

From: James McGrath <macmcgrath@comcast.net>
Sent: Friday, May 16, 2025 11:52 AM
To: McNulty, Liza
Subject: Scoping comments for the pier ferry project
Attachments: nop comments2.docx; kittelson addendum email.docx; e-mail thread.docx

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

The 3 enclosed documents, and the referenced March 18, 2025, letter constitute my scoping comments.

Jim McGrath

e-mail to Liza

May 7, 2025, Kittelson & Associations Addendum

Email from James McGrath: May 7, 2025, Kittelson & Associations Addendum

JM

From: **James McGrath** <macmcgrath@comcast.net>

10:50 AM

To [Liza McNulty](#) Copy [Andrew Sullivan](#) and [10 others](#)

After holding a public scoping meeting on May 5, 2025, the City of Berkeley has issued a new parking report dated May 7, 2025, by Kittelson & Associates. Upon careful reading, it becomes clear that this report anticipates yet another change in the project description for the pier ferry project. The city and Kittelson seem to have changed their conclusion that there is ample parking in the marina for all users, that ferry parkers will be satisfied with 250 spaces, and there will be no usurpation of the limited recreational parking in what the Nelson/Nygaard memorandum of September 11, 2018, calls the central facilities. The revised plan now calls for overflow parking to be directed to the Skates/N lot and the informal parking areas along Marina Boulevard adjacent to McLaughlin Eastshore State Park.

On page 2 of the report, the Kittelson Memorandum concludes that there are “at least 66 spaces in the Skates/N Lot” and 83 spaces along Marina Blvd. The report does not mention the distance to the parking spaces along Marina Blvd, over 2000 feet. The city has prepared various drafts of improvements to establish formal parking areas along Marina Boulevard, and has discussed a shuttle service in public meetings, but neither of those elements are included in the most recent transportation demand study.

The May 7, 2025, draft addendum does not provide the new data that it claims support these conclusions. It states that there are parking counts on 554 days and acknowledges that there are only limited counts apparently among those days at 2 pm and 4 pm. It does not reveal how many counts were taken at those times or reveal that data in a spread sheet. It does not appear to include the 11 days of counts that were not used in the earlier Kittelson draft memo and makes no attempt to rationalize this new conclusion with previous reports by Kittelson, the city, and Nelson/Nygaard. Thus, there is no way to tell from the issued report how robust the data is. The report does acknowledge that the South Cove West lot reaches peak occupancy between 1 and 3 on weekdays, the time when usurpation of recreational parking has been an ongoing controversy.

It is useful to return to the Nelson/Nygaard Report cited above to see whether this new report meets the substantial evidence test established under CEQA. Several quotes

from that report cast doubt on the availability of parking in proximity to the proposed new terminal and the efficacy of city efforts to prevent parking usurpation. On the former issue, Nelson/Nygaard concluded:

Peak parking demand met or exceeded 85% in the Central Parking Lots [and] During weekdays, centrally-located lots, particularly the J & K and L&M Lot, experience as much as 89% and 93% occupancy respectively.

For the South cove lots, they concluded:

The South cove lots have multiple users...resulting in a peak period in which the lots are full. [and that despite city efforts to direct ferry riders to lots like the Marina Boulevard lot] Ferry customers have not heeded recent signage (placed on South Cove, J&K, and L&M Lots) to park on Marina Boulevard instead.

Of course the existing and recent small ferry operations were/are far closer to Marina Boulevard than the 2,000 + feet now claimed as a solution. Without the release of the underlying data, including the city counts mentioned in my March 18, 2025, letter on the earlier Kittelson Report, the public has no way to review the quality of the data underlying the blithe conclusions of city staff and their new parking consultants. City staff has been less than accurate in previous public meetings, assuring the Planning Commission on May 10, 2023, that parking use at those same South Cove lots was only 5%. Remember, the Nelson/Nygaard report showing “periods in which the [South Cove] lots are full” was provided to the city staff more than 4 ½ years before that presentation—and the presentation with its erroneous conclusion is still posted on the city website. The importance of public review and transparency on this project could not be clearer.

This new change in the apparent project description, and another new proposal to initiate parking charges for the marina, illustrate the need for the city to complete a Waterfront Specific Plan (WSP) before they pursue an EIR for the pier ferry project. Since the city now believes it is necessary to use areas of the waterfront that are subject to changed land use designations in the draft WSP, and to establish parking charges for the whole marina, it can readily be seen that the pier ferry project is not independent of the WSP and these projects cannot be pursued without violating CEQA’s requirement to analyze the whole of a project, including future and related projects.

Jim McGrath

Re: Parking study

Email from Jim McGrath: Parking study

JM

From: **Jim McGrath** <macmcgrath@comcast.net>

4/29/2025 7:43 PM

To [Liza McNulty](#) **Copy** [Claudia Kawczynska](#) [and 6 others](#)

Sometimes I keep e-mails as an in-box. Your e-mail is just wrong. You did not use counts from 4pm and 6 pm—except for 11 days—the data withheld—you did not collect any counts at those times.

Getting the facts straight is really not that hard.

Jim McGrath
Sent from my iPad

On Mar 20, 2024, at 10:42 AM, McNulty, Liza <lmcnulty@berkeleyca.gov> wrote:

Hi Jim,

Thanks for your email, and your comments at the Commission meeting. I agree with you that six days of data, by itself, is insufficient for our goals for this Study. In addition to the six days of 'continuous' data collected by the Kittelson team, the study will also utilize daily car counts collected by the Marina staff over the past four years and continuing through the Study, at all parking lots, at 8 am, 10 am, 4 pm, 6 pm and 8 pm. The new intercept survey data will also be used to inform the existing condition baseline, and capture some of what you noted in your email regarding the various different users of the Waterfront.

As you mentioned, there are certainly special events where the entire Waterfront is full, but the City also understands and acknowledges that South Basin East and West lots (as well as O and J lots) reach full capacity at times outside of these outlier events, especially during peak summer months. The Transportation Demand Management (TDM) strategies for the Pier-Ferry Project must ensure that Ferry riders do not park outside of designated ferry spaces, including not parking in the South Basin parking lots. Our expectation is that the Study currently underway will provide us with specific and implementable strategies to achieve that.

Best,

Liza McNulty, PE
Capital Improvement Program Manager
City of Berkeley Parks, Recreation & Waterfront Department
2180 Milvia Street, 3rd Floor
Berkeley, CA 94704
(510) 542-4131 (cell)

From: James McGrath <macmcgrath@comcast.net>
Sent: Thursday, March 14, 2024 10:00 AM
To: McNulty, Liza <lmcnulty@berkeleyca.gov>
Cc: Claudia Kawczynska <claudia94710@gmail.com>; Allan Abshez <allanabshez@sbcglobal.net>
Subject: Parking study

WARNING: This is not a City of Berkeley email. Do not click links or attachments unless you trust the sender and know the content is safe.

Lisa--I appreciated your presentation last night, and I found aspects of it encouraging. You clearly have spent some time reading public comments, and much of your presentation responds well to that. I was particularly encouraged by the statement that one of the study goals is to "Protect non-ferry parking spaces." That is the first explicit recognition I have seen in a WETA or city document that reflects the BCDC Bay Plan Policies. But of course, those parking spaces that the city and WETA have proposed to establish as ferry parking spaces were permitted bay fill, approved to provide recreational parking for the commercial recreation and parks in the marina.

I am not convinced that the scope of work is sufficient to identify the location, existing use, and pattern of use of the recreational parking spaces that need to be protected. As you know, data representing different populations cannot be combined for analytical purposes without destroying the value of that data. Or as I learned in graduate school, lumping data about different populations together makes them look like they are generally distributed when they are not. There are many different recreational groups that use the marina, and they park in different areas, at different times, and different intensities. There are those who walk or run at Cesar Chavez, those who walk their dogs there, recreational boaters who rent a slip, recreational boaters that launch at the ramp, or at the hoist near Cal Sailing and Cal Adventures, kayakers, outrigger canoe communities, the group who play water polo in kayaks, anglers from land and from commercial boats, water sports groups with many different kinds of equipment, a rapidly growing community of swimmers, and the general public who come to walk or ride their bikes on the bay trail, or simply to enjoy the view. Often overlooked is the acceptance of dining with a view as a commercial recreational activity that meets BCDC's criteria,

My experience and observations, with the photos and counts that I have sent to the web site are mostly from the south side of the marina. The improvements to the parking area and Bay Trail have significantly increased use by the general public.

You need to have a data collection program that correctly identifies all of these users and the patterns that they have and the facilities that they need--and doesn't lump them into one data base. As I noted last night, peak use like the Fourth of July, the Blue Angel part of fleet week, a Cal Sailing Club open house, or a regional event like a triathlon or an outrigger event might not be a fair representation of use--they take every parking space. Your data collection must be sufficient to make sure that you are not unfairly combining uses and missing patterns. I don't believe that a total of six days of car movement and parking monitoring is adequate to do this. It may be adequate to identify areas for further and more intensive analysis. But I am convinced that the large number of photos and counts of full parking lots in the two south basin lots are sufficient

to establish that the city needs to have a much more robust analysis of those patterns of use.

Jim McGrath