g. BCDC's DRB), staff have already discussed reducing the project from two docks to one. Unlike the Richmond and Vallejo routes — where ferry service saves commuters substantial time from the North and East Bay — a Berkeley-to-San Francisco ferry would take about the same time as BART, with a first-mile/last-mile problem BART does not have.

2. Transportation Impact TRA-2 conclusion not substantiated

The DEIR (pdf p. 555), for justifying Impact TRA-2, asserts without substantiation that West Berkeley residents, who have more limited public transit options, will experience increased employment in higher-paying San Francisco and San Mateo county jobs because of the ferry service. The justification is based on social and economic benefits. As the basis for an impact finding, we would ask for more analysis. According to Census data, West Berkeley (a SB535 community) on average is lower income than the rest of Berkeley. The WETA 2022 *Passenger Survey Report* reports that ferry riders are historically concentrated in higher income brackets, with large shares reporting household incomes above $100,000. This has changed. In 2017, only 6% of riders earned under $50,000 per year; pandemic-era fare reforms drastically reduced fares and raised that share to roughly 19% by 2021, and WETA's 2022 annual report describes a "significantly increased percentage of low-income riders." Even so, higher-income riders remain overrepresented, and Seamless Bay Area continues to characterize the rider base as "white-collar commuters paying a premium fare relative to BART or bus." Was 2017-2021 shift due only to low fares available during the pandemic and does the WETA budget now include subsidies that will keep fares at pandemic-level lows to maintain this distributional profile? On existing evidence and without further analysis, we would assume the Berkeley terminal would still disproportionately serve a high-income profile for commuter needs. Finally, we note again that the city's public questionnaire on ferry service indicated higher usage of the ferry as an amenity rather than as a commuter option. The questionnaire was made available to the public via the local online newspaper *Berkeleyside* and councilmember newsletters. *Berkeleyside* readership matches Berkeley's demographic profile, according to its documents (see Attachments).

For social and economic benefits, decisionmaking should also weigh a *substantiated* impact under TRA-2 with the distribution of social and economic benefits. Visitors to the southern Berkeley waterfront — the area the project most directly affects — are on

average lower-income than visitors to other waterfront areas and already value the waterfront for its recreational value.

3. Secondary benefits are aspirational

The Keyser Marston analysis commissioned by the City is the most substantive statement of the project's secondary economic benefits. It is cautious. The study projects "**very modest contributions to Marina Fund** — perhaps may generate up to 10% of any revenues the city receives from food and beverage consumer spending" (Keyser Marston, 2021, pp. 8–9). Its strongest forward-looking statement is the hope that a large-scale ferry with weekend service might attract an additional hotel.

The experience of the existing WETA terminal at Jack London Square in Oakland counsels against this hope. The surrounding commercial area has struggled with a substantial vacancy rate despite the operating ferry, and the Waterfront Hotel — 145 rooms, a short walk from the terminal — closed in January 2025. The City's own public outreach in the 2021 community survey found that 60% of respondents would **never use the ferry to commute**, and 56% would rarely/never use it for leisure *or* would use it fewer than ten times per year.

4. High business risk potential

A commuter ferry vessel operating approximately 28 daily crossings, designed against a ridership estimate of >2000 (with Mission Bay service) and capacity to handle 4000 in more extreme business scenarios, represents a substantial capital commitment against uncertain demand. The risk of stranded assets is real, and would fall on both WETA and COB.

There is option value in waiting. WETA's own planning allows it to expand where the fit is better — where ferry service meaningfully reduces transbay commute times, the environmental cost is lower, and rider base already exists. Berkeley is not that place today, and the evidence suggests it may not be for some time.

If approved, the WETA terminal would be the only terminal in the WETA system located within a pre-existing public park with long-established recreational use. **Many families and seniors rely on this area for affordable recreation and access to the water—activities widely recognized as contributing to physical and mental well-being.** Data indicate that visitors to the southern waterfront are, on average, lower-income than visitors to other waterfront areas not affected by the ferry proposal, which appears to serve a narrow ridership demographic. **State grants for the marina area and pier were awarded on the condition that they were to be used for recreational purposes**. Prior city planners advised comprehensive waterfront planning. In contrast, the current process divides the WETA pier-ferry project from all other waterfront planning as represented in the stalled Waterfront Specific Plan.

The marina is already designated for transportation uses, as demonstrated by previous ferry services operating there, including Prop SF, Tidelines and most recently,

Genentech. Displacement of recreational uses is not necessary to accommodate in-marina ferry service if Berkeley wants to support WETA's ferry service plans outlined in the "Tack-to-Wind" post-pandemic scenario.

The Berkeley Waterfront Community Coalition therefore recommends that the City rescind, reevaluate and reissue the DEIR and give careful analysis to the alternatives, including restoration of the recreational pier without ferry service, and to a feasible range of project alternatives that do not impose adverse economic and social impacts for the region nor impose CEQA impacts to subsidize a costly and underused commuter transit mode.

VII. Conclusion

The project will have a number of potentially significant impacts on the environment, including (but not limited to) impacts on special status biological resources, critical habitats, aesthetics, public access, land use and culturally significant resources. As the project description, setting and baselines were improperly set, these impacts and others were not adequately analyzed and mitigated in the DEIR. Feasible alternatives with lower environmental impacts were rejected. As a result, the DEIR fails to serve as an adequate informational document and its conclusions are not supported by substantial evidence. For the foregoing reasons, BWCC urges the Council to delay further consideration of the project unless and until the city prepares and recirculates a revised DEIR that fully complies with CEQA and the CEQA Guidelines.

Respectfully,

Berkeley Waterfront Community Coalition
Draft Environmental Impact Report Review Committee:
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Camille Antinori
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Zora Whitfield

ATTACHMENTS

Attachments not appended may be found by link here:

Attachments for DEIR comments

Please let us know any issues with accessing.

Contents:

1. Berkeley Waterfront Visitation Characteristics and Distribution, BWCC analysis, April 2026. **Appended.**
2. EBOWS Marina Swim Survey. **Appended.**
3. Three files of public written comments noting issues with waterfront transportation demand plans.
4. Placer.ai data on visitation patterns and trends in the waterfront area
5. Berkeleyside audience demographics for assessing efficacy of COB questionnaire representation

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Berkeley Waterfront Visitation Characteristics and Distribution

Berkeley Waterfront Community Coalition

April 27, 2026

Below is a set of tables we derived from in-person survey data collected by Kittelson and Associates, Inc. hired by City of Berkeley to assess impacts of the proposed ferry project on current and future recreational use. The in-person intercept survey was conducted on three Thursdays and two Saturdays between April and August 2024. Setting aside any issue with Kittelson's methodology, we have cleaned and organized the available data to better illustrate the diversity of visitors to the Berkeley waterfront. The original dataset has 459 observations. Tables below use all 459 respondents unless otherwise noted. The visitation tables by socioeconomic status use observations that had complete information and may include less than 459 observations. Refer to p. 12 of the Kittelson report for a map of the waterfront and lots.

Below you will find:

- Visitor profile: frequency of visits, residency, age, and activities
- Tables of spatial distribution of visitors by income
- Barcharts for spatial distribution of visitors by income across main waterfront zones)
- Explanation of data cleaning for accurate lot counts.
- Tables of spatial distribution of visitors by race/ethnicity (RE)

Visitor profile

Frequency of visits

A total of 454 visitors responded to the frequency question. 196 visitors (43%) visit the waterfront multiple times per week or every day, and another 14.5% visit a few times a month.

Table 1: Frequency of visits to the Berkeley waterfront (n = 454; 5 respondents did not answer)

Frequency	Count	% of respondents
Every day	62	13.7
A few times a week	134	29.5
About once a week	49	10.8
A few times a month	66	14.5
Once a month	25	5.5
Less than once a month	34	7.5
For special events	17	3.7
Rarely (please specify time of year)	67	14.8
Total	454	100.0

Residency and age

Of the 459 respondents, 40% are Berkeley residents and 60% are visitors from outside Berkeley. Berkeley residents skew somewhat older than non-Berkeley visitors: 58% of Berkeley residents are 50 or over, compared with 48% of non-Berkeley visitors. This pattern is consistent with the waterfront serving a substantial population of older local residents for whom it is a near-daily recreational destination.

Table 2: Berkeley vs. non-Berkeley residents (n = 459)

Residence	Count	% of respondents
Berkeley resident	183	39.9
Non-Berkeley resident	276	60.1
Total	459	100.0

Table 3: Age distribution (under 50 vs. 50 and over) by Berkeley residency. Includes 3 respondents aged 17 or younger in 'Under 50.' Excludes 40 respondents with missing age.

Residence	Under 50	50 and over	Total	% Under 50	% 50 and over
Berkeley resident	70	98	168	41.7	58.3
Non-Berkeley resident	130	121	251	51.8	48.2
Total	200	219	419	47.7	52.3

Activities

Walking is by far the most popular activity (39% of respondents), followed by sailing/boating (23%), sightseeing/photography (17%), and dog walking (17%). Respondents could select multiple activities, so percentages do not sum to 100%.

Table 4: Activities at the Berkeley waterfront. Respondents could select multiple activities, so percentages do not sum to 100%.

Activity	Count	% of 459 respondents
Walking	177	38.6
Sailing/boating	105	22.9
Sightseeing/photography	78	17.0
Dog walking	76	16.6
Wildlife viewing	53	11.5
Dining	43	9.4
Picnicking	35	7.6
Playground	24	5.2
Biking	21	4.6
Swimming	20	4.4
Running	19	4.1
Shoreline fishing	16	3.5
Charter fishing	8	1.7
Cruise	6	1.3

Parking lot visits by income

Table 5: Parking Lot Visits by Income (Counts)

	$0-$24,999	$25,000-$49,999	$50,000-$74,999	$75,000-$99,999	$100,000-$124,999	$125,000-$149,999	$150,000-$174,999	$175,000-$199,999	$200,000 and up	Sum
199 Seawall Drive	1	2	1	4	1	1	1	0	1	12
D&E	1	0	0	0	3	0	1	0	0	5
F&G	1	2	0	0	3	1	1	1	1	10
H&I	0	0	2	3	0	0	0	0	2	7
J&K	2	0	4	2	1	3	0	0	3	15
L&M lot	0	2	4	1	3	0	3	2	1	16
Launch Ramp (Paid)	0	1	1	2	0	0	0	0	2	6
Marina Blvd	6	3	2	1	5	3	3	5	5	33
O Lot	1	6	6	5	4	0	1	2	8	33
Other (please specify)	2	2	4	3	5	2	1	2	2	23
Seawall Drive (Street)	5	1	4	4	2	1	1	0	1	19
Skates/N Lot	4	1	5	2	1	1	1	1	4	20
South Cove East	2	1	4	3	0	3	5	5	6	29
South Cove West	8	1	5	3	5	5	5	0	6	38
Spinnaker Circle	2	2	5	1	8	0	0	3	3	24
Spinnaker Way	3	2	8	5	7	3	3	1	8	40
Sum	38	26	55	39	48	23	26	22	53	330

This table answers the question: Of people parking at each lot, what % are in each income bracket? Seawall Drive and South Cove West have most lowest-income (<$25k) income visitors. J&K lot next to the baitshop sees a high number of those earning less than $75k, as does L&M which was halved in size by the parking enforcement department, and H&I.

Table 6: Row Percentages (% within each lot)

	$0-$24,999	$25,000-$49,999	$50,000-$74,999	$75,000-$99,999	$100,000-$124,999	$125,000-$149,999	$150,000-$174,999	$175,000-$199,999	$200,000 and up	Total
199 Seawall Drive	8.3	16.7	8.3	33.3	8.3	8.3	8.3	0.0	8.3	99.8
D&E	20.0	0.0	0.0	0.0	60.0	0.0	20.0	0.0	0.0	100.0
F&G	10.0	20.0	0.0	0.0	30.0	10.0	10.0	10.0	10.0	100.0
H&I	0.0	0.0	28.6	42.9	0.0	0.0	0.0	0.0	28.6	100.1
J&K	13.3	0.0	26.7	13.3	6.7	20.0	0.0	0.0	20.0	100.0
L&M lot	0.0	12.5	25.0	6.2	18.8	0.0	18.8	12.5	6.2	100.0
Launch Ramp (Paid)	0.0	16.7	16.7	33.3	0.0	0.0	0.0	0.0	33.3	100.0
Marina Blvd	18.2	9.1	6.1	3.0	15.2	9.1	9.1	15.2	15.2	100.2
O Lot	3.0	18.2	18.2	15.2	12.1	0.0	3.0	6.1	24.2	100.0
Other (please specify)	8.7	8.7	17.4	13.0	21.7	8.7	4.3	8.7	8.7	99.9
Seawall Drive (Street)	26.3	5.3	21.1	21.1	10.5	5.3	5.3	0.0	5.3	100.2
Skates/N Lot	20.0	5.0	25.0	10.0	5.0	5.0	5.0	5.0	20.0	100.0
South Cove East	6.9	3.4	13.8	10.3	0.0	10.3	17.2	17.2	20.7	99.8
South Cove West	21.1	2.6	13.2	7.9	13.2	13.2	13.2	0.0	15.8	100.2
Spinnaker Circle	8.3	8.3	20.8	4.2	33.3	0.0	0.0	12.5	12.5	99.9
Spinnaker Way	7.5	5.0	20.0	12.5	17.5	7.5	7.5	2.5	20.0	100.0

Of people in each income bracket, what % park at each lot? The lowest income group (<$25k) most often parks in South Cove West.

Table 7: Column Percentages (% within each income group)

	$0-$24,999	$25,000-$49,999	$50,000-$74,999	$75,000-$99,999	$100,000-$124,999	$125,000-$149,999	$150,000-$174,999	$175,000-$199,999	$200,000 and up
199 Seawall Drive	2.6	7.7	1.8	10.3	2.1	4.3	3.8	0.0	1.9
D&E	2.6	0.0	0.0	0.0	6.2	0.0	3.8	0.0	0.0
F&G	2.6	7.7	0.0	0.0	6.2	4.3	3.8	4.5	1.9
H&I	0.0	0.0	3.6	7.7	0.0	0.0	0.0	0.0	3.8
J&K	5.3	0.0	7.3	5.1	2.1	13.0	0.0	0.0	5.7
L&M lot	0.0	7.7	7.3	2.6	6.2	0.0	11.5	9.1	1.9
Launch Ramp (Paid)	0.0	3.8	1.8	5.1	0.0	0.0	0.0	0.0	3.8
Marina Blvd	15.8	11.5	3.6	2.6	10.4	13.0	11.5	22.7	9.4
O Lot	2.6	23.1	10.9	12.8	8.3	0.0	3.8	9.1	15.1
Other (please specify)	5.3	7.7	7.3	7.7	10.4	8.7	3.8	9.1	3.8
Seawall Drive (Street)	13.2	3.8	7.3	10.3	4.2	4.3	3.8	0.0	1.9
Skates/N Lot	10.5	3.8	9.1	5.1	2.1	4.3	3.8	4.5	7.5
South Cove East	5.3	3.8	7.3	7.7	0.0	13.0	19.2	22.7	11.3
South Cove West	21.1	3.8	9.1	7.7	10.4	21.7	19.2	0.0	11.3
Spinnaker Circle	5.3	7.7	9.1	2.6	16.7	0.0	0.0	13.6	5.7
Spinnaker Way	7.9	7.7	14.5	12.8	14.6	13.0	11.5	4.5	15.1
Total	100.1	99.8	100.0	100.1	99.9	99.6	99.5	99.8	100.1

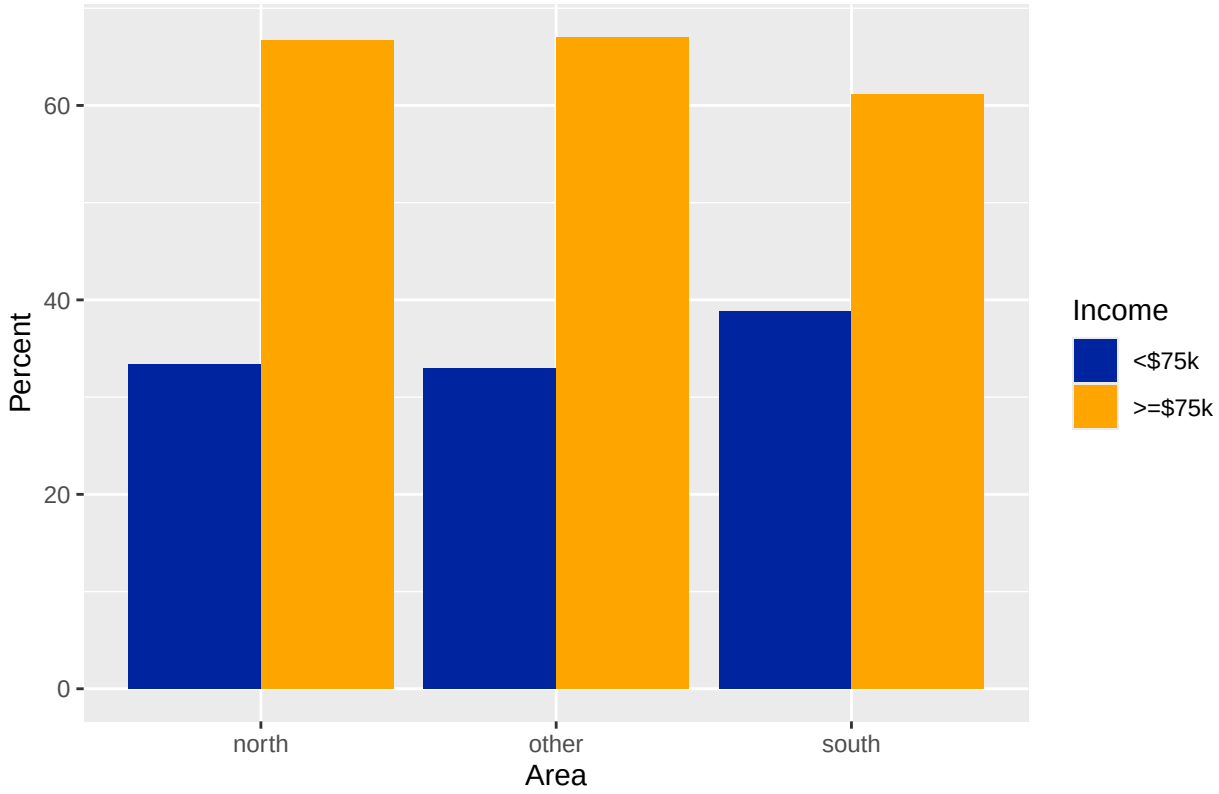
Visitation to south v. north areas of waterfront, by income

Consistent with the public's general understanding and earlier city-led focus groups, we define the waterfront's geographic areas as follows:

- "South" refers to South Cove East and West lots, J&K, L&M, Skates/N, O lot, and Seawall Drive. Data points from the 199 Seawall next to the derelict HsL restaurant in the south part of the waterfront are currently not included as the lot's gates are usually locked during the weekdays on which the respondents' data was collected, indicating the data may be in error. We are seeking clarification from city staff and will update as we receive more information
- "North" refers to D&E, the launch ramps, Spinnaker Way and Spinnaker Circle.
- "Other" includes any response not in "north" or "south" above.

The barchart below indicates a tendency for the south area in aggregate to attract lower income visitors more than other parts of the waterfront. While north and other have similar breakdowns of lower income (defined as <$75k) and higher income (defined as >=$75k), the south area has more lower and less higher income as a percentage.

Figure 1: Visitor Income by Waterfront Area



Data cleaning notes for more accurate lot counts

Forty-six of the Kittelson survey responses were classified as "other." On closer inspection, we recognized that many of these responses are easily reclassifiable to a lot under study. Below is how we have reclassified some of these observations so far.

- South Cove West
  - "Cal Sailing"
  - "West cove"
  - "West coast"
  - "Over by cal sailing, not sure which one of those listed this is"
- O Lot
  - "1 Seawall Drive, Gate O Dock"
- 199 Seawall Drive
  - "Upper HSL"
- South Cove East
  - "EAST COVE"
  - "next to new toilet bldg/CAL adventures"
- Seawall Drive (Street)
  - "seawall"
- Skates/N
  - "Skates"
- F&G
  - "F Marina"

Tables by race/ethnicity

Table 8: Sample Counts

	American Indian and Alaska Native alone	Asian alone	Black or African American alone	Hispanic	Native Hawaiian and Other Pacific Islander alone	Other (please specify)	Some Other Race alone	White alone	Sum
199 Seawall Drive	0	2	2	3	2	2	0	3	14
D&E	0	1	0	0	0	0	0	3	4
F&G	0	2	0	1	0	0	0	6	9
H&I	1	1	0	0	0	1	0	3	6
J&K	0	2	0	3	0	4	0	10	19
L&M lot	0	3	0	0	1	1	0	11	16
Launch Ramp (Paid)	0	0	0	3	0	1	0	1	5
Marina Blvd	0	2	1	9	0	1	0	22	35
O Lot	1	1	1	4	1	2	1	19	30
Other (please specify)	0	0	0	5	0	2	0	9	16
Seawall Drive (Street)	0	2	3	4	0	0	0	6	15
Skates/N Lot	0	3	1	7	0	0	0	7	18
South Cove East	0	5	1	0	0	3	1	20	30
South Cove West	0	6	0	5	1	5	1	16	34
Spinnaker Circle	1	2	3	2	0	2	1	22	33
Spinnaker Way	0	8	2	3	0	4	1	26	44
Sum	3	40	14	49	5	28	5	184	328

This table answers the question: Of people parking at each lot, what % are in each ethnicity group?

Table 9: Row Percentages (% RE within each lot)

	American Indian and Alaska Native alone	Asian alone	Black or African American alone	Hispanic	Native Hawaiian and Other Pacific Islander alone	Other (please specify)	Some Other Race alone	White alone	Total
199 Seawall Drive	0.0	14.3	14.3	21.4	14.3	14.3	0.0	21.4	100.0
D&E	0.0	25.0	0.0	0.0	0.0	0.0	0.0	75.0	100.0
F&G	0.0	22.2	0.0	11.1	0.0	0.0	0.0	66.7	100.0
H&I	16.7	16.7	0.0	0.0	0.0	16.7	0.0	50.0	100.1
J&K	0.0	10.5	0.0	15.8	0.0	21.1	0.0	52.6	100.0
L&M lot	0.0	18.8	0.0	0.0	6.2	6.2	0.0	68.8	100.0
Launch Ramp (Paid)	0.0	0.0	0.0	60.0	0.0	20.0	0.0	20.0	100.0
Marina Blvd	0.0	5.7	2.9	25.7	0.0	2.9	0.0	62.9	100.1
O Lot	3.3	3.3	3.3	13.3	3.3	6.7	3.3	63.3	99.8
Other (please specify)	0.0	0.0	0.0	31.2	0.0	12.5	0.0	56.2	99.9
Seawall Drive (Street)	0.0	13.3	20.0	26.7	0.0	0.0	0.0	40.0	100.0
Skates/N Lot	0.0	16.7	5.6	38.9	0.0	0.0	0.0	38.9	100.1
South Cove East	0.0	16.7	3.3	0.0	0.0	10.0	3.3	66.7	100.0
South Cove West	0.0	17.6	0.0	14.7	2.9	14.7	2.9	47.1	99.9
Spinnaker Circle	3.0	6.1	9.1	6.1	0.0	6.1	3.0	66.7	100.1
Spinnaker Way	0.0	18.2	4.5	6.8	0.0	9.1	2.3	59.1	100.0

This table answers the question: Of people in each ethnicity group bracket coming to the waterfront, what % park at each lot?

Table 10: Column Percentages (% within each RE group)

	American Indian and Alaska Native alone	Asian alone	Black or African American alone	Hispanic	Native Hawaiian and Other Pacific Islander alone	Other (please specify)	Some Other Race alone	White alone
199 Seawall Drive	0.0	5.0	14.3	6.1	40	7.1	0	1.6
D&E	0.0	2.5	0.0	0.0	0	0.0	0	1.6
F&G	0.0	5.0	0.0	2.0	0	0.0	0	3.3
H&I	33.3	2.5	0.0	0.0	0	3.6	0	1.6
J&K	0.0	5.0	0.0	6.1	0	14.3	0	5.4
L&M lot	0.0	7.5	0.0	0.0	20	3.6	0	6.0
Launch Ramp (Paid)	0.0	0.0	0.0	6.1	0	3.6	0	0.5
Marina Blvd	0.0	5.0	7.1	18.4	0	3.6	0	12.0
O Lot	33.3	2.5	7.1	8.2	20	7.1	20	10.3
Other (please specify)	0.0	0.0	0.0	10.2	0	7.1	0	4.9
Seawall Drive (Street)	0.0	5.0	21.4	8.2	0	0.0	0	3.3
Skates/N Lot	0.0	7.5	7.1	14.3	0	0.0	0	3.8
South Cove East	0.0	12.5	7.1	0.0	0	10.7	20	10.9
South Cove West	0.0	15.0	0.0	10.2	20	17.9	20	8.7
Spinnaker Circle	33.3	5.0	21.4	4.1	0	7.1	20	12.0
Spinnaker Way	0.0	20.0	14.3	6.1	0	14.3	20	14.1
Total	99.9	100.0	99.8	100.0	100	100.0	100	100.0

berkeley marina swimmer survey

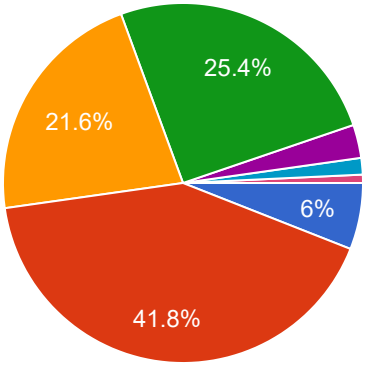
135 responses

Publish analytics

How often do you swim at the Berkeley marina?

Copy

134 responses

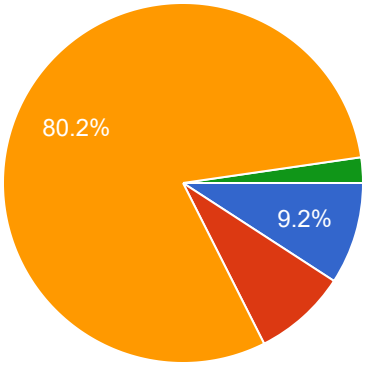


- daily to 4 times per week
- 1-3 times per week
- monthly
- a few times per year
- not yet but hopefully soon
- never have, never will
- Weekly or several times per week

Favorite launch spot?

Copy

131 responses

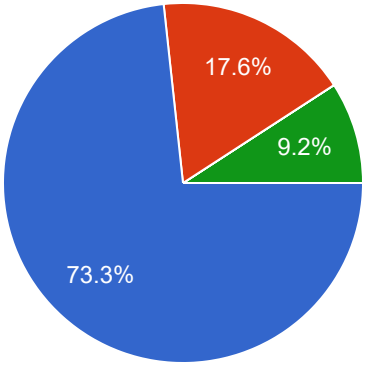


- docks only
- Hs Lordships only
- docks or Hs Lordships, depending on tides, winds, other factors
- someplace else in the marina

How long does your marina visit last?

Copy

131 responses

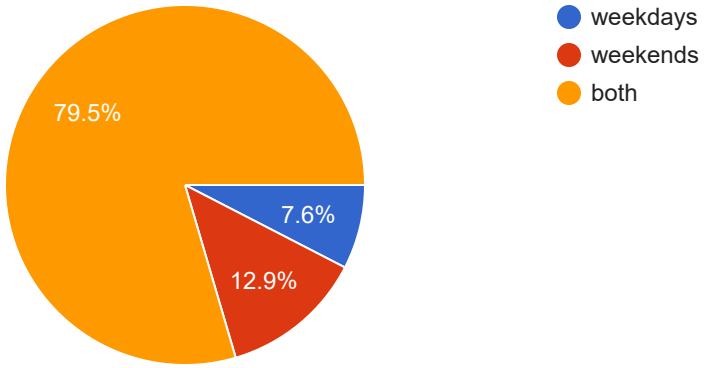


- 1-2 hrs: splash and dash!
- 2-4 hrs: swim, walk, picnic
- more than 4 hrs: hang out all day
- It varies, sometimes an hour, sometimes many hours

Do you swim during weekdays or weekends only?

Copy

132 responses



What time of day?

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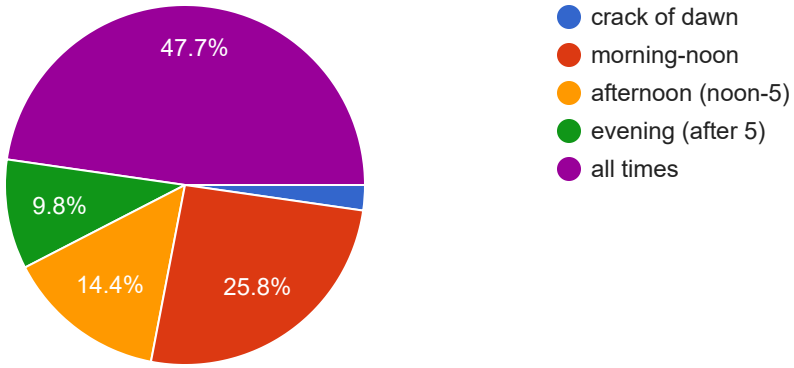
132 responses



How many swimmers in your pod usually?

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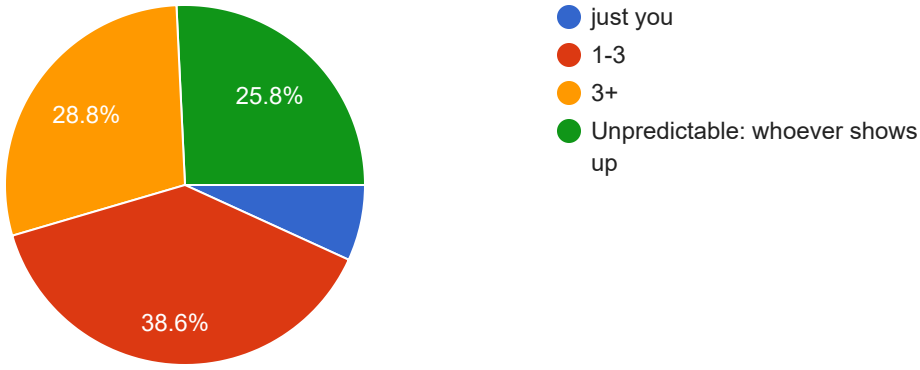
132 responses



How do you travel to the marina?

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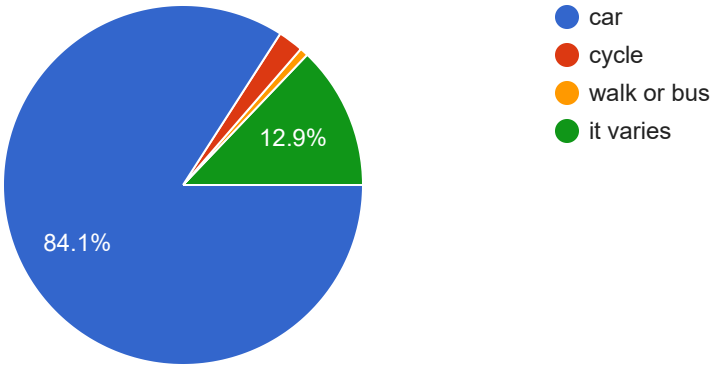
132 responses



Do you ever find trouble parking near enough to your swim spot?

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132 responses