

CITY OF OAKLAND
COUNCIL AGENDA REPORT

OFFICE OF THE CITY CLERK
CITY OF OAKLAND

2005 SEP 14 PM 2:27

TO: Office of the City Administrator
ATTN: Deborah Edgerly
FROM: Community and Economic Development Agency
DATE: September 27, 2005

RE: REPORT REGARDING PREPARATION OF A LAKE MERRITT CANADA GEESE AND
PIGEON MANAGEMENT PLAN

SUMMARY

Staff has prepared a draft Request for Proposals (RFP) at the request of Councilmember Kernighan for providing services to develop a Bird Management Plan for Lake Merritt. The Management Plan is sought because of public concern expressed in various public meetings for Lake Merritt projects and is specific to comments regarding the large amount of fecal matter from the Canada geese population contributing to poor water quality as well as limiting recreational use of the lawn areas by people. There has also been concern expressed that the large population of Canada geese at the Lake may be impacting the diversity of native birds in the same area. Damage to landmark structures at the Lake due to pigeon droppings is also a matter to be included in the study and plan. The RFP will seek services from biologists, environmental specialists and related professions who, as a team, will seek public input, incorporate existing studies and pertinent data, perform certain new studies (if needed), and create a management plan for commonly encountered bird populations (Canada Geese and pigeons) of Lake Merritt. When adopted, the Management Plan will act as the primary guide for managing birds, and specifically Canada Geese and pigeons at the Lake.

The draft RFP will be circulated among City staff of various departments for review and comment and will be disseminated to the professional community during the October 2005. The selected consultant will be asked to advise the City as to the recommended structure for the final Scope of Services. In so doing, the consultant will review the Lake Merritt Master Plan as well as the preliminary Scope of Services developed by City staff. The final negotiated contract and Scope of Services will be brought to the Council for approval in late November 2005.

In drafting the RFP, staff is responding to the suggestions of Councilperson Kernighan to shorten the schedule to create a management plan in order to make recommendations to Council and implement them in late Spring 2006 to coincide with an increase in the goose population at the Lake.

The Scope of Services will be restricted to the area immediately surrounding Lake Merritt and will not include planning of the downstream channel to the estuary, although recommendations that will apply to both the Lake and the channel will be included in the Management Plan.

Products of the process will include:

- Annotated bibliography of reports, books, etc specific to birds of Lake Merritt and other similar environments

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- Canada Geese population counts
- Matrix of standard Canada Geese management techniques with notes on success of application
- Matrix of Pros and Cons of standard applications at Lake Merritt
- Cost estimate and cost/benefit analysis to implement a technique specific to Lake Merritt
- Evaluation of environmental issues and implementation of a concurrent environmental process as determined necessary

The draft is to be reviewed by Contract Compliance, Public Works, Environmental Services, Traffic, Park Maintenance and the Engineering and Design Divisions; and Parks and Recreation, in early October 2005 and proposed for release to the public in mid October 2005.

The process will be organized to include involvement of a Technical Team and a Community input in the form of public meetings including presentation and discussion of the various available applications and prioritization of techniques based on available resources and public support.

A final product will be a management plan which includes costs and funding recommendations for implementation.

FISCAL IMPACT

A maximum of \$30,000 is available in the Measure DD Fund (5320) Administration Project (C241510) to hire a consultant team to create a Bird Management Plan.

Costs for operations and maintenance, including staffing requirements, will be determined as a part of the development of the Bird Management Plan and will be provided to City Council in a follow-up report to City Council on adoption of the Bird Management Plan in Spring 2006.

BACKGROUND

The Community and Economic Development Agency (CEDA) completed the master planning process for Lake Merritt Park, which was accepted by City Council in July 2002. The plan, developed by a team of consultants led by Wallace Roberts & Todd, Inc. (WRT), makes five general recommendations:

- The boundaries of Lake Merritt Park should be expanded at key areas.
- Park furnishings and amenities should be enhanced.
- The 12th Street area should be redesigned to allow for an open-water connection to Lake Merritt Channel and to create new parkland at the south end of the lake.
- Facilities for park programs should be improved.
- More effort and resources should be devoted to maintaining the park and managing its resources.

The master plan provides more detailed recommendations for the following functional areas: land use, water quality, access and circulation, landscaping, ecology, buildings and public art. It also provides design guidelines for irrigation and site furnishings and, more notably, for each of five distinct zones of Lake Merritt Park: the 12th Street cultural district, the downtown edge, Lakeside Park, Grand Avenue, and the Lakeshore Avenue edge. Finally, the plan includes an implementation plan (with project descriptions, a prioritization schedule and cost estimates); a maintenance plan; and various appendices, including letters of support and lists of planning participants. The planning process was highly participatory, and included extensive community outreach at all stages. Through this process, the community identified three top priorities for implementation: improvements to Lake Merritt's water quality (and the park's ecology, in general); enhancements to pedestrian circulation and safety; and a redesign of 12th Street.

By creating and implementing a Bird Management Plan, City staff and wildlife advocates will have an opportunity to come together to address key objectives of the Lake Merritt Master Plan specific to its ecology and determine the best practices for reducing the negative impacts of geese and pigeons populations within the species, on vegetation, other wildlife, water quality and recreational use while recognizing the need to provide refuge to all.

Excerpts from the Lake Merritt Master Plan - Ecological Concepts

As a significant ecological resource, management of Lake Merritt and its amenities and buildings should be sensitive to habitat requirements for wildlife. Practices should emphasize native avian species (shorebirds, migratory waterfowl) and fisheries given that Lake Merritt has not been a historic site for large goose populations. In the 1940's, several crippled birds were released at the Lake becoming residents of the park. By 1994, their population had increased to about 75. By 2001, a total of 1,093 birds were noted before fall migration. After migration, about 400 resident geese remained. By implementing a range of techniques, domesticated wildlife can be brought into balance with other species and park uses.

Based on an article titled "Managing Canada Geese in Urban Environments" Canada geese have undergone a significant population increase from a few thousand in 1965 to 1.1 million in 1996 in the central United States alone.

The unique balance between wildlife and humans in an urban environment and, specifically, at Lake Merritt stands to be compromised by the large population of geese currently present in the park. Both recreationalists and geese utilize the lawn areas and pathways and the presence of fecal material from the high numbers of geese renders many of the areas of the park undesirable for human recreation. Walkways, docks, buildings, seating, and picnic tables are also frequently covered in goose excrement. This is especially problematic during the molting season (June to August) when the birds are flightless and concentrated along the shoreline.

Additional outcomes of the Bird Management Plan could include support for other habitat projects proposed in the Lake Merritt Master Plan including:

- Create a naturalized water edge zone along Bellevue NE from the Rotary Center. The main path would be setback from the edge appropriately. Lawn would be used sparingly near the street for sitting and walking. The proposal could require the relocation of the playground out of the intensively used refuge area.
- Use native planting to expand an ecological zone into the park.
- Implement a demonstration wetland with a public art element and interpretive signage. Possible locations include the current Boathouse parking lot and the naturalized zone NE of the Rotary Center.
- Revitalize the fresh water pond at the refuge. Redesign should incorporate sustainable principles for wildlife and educational displays for visitors.

Bird Management Plan - Accomplishments to Date

1. Determination of a Scope of Work and need for coordination and standardization of existing population count procedures studies to be undertaken either:
 - A. as a part of the management plan, or
 - B. simultaneously with the master plan by City staff.
2. Compilation of reference materials including history, scientific data, outside studies, environmental processes and relationship of a management plan to proposed improvements and funded capital projects occurring at and around the Lake.
3. Recommendation of an internal City and public outreach process for involvement in the planning process .
4. Preparation of a “Draft“ Request for Proposal (RFP) for a private sector consultant team to include representation of at least the following disciplines:
 - a. CEQA planning and implementation
 - b. Outreach, meeting facilitation and consensus building
 - C. Avian and aquatic biology.
5. Preparation of a timeline for the RFP process (“Exhibit A”)
6. The Public Works Agency, Environmental Services Division in coordination with Parks and Recreation has ceased feeding birds as a part of the Rotary Nature Center programs to better inform the public about the negative consequences, including degraded water quality, of feeding wildlife in an urban environment.

KEY ISSUES AND IMPACTS

- As the Bird Management Plan process progresses and specific recommendations for the Management Plan are developed, an environmental assessment will be conducted. This may result in findings of no significant impact, impacts that can be mitigated, or it may find that there are impacts that will require further review. The Management Plan will be developed to find an acceptable balance between wildlife and humans.
- Many constituent groups continue to have an interest in implementation of recommendations found in the *Lake Merritt Master Plan including management of Canada Geese*. These include:
 - Lake Merritt Breakfast Club
 - Audubon Society
 - Lake Merritt Institute
 - Lake Merritt Boating Advisory Committee
 - Rotary Nature Science Center Advisory Committee
 - Merritt Lakesiders
 - Gosling Watchers
 - Oakland Community Development District
 - Adams Point Neighborhood Association
 - Grand Avenue Business Association
 - Lakeshore Business Association
 - Others

As a result of the level of public interest in the issues of birds at Lake Merritt, an extensive community participation process will be employed to assist in achieving support and acceptance of the proposed Bird Management Plan for Lake Merritt as it evolves. A series of stakeholder interviews, a public open house, a community survey process, and dialog with appropriate City advisory boards including the Parks and Recreation Advisory Board (PRAC) and the Landmarks Preservation Advisory Board are being considered as a part of the process. A website link for the Management Plan may also be initiated to inform stakeholders and the general public of the plan and how the plan will be used as the guide for managing bird populations at Lake Merritt. Lastly a series of roundtable discussions with City staff, local schools, key business and organized neighborhood groups will complete community outreach associated with the preliminary stage of the plan. The general public will also be invited to two community meetings designed to allow the public comment and feedback and assist in assigning priority to Management Plan recommendations and alternatives.

SUSTAINABLE OPPORTUNITIES

Staff will strive to make plan and project implementation recommendations and operation sustainable and to support the City's 3 Es: economy, environment and equity.

Economy. By virtue of funding available from the Measure DD bond program, local job opportunities will be created in various consulting professions.

Environment. Sustainable practices will be employed in landscape areas, including improvements to water quality, water conservation, energy conservation and may incorporate restoration and preservation of the wetland marsh and wildlife habitat goals of the Lake Merritt Master Plan.

Equity. In general, plans and projects funded from the Measure DD general obligation bond program will assist in improving the quality and bolstering the inventory of accessible open space.

DISABILITY AND SENIOR CITIZEN ACCESS

The recommendations for bird management, proposed for Lake Merritt, will be designed as needed to accommodate ADA and senior citizen accessibility requirements. The City's accessibility program coordinator will be requested to participate in review at various stages of the process once initiated .

RECOMMENDATION (S) AND RATIONALE

Staff recommends acceptance of this report.

ACTION REQUESTED OF THE CITY COUNCIL

That the City Council accept this report.

Respectfully submitted,



CLAUDIA CAPPIO
Director of Development
Community and Economic Development Agency

Prepared by:
Kerry Jo Ricketts-Ferris,
Project Manager, Waterfront Open Space

APPROVED AND FORWARDED TO
THE LIFE ENRICHMENT COMMITTEE


OFFICE OF THE CITY ADMINISTRATOR

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LAKE MERRITT CANADA GEESE AND PIGEON MANAGEMENT PLAN CONSULTANT HIRING SCHEDULE

EXHIBIT A

WEEKS

