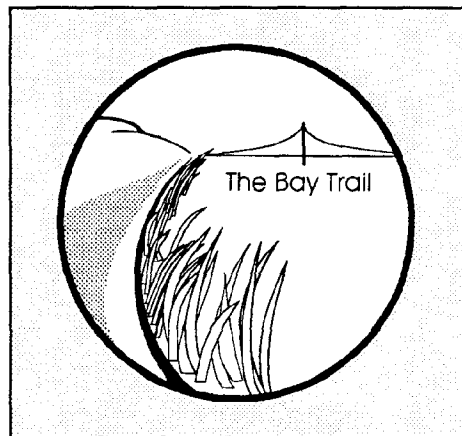
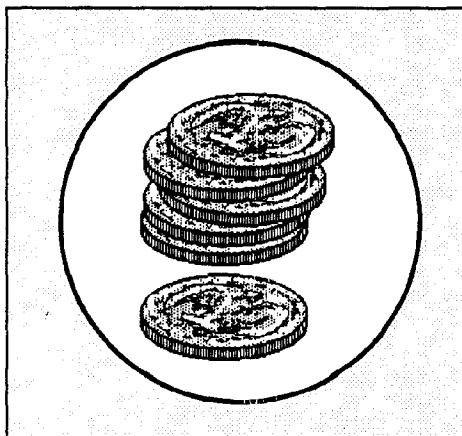
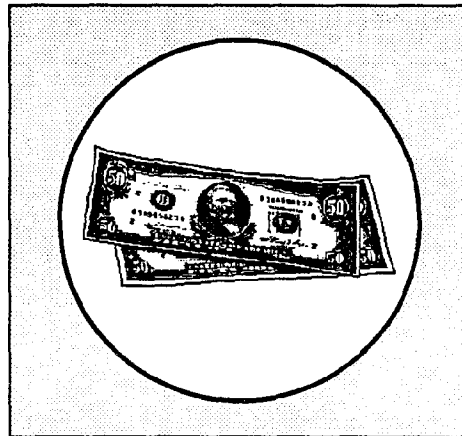
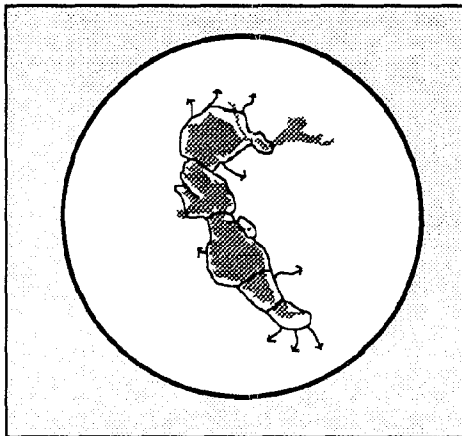


Bay Trail Technical Report #1

Financing and Implementing the Bay Trail: Tools and Strategies



February, 1989



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Bay Trail Technical Report #1

Financing and Implementing the Bay Trail: Tools and Strategies

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Chapter 1

Introduction: The Financing Challenge

The Bay Trail has great potential to be a multiple connector: of people with the San Francisco Bay and with one another; of parks and open spaces; of other trails; and of waterfront activities. However, the process of moving it from vision to plan to reality will take extensive cooperation and coordination among the many participants who will be implementing it. Key to the successful implementation are the methods and strategies of financing the trail's completion and management. Without adequate analysis and harnessing of the revenue sources, there will be neither the means nor the will to realize the Bay Trail plan.

This study summarizes information which was prepared for the Bay Trail Advisory Committee and its Financing Subcommittee. It seeks to identify, describe, and match potential financing options for realizing the Bay Trail. Several implementation frameworks are also proposed and analyzed. Relevant illustrations of the financing methods and implementation vehicles are provided, and potential funding combinations for sample Bay Trail segments are posed. A number of successful regional trails are also profiled as case studies. It should be stressed that the comments and recommendations of the Bay Trail's Financing Subcommittee and Focus Groups have helped to shape the direction and content of this study.

In framing the discussions of the financing of the Bay Trail, the challenges and opportunities posed by the trail plan need to be addressed. The constraints or challenges to the trail's implementation include: 1) overcoming the perspective of the trail as a competitor for scarce recreational funds; and 2) establishing a cooperative framework for implementing the trail in the midst of the fragmentary political context of the Bay Area. By the same token, the proposed trail system poses several financing opportunities, among them: 1) creating linkages with other public programs, including economic development and wetlands restoration; 2) capitalizing on the broad-based appeal and multiple benefits of such a trail; 3) tying the project in with significant recreational/park financing measures like Proposition 70; and 4) recognizing the trail as enhancing the value of and demand for parks it serves to connect.

The challenges presented are, in large part, the basis for this study. The constraint that the trail might be a competitor for local funds can be met by tapping a wide variety of funding tools that do not require or interfere with local park and recreation budgets. The range of financing mechanisms examined in Chapter Three demonstrate that the trail can and will attract a myriad of "outside" and innovative funding. The second challenge of a cooperative framework can be overcome by creating an implementation vehicle that is, among other qualities, flexible, pro-active, and non-threatening to governmental budgets and powers. This is fulfilled in part by the recommendation to establish a non-profit vehicle, "Friends of the Bay Trail," to serve as an advocate for the Trail's implementation.

Meeting the challenge of financing the Bay Trail will require an approach that is at once multi-layered, innovative, and strategic. The diverse nature of the political and geographic setting along the Bay's edge, the considerable cost of the trail, and the value of using fundraising as a means to build the trail's constituency are additional reasons for such an approach. A "Multi-layered" approach means incorporating public, private, and non-profit tools, as well as combining regulatory measures and revenue options; building on both state and local initiatives. An innovative approach suggests that those who implement it look for occasions where segments could be combined with redevelopment project programs as an amenity, or as part of the planning of commercial waterfronts, sewage treatment plants or marinas. Portions of the trail might also be developed in part through cooperative agreements with flood control districts or other agencies. Being innovative also means creating opportunities for joint public and private enterprise. Taking a strategic approach indicates that different funding packages be assembled for different segments of the Bay Trail, depending on the land use and political circumstances. It also requires making distinctions among potential financing methods, i.e. determining those most appropriate for acquisition versus development versus management phases of the trail building process. This study has adopted such a three-fold approach as a foundation upon which future action can be taken.

Chapter 2

Conclusions and Cost Issues

Recommendations and Bay Trail Policies

The options and resources for financing the Bay Trail are diverse and complex. In this initial phase of planning the trail alignment and proposing the basic policies, it is premature to set detailed guidelines for this aspect of the trail program. However, through the assistance of the Bay Trail Finance Subcommittee and separate "Focus Groups" for the East, North and South Bays, several policy recommendations were prepared for the Bay Trail Plan. (The work and the process of these advisory groups are discussed in Chapter Five.) The Financing Subcommittee, which was organized to explore the potential implementing and financing tools and to comment on the framework for the trail's implementation, identified three basic requirements for the Plan's successful implementation. They are: 1) **advocacy** at both the local and regional levels; 2) **coordination and oversight** of the trail's implementation; and 3) **management**, with cities, counties and open space districts taking lead roles where possible in the maintenance and patrolling functions, as well as establishing a "management authority" to provide trail management alternatives for agencies unable to commit to long term trail management, particularly in the area of liability coverage. Three policies in the Bay Trail were derived, in part, from their discussions. These policies include:

1. Establish "Friends of the Bay Trail." Investigate alternatives and develop details of operation and structure prior to July 1, 1989, to enable the organization to be operational as soon as feasible after the adoption of the final Bay Trail Plan.
2. Continue trail oversight, using the framework provided by the Regional Planning Committee.
3. Explore the establishment of a management authority to coordinate maintenance, patrolling and liability functions for the portions of the Bay Trail.

The concept of "Friends of the Bay Trail," a non-profit entity along the lines of a trust or foundation, to advocate for the trail's completion and provide financial assistance to agencies toward this end has widespread appeal and significant precedent. Its role as a "neutral" ground of operation among governments, of being responsive and flexible, and its ability to attract donations and foster partnerships between the public and private sectors give it many advantages as an appropriate implementation vehicle. A "Friends of the Bay Trail" would be particularly valuable in the promoting and coordination of financing and development of the overall trail. A closer comparison of this vehicle relative to other implementation alternatives can be found in Chapter Four.

Management issues, notably trail maintenance, patrolling, and liability exposure, may be impediments to the successful implementation of the Bay Trail. Management monies can be the hardest ones to secure from sources outside the immediate political jurisdiction, a factor that is complicated by the Bay Trail's inter-jurisdictional nature. In addition, cities and counties are reluctant to adopt more "operations and maintenance" responsibilities unless there is considerable local support for the trail project in their area and an absence of controversy. A management authority can help to overcome these obstacles by fulfilling several functions:

- 1) facilitating cooperative agreements between jurisdictions for trail maintenance and patrolling;
- 2) contracting for enforcement of trail maintenance requirements of private landowners, as through Bay Conservation and Development Commission (BCDC) enforcement programs; and
- 3) providing a trail management alternative for agencies that are reluctant to commit to long-term trail management and who need the assistance especially in the area of liability coverage, (where the management authority's ability to offer a pooled or group policy would alleviate that concern).

In some parts of the Bay Area, particularly where regional open space or park districts operate, cooperative agreements and contracts between local agencies may be needed only to coordinate trail management responsibilities at their boundaries or in areas of overlapping jurisdiction. The management authority would function where needed: if certain existing jurisdictions preferred, they should retain management responsibilities. In other vicinities -- where open space districts do not exist, more active assistance will be required to provide similar opportunities for cooperative action and cost-sharing programs.

The types of financing mechanisms that can be employed to develop and maintain the trail will depend, in part, on the implementation structure(s) adopted to carry it out. The financing of the trail should be directed within a framework of a few implementation phases: acquisition; development, and management. There are a diverse array of funding tools available to fulfill one or more of these phases. They can be grouped according to three types: government revenues, including local, state and federal sources; regulatory measures; and "partnership" tools that elicit the cooperation of public, private and/or non-profit sectors. These tools, including those referred to below, are addressed in greater detail in Chapter Three, "Defining and Assigning the Tools."

Government revenues comprise the greatest range and number among the categories. At least 18 applicable instruments have been identified. Among the most promising sets of revenue tools for the trail's development generally require voter approval and consist of local/regional bond issues, like the East Bay Regional Park District's Measure AA, as well as a state park or trail bond that could incorporate Bay Trail development. Looking to the recently passed Proposition 70 and the environmental provisions of Proposition 99 are valuable existing means, but a new bond issue that provides a specific designation for the trail system will likely be needed. Attention should also be focused on State Coastal Conservancy grants. Transportation Development Act, Article 3 funds for bicycle paths offers a reliable, if limited source of funds.

Many regulatory tools will be applicable to the Bay Trail only after its alignment has been amended to the relevant cities' general plans. Once incorporated, however, they can furnish acquisition and development mechanisms without direct public outlays. Development fees and dedications would be the most common means of using these measures. Less customary, but still promising are State Lands Commission public trust easement negotiations to provide trail segments under certain conditions, and cooperative agreements with some flood control districts, that could result in connector system trail access along particular river or creek channels that are part of flood control projects.

Last, there are about seven "partnership" tools that can provide innovative and creative ways for involving the private and non-profit sectors in trail development and management. Central to this arena is the establishment of a "Friends of the Bay Trail." Avenues to be strongly considered include foundation support, easement leasing, in-kind donations and public/private public enterprise.

How these financing tools will be organized remains to be determined. Nevertheless, the *multi-objective* quality of the trail gives it a high potential for attracting the kind and array of funding necessary for its realization. The Bay Trail will be multi-objective for the millions of people it will serve, in the variety of recreational needs it will satisfy from place to place, in its ability to connect many parks and provide incentives for local economic development -- piggybacking with other projects, and in its capacity to serve as a catalyst for conducting environmental restoration, especially of wetlands along the Bayshore.

Vital to the financing plan of the Bay Trail is taking a **strategic approach**. Such an approach recognizes that the Bay Trail will be implemented not as a single system but as a series of smaller links completed at different times. Strategic means developing financing programs that are responsive to the political and circumstances and land use conditions surrounding each segment within the North, East or South Bay reaches of the trail. It requires assembling funding packages that are keyed to particular phases of the project. Making site-specific funding decisions will facilitate the implementation process. A strategic approach also means to set acquisition and development priorities, with criteria that should include the visibility of and potential demand for the trail segment, the relative ease of implementation, a minimum of land use complications, the availability of local funding and/or specified corridor for development, and the readiness of the implementing agents to initiate construction. Finally, a strategic approach involves taking steps at several levels; a combination of local and state actions will be most effective in carrying out the

project, given its large, complex scale. Local efforts to construct trail segments will serve to build momentum and a greater case toward more coordinated, comprehensive state funding aimed at the completing of the trail. State-sponsored funding would be particularly instrumental in assisting those sections of trail where local tools are infeasible or not readily available.

Cost Issues

There are too many variables to permit the calculation of acquisition and development estimates at this time. Of the almost 400 miles of the proposed alignment, better than 130 already exist and roughly 270 miles remain. In terms of land acquisition for the unbuilt portions of the alignment, it is unclear to what extent the trail will be carried out as class I (separate path) versus class II (bicycle lane). Acquisition cost would only be an issue for class I portions of the trail. For Class II portions, even if a road should require widening to accommodate the trail, the trail would almost always still be in the original public right-of-way. Even if the mileage of class I segments were known, the width of the trail alignment to be acquired would need to be determined. It may vary according to the type of adjacent land use and the dimensions of available properties. It should be noted that regional trail projects surveyed for this project range in corridor width from 50 to 100 feet, (see Appendix B). Another variable is the diversity of land cost estimates around the Bayshore. This is further complicated by the issue of whether implementing agencies should acquire the land in fee simple in every instance, or to acquire use easements on some occasions, as have been applied as part of the Bay Conservation and Development Commission (BCDC) permit process. While fee acquisition is generally the most desirable and permanent means of securing open space, there may be conditions under which permanent, access easements -- particularly for spur trails -- could be secured (with relatively little, if any, public expense) with the assistance of BCDC or the State Lands Commission.

Development costs are equally variable and dependent on the extent to which the trail is implemented as costs to construct while a mile of class I path could cost upwards to \$ 126,700. Extremely rough estimates of total development costs would place the Bay Trail construction price tag at somewhere between \$ 5 million and \$34 million. Cost figures will inevitably be refined once the alignment has been analyzed, adjusted and approved. Even then, determining the acquisition and development costs of individual trail segments may be more important than framing the total cost estimates.

Table 1

Trail Construction Cost Estimates
(Per Unit Measure)

The following current cost estimates for Class I and II path segments represent a combination of labor and material costs per unit measure of trail feature.

Trail Feature	Specifications	Unit	Low	Cost	High
<i>Class I (Path): 8' wide</i>					
Asphalt path	2" on 4" asphalt base	per mile	\$ 95,000		\$ 126,700
Decomposed granite path	without headers with headers	per mile per mile	\$ 42,240 \$ 75,000		\$ 63,360 \$ 90,000
Bridge	without installation with installation	60' long 60' long	\$ 6,000 \$ 14,000		\$ 21,500 \$ 36,500
<i>Class II (Bike Lane): 8' wide</i>					
Signing, striping, and legends • Traffic post and sign • 4" solid white line • Legend	- - 2 coats 2 coats	per mile each linear foot each	\$ 19,000 \$ 160 \$.30 \$ 30		
Grate modification	-	per mile	\$ 1,900		

Sources: Cities of Martinez and Sacramento; Contra Costa County; Shoreline at Mountain View; Continental Bridge, Inc.

Chapter 3

Defining and Assigning the Tools

The Bay Trail's complex political and geographical setting, a combination of trail classes and circumstances and the various phases of the trail building program infer that a wide variety of financing tools need to be explored and selectively applied. In addition, with the trail's implementation over a several year period and the diverse sources of local participation, it is essential that the trail's funding mechanisms be appropriate for the timing of construction and the particular funding situation. This strategic approach should maximize the funding opportunities, as previously discussed in Chapter Two.

What follows is a brief examination of the financing tools that could be employed by the implementing agencies. They are grouped by three categories, "**Government Revenue Tools**," which include local, state and federal grants and appropriations, "**Regulatory Measures**," that regard actions taken through agency or governmental powers, and "**Partnership Tools**," which refer to more innovative or fundraising-type instruments displaying the interaction of private, public and /or non-profit sectors. Each mechanism is defined and justified as to its applicability to the Bay Trail. They are roughly organized in a descending order of priority based on familiarity and/or likelihood of use. The relative likelihood of any given tool being applied for a given phase of the trail implementation program is summarized in Table 2 following this discussion.

A. GOVERNMENT REVENUE TOOLS

LOCAL

1. **General Revenues.** Such funds are typically line items in the annual budgets of city and county parks and recreation programs. These are largely drawn from property taxes and are usually for operational and maintenance costs rather than new capital financing. Special districts, like the East Bay Regional Park District (EBRPD), have annual budgets that are derived in large part from a percentage of property tax revenues from throughout the district's boundaries. It is more likely that the trail's operational costs would be partially met by this source than construction or acquisition requirements.
2. **Local/State Bonds and Initiatives.** Locally applied bond issues or land use control propositions can be used to further the goals of open space and parkland development. These instruments may take the form of ballot measures that are drafted by agencies and/or citizenry, or alternatively as bond acts drafted by state legislators for passage in the California State Assembly and Senate. Their purposes include financing acquisition, designating specific land areas for conservation, or setting basic land use policies. One example of a successful land acquisition or preservation proposition is "Measure AA," a parkland acquisition bond issue passed by voters within the EBRPD's limits in November 1988. The success of any local bond measure depends on active local backing. In addition, if it requires levying additional property taxes, as did Measure AA, voters must approve it by a two-thirds majority.

A bond act initiated by the State legislature for the implementation of the Bay Trail could coordinate and combine other revenue sources. Funding for implementation could also be a part of a larger bond act for statewide parks and trail development, as is currently contemplated. Co-sponsorship of such a bill by legislators from most, if not all of the Bay Area counties would expedite its passage. A local or state bond for financing corridor acquisition or trail segment construction would be a significant boost in the process of realizing the Bay Trail. An important step was recently made in that direction with the passage of Measure AA which allocates \$4.3 million for acquisition and construction of trail projects that will be links in the Bay Trail. This includes a five mile segment of the Carquinez Strait Trail, a three mile section from Point Isabel to Miller/Knox Regional Park, a six mile trail from Point Pinole to Lone Tree Point and a three mile link from San Leandro Bay to Oyster Bay.

STATE

3. **Proposition 70**, formally known as the the California Wildlife, Coastal, and Park Land Conservation Act of 1988, is a \$776 million bond act passed by the voters in June of 1988. It earmarks a major share of its funding for specified park and open space acquisition projects. In the Bay Area, there are 19 stipulated projects, with a total funding base of \$115,600,000.

There are four categories of funding available through Proposition 70 bond monies. They are Per Capita Grants, Roberti-Z'Berg-Harris Funds, Specified Local Agency Grants, and Competitive Statewide Programs. The first three represent block grant programs to specific cities, counties and agencies. The fourth is a thematically-based competitive grant process. Sections of the Bay Trail would be eligible for Prop 70 funding. A number of programs are possible candidates. Acquisition agencies would need to be consulted with and planning for the trail segments coordinated. Possible sources of funding for the trail include the following grant categories:

- *Trails.* There is five \$5 million in this pool to be allocated over a two-year period for the acquisition and development of trails with \$2.5 million will be available in each of the fiscal years 1989/90 and 1990/91. Potential projects are looked on more favorably that show a high degree of community support, have joint participation and can be completed in a timely manner. (See Appendix A for a summary of pointers and application procedures.)
 - *Per Capita Grants* represent \$120 million that will be distributed to designated city, county and recreation and park districts throughout the state. Grants are to be spent on each jurisdiction's highest priority park or recreational need as each characterizes it. Funds may be used for acquisition, development, rehabilitation or restoration of land for parks, beaches, wildlife habitat and/or recreation.
 - *Roberti-Z'Berg-Harris Funds.* There are \$20 million in block grants available only to urbanized areas for acquisition and development of park and recreation lands. This is a matching grant program (70% state; 30% local funding), that has a one year funding horizon, beginning July 1989.
 - *State Coastal Conservancy .* \$30 million has been made available to the Coastal Conservancy to award grants to agencies and non-profit organizations. The purpose of these grants is to acquire natural lands on the coast and in the San Francisco Bay, along with providing access and/or helping to restore or enhance these resources. (See also #4 below.)
 - *East Bay Regional Park District.* \$10 million has been set aside for the park district, with relevant funding for the "Urban Shoreline Acquisition Project" and the "Carquinez Strait Project," both of which pertain to the Bay Trail. The district has been appropriated \$1.5 million for Carquinez Shoreline Park to expand this existing park in Port Costa.
 - *East Shore State Park.* \$25 million has been earmarked to acquire and develop a shorelands park from Emeryville to Richmond. The trail corridor passes through most of it.
 - *State Park Development and Acquisition.* Relevant parks for the Bay Trail would include Candlestick and China Camp State Parks.
4. **State Coastal Conservancy (SCC) Grants.** The Conservancy is a State agency that awards block grants annually to public agencies and appropriate non-profit organizations (with 501-3C status) to enhance coastal/bay access and to restore wetland resources. Relevant programs include "Coastal Restoration Projects", "Coastal Resource Enhancement Projects", "Urban Waterfront Restoration" and "Public Accessways". The SCC prefers to be a partner in financing projects, thus the availability of other, supplemental funding sources is vital to obtaining the Conservancy's participation. Last year \$1.2 million was appropriated for 15 Bay Area projects. The implementation of the Bay Trail is emerging as one of the agency's major funding interests. The

SCC will give funding priority in the Bay Area to projects that will serve as links in the completion of the Bay Trail, and for this purpose \$1.1 million has been allocated for 1989.

The Bay Trail could serve as a unifying theme and framework to justify Bay access-associated Conservancy projects over the next five to ten years. By the same token, SCC grants could play a significant role in financing the right-of-way acquisitions and development costs of the Bay Trail. Conservancy grants for access and wetlands restoration can provide links with the trail alignment. For example, Propositions 18 (1984) and 19 (1986) allocated \$15 million and \$5 million respectively for San Francisco Bay shore enhancement, access and waterfront restoration projects. These funds are administered by the SCC. About two-thirds of Proposition 18 funding are still available, with over \$3 million to be spent on San Francisco Bay "urban waterfront projects." Legislative restrictions discourage allocations of these proposition funds for development of waterfront parks, per se. However, because of the Bay Trail's potentially instrumental role in enhancing urban waterfront projects, it could be a focal point for these unspent Conservancy monies. (See also Appendix A.)

5. **Transportation Development Act (TDA) Article 3.** These are state block grants awarded annually to local jurisdictions for the implementation of pedestrian/bicycle path or lane projects. They are administered by the Metropolitan Transportation Commission for all cities and counties in the Bay Area. Priority is given to those projects that provide a spectrum of participation of officials and the public, as well as ample comment and review by walking and/or bicycling interests. Last year about \$2.7 million was awarded to the Bay Area Counties. In the 1988-1989 fiscal year, \$3,635,724 has been allocated to the Bay Region.

These block grants are currently the major funding source for city and county bicycle lanes. Many cities look to TDA grants rather than to parks and recreation or public works capital budgets for financing trail development. Almost all of the grants are awarded for trail or lane construction and not for easement acquisition.

The local jurisdictions must apply for TDA grants through the counties. Each county has its own bicycle masterplan that is generally a composite of the respective cities' plans. The application must describe the locality's trail priorities and how the funding request fits into them; these priorities tend to include the potential demand for the trail and degree of public support. The Bay Trail can capitalize on its region-wide benefits, capacity to connect numerous trails, and high use potential as incentives to counties to apply for TDA funds for its development. (See also Appendix A.)

6. **Revenue Dedications.** These represent earmarked taxes or state fees. Two pertinent sources for the Bay Trail are the recently passed Proposition 99 -- the Cigarette Tax Initiative and the Environmental License Plate Fund that can be used for land acquisition, particularly where endangered species are concerned. Other states have created special funds to buy and develop parklands from such sources as a soft drinks tax (Illinois, 1984), a cigarette tax, (Nebraska, 1984), a parks and soils tax (Missouri, 1984), and a lottery (Colorado, 1983). The State of Oregon mandates that a portion of the state gasoline tax returned to its cities be used for bicycle facilities development. With the passage of California's Proposition 99, 5% of the collected tax revenues will be set aside for as yet unspecified environmental projects. It is estimated by the Planning and Conservation League that the 2.5% available for parks and recreation purposes represents \$15 million annually. A portion of these funds could be tapped for trail development purposes through sponsoring state legislation or via the Roberti-Z'berg-Harris Program. (See also "Trust Funds," A-12, below.)
7. **General Funds from the State Budget.** A line item in the annual State Budget for "Bay Trail Implementation" would have to be sponsored by one or more legislators and preferably with bipartisan representation. This tool has been occasionally used in the past for specific land acquisitions by the EBRPD and other special districts. This source would be inappropriate for funding operational costs.

8. **Offshore Oil Lease Funds.** Otherwise referred to as Outer Continental Shelf Funds or Special Account for Capital Outlay (SAFEEO), these are Federal tax revenues that are returned to the State. There are no established criteria or formula for receiving them. Distribution is entirely dependent on individual legislator sponsorship in a bill or a line item. These, like the "General Funds from the State Budget," should be seen as strictly acquisition and development tools, not for operations and management. Both are unpredictable and highly political funding sources.
9. **Bicycle Lane Account (BLA).** The California State Department of Transportation (Caltrans) annually sets aside \$360,000 - 500,000 for bicycle projects throughout the state. Available as grants to those cities or counties who currently have bike plans, the emphasis tends to be on projects which benefit bicycling for commute purposes. The criteria for projects is somewhat flexible, and monies have been appropriated for bicycle education, as well as lane construction. This would be a marginal source of funds for the Bay Trail, not only for the relatively small appropriations, but for its commute purpose priority. The Bay Trail, while it could serve bicycle commuters in some areas, has a primarily recreational orientation.
10. **Caltrans Corridor Improvement Mitigation Funds.** The California Transportation Commission can appropriate up to 10 percent of the budget for a Caltrans freeway or highway improvement project for facilities to mitigate the impacts of road construction. These funds are not applicable for all Caltrans projects, but where they are intended to support actions that will help relieve congestion during the construction period. If bicycle facilities, particularly lanes, can be demonstrated to be cost-effective solutions to mitigating traffic delays and related impacts, then Caltrans will incorporate them at the design stage of the freeway project. Bicycle coalitions or other organizations need to get involved at the local level with the appropriate corridor improvement steering committee during the design phase of the project. Benefits of implementing such solutions extend well beyond the construction period, and could be cumulative.

Mitigation funds will likely be allocated for bicycle lanes in conjunction with the Interstate 80 expansion within the Richmond to Emeryville Corridor. The lanes, to be built on some parallel surface roads, would almost certainly become part of the Bay Trail. The exact locations and lengths of the segments to be constructed through the mitigation monies has not been established. Significant portions of the Bay Trail's development adjacent Interstates 80 and 880 may be eligible for mitigation funds during highway expansion, particularly if the commute alternative potential of the trail can be demonstrated.

11. **Revolving Local Funds (RLFs)/Local User Fees.** RLFs provide state-sponsored, long-term, low-interest loans to localities for major capital investments. In addition, they may provide other forms of financial assistance such as credit enhancements or, to a limited extent, grants. In a state revolving fund, a state agency receives an initial infusion of capital, typically appropriations from general revenue, federal grants, or the proceeds from a bond issue. **Local user fees** would be set to cover operation and maintenance costs and to repay the loan. This tool may have a narrow application to the Bay Trail, but could be derived from a percentage of revenues collected from user fees associated with bay shore recreation, such as marinas, launches, and fishing piers. Establishing a user fee for trail access itself does have precedent, but would probably not be advisable, as it might discourage trail use and would be difficult to collect in many locales. A more reasonable direct source of user fees would be to charge parking fees at selected staging areas of the trail.

12. **Trust Funds.** Trust funds are similar to revenue dedications, but represent a permanent account or "set-aside" for a program. If they are created from sources other than user fees, they generally require the establishment of a nexus between the source of revenue and the proposed expenditures, i.e. a set-aside from property taxes in areas affected by intensive growth pressures; cigarette taxes to mitigate environmental harm, and the like. The State legislature would formally determine the source(s) and the level of the trust fund.

A novel, yet potentially fitting application of the concept would be to establish a trust fund for Bay Trail maintenance based on revenues collected from a fraction of license fees derived from horse racing at Bay Meadows and Golden Gate Meadows. (License fees are based on a percentage of the pari-mutuel pool wagers at each race track, the breakage of winning ticket amounts and the unclaimed pari-mutuel tickets.) Currently, \$750,000 in race track revenues are set aside annually to the Wildlife Conservation Board for the "Wildlife Restoration Fund." The Bay Trail may be a viable contender for a fraction of these revenues as it is adjacent the noted race tracks, and would be an amenity in the vicinity and to the Bayshore in general.

A trust fund, once established, would provide a secure base upon which officials could plan and invest in the trail corridor for years to come. Advocates would need to make alliances to build and maintain support for this "nexus." (See also "Revenue Dedications," A-6.)

FEDERAL

13. **Federal Water Pollution Control Act.** Under Sections 201 and 208 of this law, also known as Clean Water Act grants, the Environmental Protection Agency (EPA) allows the inclusion of trail development in conjunction with the planning of federally funded grants for the construction of sewage treatment plants and transport/storage facilities. Many of these plants lie along the Bayshore, and at least one, San Francisco's Sunnydale project, has included a trail segment in its EPA grant application that will become part of the Bay Trail alignment. It is important that local or regional jurisdictions who intend to incorporate trail features, do so during the planning stages of the plant design.
14. **Land and Water Conservation Funds (LWCF).** A U.S. Department of the Interior administered grant program for outdoor recreational facilities development and open space acquisition, the LWCF is funnelled through the State Department of Parks and Recreation. Once a \$25 million per year revenue source for the State from federal offshore oil leasing fees, it is currently a minor funding instrument, with only \$1.2 million available for all California last year. This year there is \$222,000 available for Northern California. Grant money in the program is primarily designated to projects that stress multi-use and have high use potential. It may include development of bicycle trails, particularly where there are few developed trails or where a trail could be built to connect several parks. If HR 4127 (Udall) passes the U.S. Congress, a \$900 million/year "Heritage Trust" will be established from the interest of the LWCF for urban park "greenway" acquisition. The Bay Trail as envisioned already matches many of the LWCF funding criteria. However, to help ensure future LWCF funds, it would be valuable for the Bay Trail to be designated as a "National Recreational Trail" within the National Trails System.
15. **Federal Highway Trust Funds.** Two alternatives are available here for funding bicycling facilities: 1) constructing bicycle and pedestrian facilities as part of any Federal Highway Aid project, as long as they are within the public right-of-way; and 2) constructing such facilities independently of highway projects, but serving the highway corridors. These funds are difficult to obtain, as they are very limited and the applicant must clearly show that the proposed bicycle facilities provide a viable commute alternative for automobile commuters.

16. **Community Development Block Grants (CDBGs)** Administered by the U.S. Department of Housing and Urban Development, CDBGs are competitive, broad-purpose grants available to municipalities for projects of community-wide benefits. They can be used in a variety of ways, from financing new infrastructure, to co-funding urban redevelopment, to supporting community non-profit organizations. The Bay Trail could be eligible for development funds from CDBGs where there is potential for incorporating the trail into the local grantmaking process as a cultural amenity, or where the project can be linked with urban renewal or economic development programs. Several rail-trails have shown documentable economic, historic and/or cultural merit and have been awarded CDBG funding. These include Seattle's Burke-Gilman Trail and a portion of the Baltimore and Annapolis Trail. (See also "Redevelopment Agencies," C-6.)

B. REGULATORY MEASURES

1. **Development or Impact Fees.** These exactions are assessed against developers and are paid prior to construction of "land improvements". They can be a significant source of local revenues for development of recreational facilities which are ordinarily within or adjacent to the candidate site. While they would be valuable means of tying private commitments to the trail, where applicable and would relieve local governments of up-front financing pressure, they would be a one-time revenue source and are only pertinent for new developments.
2. **Development Dedications.** A substitute for impact fees, mandatory land dedications are enabled under the Quimby Act to be used by municipalities and counties to secure park and recreation benefits associated with a given development. For either development fees or dedications to be used for Bay Trail acquisition/development, amendments incorporating the Trail into local general or masterplans should be secured.
3. **Flexible Zoning.** Otherwise known as "density zoning", this tool can work with development dedications to provide a trail corridor for class I segments of the Bay Trail. It could also be used for protecting wetland and open space resources in relation to development projects near the Bay. The types of flexible zoning include: 1) cluster zoning, which would group units in one portion of the site and allow for the remainder to be used as common open space; 2) planned unit development; and 3) incentive zoning which allow an increase in density of development greater than would normally be permitted in exchange for the provision of public recreation lands and the retention of the scenic or environmental values. This package of regulatory techniques would be best used in conjunction with dedications for securing public rights to traverse the property where the trail to cross the parcel in question. Here, the Bay Conservation and Development Commission would play a major role in administering an access program as part of their permit-granting process for all Bay shoreline development.
4. **State Lands Commission (SLC), Public Trust Easements and Mitigation Funds.** The Commission governs state lands, including present and historic tidelands and submerged areas. The SLC represents a relatively unknown source, but could be a great potential resource for enabling the establishment of class 1 trail easements for the Bay Trail, particularly within its scope of interest over filled tidelands. That is, the State retains a public trust interest across all tidelands, including those that have been filled (with the exception of tidelands sold through the defunct Bay Tidelands Commission). Thus, whenever the SLC settles a boundary line agreement with any owner of bayfill lands, it has the right to require public access as a way of fulfilling the public trust. Since 1973, the SLC has been negotiating trail easements as part of its public trust settlements.

As much of the Bay Trail would be located on existing bay fill, the SLC could essentially provide a state-authorized land dedication process. It has negotiated trail easements on the Bayshore already, including one at Redwood Shores in Redwood City. The SLC's Kapiloff Land Bank (established in 1983 to create a pool of mitigation funds) could be used for obtaining use easements from private owners or buying fee interest in shoreline trails. While the State would generally retain title to such easements, public agencies could obtain free, 66 year leases on them.

5. **Assessment Districts.** An assessment district is created within a municipality when infrastructure improvements or recreational facilities are needed within the bounds of a specified area. Residents within an assessment district are annually assessed for a fee that is attached to their property taxes. Assessment Districts can be set up by city councils to finance most public improvements, including trails, so long as they provide a benefit to the affected property owners. They can incorporate both commercial (e.g. office parks, and marinas) and residential areas. Arrangements for establishing and financing an assessment district can be flexible, and afford opportunities for multi-jurisdictional projects. Roads are the typical example of this, but the concept could be extended to the Bay Trail. It is conceivable that an assessment district be established among several cities in a county and the county itself to pay for recreational improvements represented by the Bay Trail. The designation of a lead agency and the definition of district boundaries are critical to the success of the process. Other essential ingredients are: a well-defined plan and a strategy for implementation, cooperation from all affected agencies, a clearly determined public purpose and broad-based support in the community for the goals of the district.

Similar to an assessment district in its taxing mode and framework is a "street light and landscape maintenance district." A maintenance type of assessment district would have greater applicability to the Bay Trail in selected locations than an improvements-oriented district, since a maintenance district is easier to formally establish and the criteria of benefit to local property owners would be more demonstrable.

6. **Cooperative Agreements with Flood Control Districts and Other Agencies.** These are excellent regulatory tools for realizing multiple public benefits. They are negotiated between public agencies, and represent agreements about joint land use. Typical examples pertinent to the Bay Trail include Alameda Creek Trail and sections of the Hayward Area Shoreline, representing a cooperative agreement between the owner of the land--Alameda Flood Control District and the EBRPD for recreational use. No annual fee is paid, and the lease is a ten year renewable. The major issues that need to be settled in advance are trail maintenance and liability; these are responsibilities by and large assumed by the agency receiving the recreation license. Numerous opportunities may exist along the Bay for other types of cooperative agreements or additional locations for agreements between county flood control agencies and park districts.

Another more innovative avenue for cooperative agreements in conjunction with the trail is with sanitation districts for multiple land use purposes within their Bayfront flood basins. Wetlands, among other functions, serve to filter pollutants and distribute flood waters. The restoration of marshland designed specifically to offer "tertiary" treatment capacity for sewage is another opportunity to combine public access with a public safety benefits and creates an economic justification for financing certain trail segments and restoration projects. An integrated wastewater treatment demonstration project already exists in Martinez, while the City of Arcata has restored extensive acreages of its coastal marshlands as a major component of its citywide sewage treatment facilities. Both sites have popular interpretive trails. These could provide prototypes for similarly designed interpretive spur paths off the Bay Trail. Funding for trail construction in conjunction with sewage treatment is available through EPA Clean Water Act grants (see also "Federal Water Pollution Control Act," A-13).

C. PARTNERSHIP TOOLS

1. **Corporate Grants.** Seeking corporate grants can be an appropriate, if largely untapped source of revenues for assisting in the financing of a community-oriented project. Grant requests should be targeted to those companies whose employees could benefit from Bay access for recreational and physical conditioning purposes and whose operation is near the proposed corridor of the trail.
2. **Establishing a Non-profit Advocacy Organization.** A coalition of trail advocates should organize a non-profit group along the lines of a "Bay Trail Fund" or the "Friends of the Bay Trail" that would support the trail's realization and solicit donations for its development and management. For the sake of fund-raising legitimacy, the organization would need to have a 501-C3 tax status. Land conservation groups play an important constituency-building and watchdogging role as well. Related models are the Sempervirens Fund with respect to Big Basin State Park, or Save Mount Diablo in association with Mount Diablo State Park. Such a group could play a vital and ongoing role in raising funds for acquisition along with facilitating corresponding state participation, e.g. the Department of Parks and Recreation, by providing matching funds that are an incentive for the State to meet. This organization could play a pivotal role in coordinating the trail's implementation. Its potential roles and structure are discussed in Chapter Four.
3. **Foundation Support.** Selected foundations have shown increasing interest over the last decade in supporting the acquisition and development of recreational facilities and programs. Awards are given to both governments and non-profit groups, in amounts ranging from \$5000 to several million dollars. Grants are best sought for particular funding of a segment of the trail; operational and management costs would not be viable justifications.
4. **In-kind Donations.** Service, community and fraternal organizations can offer volunteer workers for trail construction and maintenance, as well as solicit free or wholesale materials and construction equipment for trail construction (wood, asphalt, etc.) Parks and Recreation departments and special districts could create and underwrite "trail adoption" programs, that enable service, hiking/biking clubs to maintain particular reaches of the trail. Corporations and businesses tend to look favorably on in-kind donations and employee volunteer activity. Given the proximity of the Bay Trail alignment to many Bay Area businesses, there would be considerable opportunities for creating in-kind support for the trail's construction and maintenance.
5. **Easement Leasing.** The leasing of unused or underground portions of a trail corridor for storage or utilities has great potential for helping to meet operational revenue requirements for the Bay Trail. A prime example of creative and lucrative easement leasing is that of fiber optics lines beneath a trail alignment. Administrators of a number of trails, notably rail-trails, have negotiated leases with communication companies for fiber optics installation along their trail corridors. For example, AT&T pays the Northern Virginia Regional Park Authority \$250,000 per year for an easement of 35 miles beneath the Washington and Old Dominion Trail (see Appendix B).
6. **Redevelopment Agencies.** While under the authority of the respective city councils, redevelopment agencies have their own staffing and budgets. They can offer a variety of government assistance and incentive programs to facilitate commercial and economic development in designated redevelopment or enterprise zones. Urban sections of the trail that fall in the boundaries of a redevelopment agency may be eligible for special funds and underwriting not available elsewhere in the city limits, if the trail can be linked with economic development plans within the redevelopment or enterprise zone. In such instances, that portion of the trail may also be eligible for Community Development Block Grant (CDBG) assistance. (See also "CDBG," A-16.)

7. **Public/Private Enterprise.** The joint financing of trail facilities using public and private capital would be appropriate where the trail can be integrated with proposed or existing waterfront and marina plans. Again, a nexus must be shown between regional trail use and the attraction or benefit it would provide for associated commercial ventures like restaurants, stores, and the like. The tourism-associated benefits of the trail is another venue worth examining for leveraging private capital. Revenues from taxes or fees in related businesses could be then retained in an "enterprise fund" to provide debt service on the trail improvements and pay for operation and maintenance.

As this portrayal of revenue and regulatory tools demonstrates, there are a myriad of ways to carry out the intent of the project. Many of the tools are more readily available or work best when used in concert, as with revolving local funds and user fees, or Coastal Conservancy Grants and public/private partnerships, among other revenue tools. What priority and combinations of tools should or could be employed to finance the three trail implementation phases is beyond the scope of this study. The framework of funding mechanisms to be adopted depends on the framework of implementation for the trail. The relative likelihood of use and pertinent applications for these tools has been identified in a preliminary manner and is summarized in Table 2.

Table 2

**Potential Means for Financing the Bay Trail:
Preferred Acquisition/Development/Operation Measures**

The following table of financing sources for the Bay Trail is grouped by three categories of financing tools, alongside their potential application(s) among the three phases of the trail building process. The numbers in the trail phases columns refer to the "rating" or the anticipated, relative likelihood of applying that funding mechanism.

LEGEND:

Acquisition: Land acquisition, dedication, or easement **Ratings:** 1 Most likely and/or readily available funding and regulatory tools

Development: Trail and facilities construction. 2 Conditional likelihood (sources that will take more effort to secure but are worth it).

Management: Maintenance and patrolling. 3 Long shots (unpredictable, difficult to obtain, or inappropriate).

(Under each funding mechanism is a brief description in *italics*, followed by a code that is keyed to text paragraphs that appear on pages 6-16.)

Financing Tool Category	Financing Mechanism	Phases/Rating		
		Acquisition	Development	Management
Government Revenue	State Coastal Conservancy Grants (restoration and access grants -- A4)	1	1	-
	Proposition 70 (1988 Park Bond Act - State block grants -- A3)	2	1	-
	Transportation Development Act, Article 3 (pedestrian/bicycle project block grants -- A5)	3	1	3
	Caltrans Corridor Improvement Mitigation Funds (bike lane construction to mitigate highway expansion -- A10)	-	1	-
	Federal, State and Local Recreation Budgets (line items from annual budgets -- A1, A7)	2	1	1
	Revolving Local Funds/User Fees (State revolving loans coupled with facility use fees -- A11)	-	-	2
	Revenue Dedications (earmarked taxes or State fees, e.g. environmental license plate fees -- A6)	2	2	-
	Local/State Bonds and Initiatives (locally applied bond measures -- A2)	2	2	-

Table 2 (continued)

**Potential Means for Financing the Bay Trail:
Preferred Acquisition/Development/Operation Measures**

LEGEND:

Acquisition: Land acquisition, dedication, or easement. **Ratings:** 1. Most likely and/or readily available funding and regulatory tools.

Development: Trail and facilities construction. 2. Conditional likelihood (sources that will take more effort to secure but are worth it).

Management: Maintenance and patrolling. 3. Long shots (unpredictable, difficult to obtain, or inappropriate).

(Under each funding mechanism is a brief description in *italics*, followed by a code that is keyed to text paragraphs that appear on pages 6-16.)

Financing Tool Category	Financing Mechanism	Phases/Rating		
		Acquisition	Development	Management
Government Revenue	Trust Funds (<i>"permanent" State funds or set asides, e.g. Cigarette Tax Fees -- A12</i>)	-	2	2
	Offshore Oil Lease Funds (SAFEEO) (<i>Federal oil tax revenues returned to State -- A8</i>)	2	2	-
	Bicycle Lane Account (<i>Caltrans sponsored grants for bicycle projects -- A9</i>)	3	2	-
	Federal Highway Trust Funds (<i>construction of bicycle path in conjunction with Federal Project -- A15</i>)	-	3	-
	Community Development Block Grants (CDBG) (<i>U.S. HUD grants to municipalities for financing public benefits -- A16</i>)	3	3	-
	Land and Water Conservation Funds (<i>U.S. Department of the Interior sponsored grant program -- A14</i>)	3	3	-
	Federal Water Pollution Control Act (<i>funds available as part of EPA grants for treatment plants -- A13</i>)	3	3	-

Potential Means for Financing the Bay Trail: Preferred Acquisition/Development/Operation Measures

LEGEND:

Acquisition: Land acquisition, dedication, or easement. **Ratings:** 1. Most likely and/or readily available funding and regulatory tools
Development: Trail and facilities construction. 2. Conditional likelihood (sources that will take more effort to secure but are worth it).
Management: Maintenance and patrolling. 3. Long shots (unpredictable, difficult to obtain, or inappropriate).

(Under each funding mechanism is a brief description in *italics*, followed by a code that is keyed to text paragraphs that appear on pages 6-16.)

Financing Tool Category	Financing Mechanism	Phases/Rating		
		Acquisition	Development	Management
Regulatory/Fee	Development Dedications (land or fee dedications -- B2)	1	1	-
	Development or Impact Fees (exactions for recreational facilities -- B1)	1	1	-
	Flexible Zoning (cluster, incentive zoning -- B3)	1	2	-
	State Lands Commission - Mitigation Funds (public trust easements in boundary line agreements -- B4)	1	1	-
	Assessment Districts (property tax assessment for public goods -- B5)	-	2	2
	Cooperative Agreements With Flood Control Districts & Other Agencies (long term lease arrangements for recreational use -- B6)	2	-	-

Table 2 (continued)

**Potential Means for Financing the Bay Trail:
Preferred Acquisition/Development/Operation Measures**

LEGEND:

Acquisition: Land acquisition, dedication, or easement. **Ratings:** 1. Most likely and/or readily available funding and regulatory tools.

Development: Trail and facilities construction. 2. Conditional likelihood (sources that will take more effort to secure but are worth it).

Management: Maintenance and patrolling. 3. Long shots (unpredictable, difficult to obtain, or inappropriate).

(Under each funding mechanism is a brief description in *italics*, followed by a code that is keyed to text paragraphs that appear on pages 6-16.)

Financing Tool Category	Financing Mechanism	Phases/Rating		
		Acquisition	Development	Management
Partnerships	Establish a Non-profit Advocacy Organization (create a Bay Trail Fund or "Friends of the Bay Trail" -- C2)	2	1	2
	In-kind Donations (materials donations and volunteer labor -- C4)	-	1	1
	Foundation Support (grant awards from foundations and funds -- C3)	2	2	-
	Corporate Grants (business support -- C1)	-	2	-
	Easement Leasing (leasing unused portions of alignment, e.g. utility corridor -- C5)	-	-	2
	Redevelopment Agencies (link trail with local economic development plans -- C6)	-	2	-
	Public/Private Enterprise (joint financing as part of commercial development -- C7)	-	2	-

Chapter 4

Implementing the Bay Trail: Vehicles and Examples

A Comparison of Implementation Strategies

Probably the most important element in the financing equation is the implementation framework for the trail. Will existing jurisdictions carry out the trail building program at their own paces? Will a new entity be created along the lines of a trust or a joint powers authority to coordinate the overall development process? On the other hand, will local governments and special districts enter into ad hoc cooperative agreements for sharing development costs and/or management responsibilities? Clearly efforts will need to be coordinated and guided. Any of these means is feasible, and the eventual implementation framework adopted will likely be a combination of at least three of the options. As previously outlined in Chapter Two, a "Friends of the Bay Trail" or similar advocacy organization is a preliminary recommendation of the Bay Trail Plan, as is a management authority for Bay Trail "gaps." At the same time, some individual jurisdictions like the EBRPD and a number of cities will inevitably develop Bay Trail segments on their own. A strategic approach to implementation suggests that timing and circumstance will, in large measure, determine the most appropriate implementation vehicle(s). No one choice is fitting for every situation. How other regional trails have been implemented can also provide some precedents and guidance for the Bay Trail, (see Appendix B).

Several implementation vehicles have been identified and analyzed with the assistance of the Trail's Finance Subcommittee. They include: 1) a Bay Trail Trust or "Friends of the Bay Trail"; 2) a management authority or other form of inter-jurisdictional cooperation; 3) a joint powers authority; and 4) a Bay Trail Open Space District. In the following four pages they are compared according to their respective advantages and disadvantages, legal considerations and other criteria. Concluding this evaluation, the relative utility of these and related implementation vehicles are "rated" in Table 3 in relation to their application to the particular stages or phase of implementation.

Bay Trail Trust, "Friends of the Bay Trail"

Definition	A trust or foundation for the Bay Trail would be a non-profit entity established to advocate for the trail, raise funds for its implementation, provide financial support to public agencies and cities, furnish public information and possibly to own and/or manage portions of the trail corridor (if established as a Trust).
Examples	American River Parkway Foundation, Sacramento (raises funds for the Parkway's development and operation); Yakima River Greenway Foundation in Yakima, Washington; Trust for Public Land; Solano County Farmland and Open Space Foundation.
Relevant Issues	The purpose should be clearly defined, not duplicating the roles, areas or interests of existing trusts. The possibility exists of making such a trust a division or fund within another non-profit organization, although this arrangement may carry certain expectations and preconceptions. The bylaws should be written so that the Trust would have representation on its board from public agencies, cities, selected environmental and bicycle advocacy organizations and "at large" members of the public.
Advantages	• Can accept private donations, along with both state block and corporate grants. • Promotes cooperation among jurisdictions without being another regulatory body. • Could be attractive to public and private sectors alike as a neutral ground of operation. • Capable of tapping governmental funds and receiving dedications and impact fees. • Can negotiate trail easements with more flexibility than government agencies and offer tax benefits that they cannot. • Fosters private/public partnerships; forum for getting adversarial parties to participate. • Could be a catalyst for getting local jurisdictions to be active in the Bay Trail's realization. • Avoids the onus of creating another source of taxation.
Disadvantages	• Lacks police and condemnation power typical of local jurisdictions. • Must limit its state government lobbying activities. • Would take up to a year to establish. • Could lack visibility without a strong mandate and adequate funding base.
Applicability	A Trust could be engaged in acquisition, development and operations and management (O and M), although it is more likely that O and M would be handled by open space districts and recreation functions departments. All financing tools could be tapped, too; regulatory measures like development fees or land dedications could be donated to a trust if a city has a cooperative agreement with it. The trust would be most effective by funding local jurisdictions to complete trail segments and in coordinating the trail plan during implementation. It could establish an endowment fund and contract conservation corps and/or volunteers for maintenance of those trail segments where parks and open space districts could not manage the trail; it could even contract out patrolling through "rent-a-ranger" arrangements.
Legal Considerations	The board of directors would serve as a policy making board and would likely be made up of public and environmental group representatives from each of the nine Bay Area counties and governed by trust agreement and bylaws. (A larger advisory committee could include industry and corporate leaders.) Liability would be moot and dependant on whether or not the trust held onto land or merely did pre-acquisition or provided funding.
BCDC Coordination	Permits can be issued to a trust, so long as it held the lease or owned the land. Otherwise, it could be a co-applicant with the property owner, like a redevelopment agency.

Inter-jurisdictional Cooperation, Management Authority

Definition	This is an informal governmental partnership or committee, created through a cooperative agreement of participating cities, counties and/or open space districts who have a shared interest in seeing a particular project, completed or managed adequately.
Examples	Hayward Area Shoreline Planning Agency, (City of Hayward and four special districts); Central Contra Costa County Transportation and Land Use Partnership; Tijuana River National Estuaries Research Reserve Management Authority (San Diego).
Relevant Issues	It would be selectively initiated, i.e. in those areas where no existing open space districts operate; it would not provide a comprehensive level of continuity for design and implementation of the trail. This is the least formal of the four financing vehicles and is best applied for cities seeking to share trail segment development or O and M through the establishment of a "management authority".
Advantages	• Fosters cooperation among cities, agencies, counties, and possibly private parties in interest. • Permits limited sharing and leveraging of local revenues and addressing of inter-jurisdictional issues. • Goal-directed, focused on the implementation or management of a particular segment of the trail. • Allows for greater flexibility in applying standards and/or in incorporating local input. • Can be an effective vehicle for ensuring community involvement and agency cooperation (as occurred with the Hayward Area Shoreline Planning Agency). • Permits informal pooling of expertise in funding and operating the trail.
Disadvantages	• Requires visible and continual political support to ensure success. • Better suited for short-term, locally-directed projects rather than ongoing operations. • Suggests a piecemeal approach to a regional planning issue. • Would likely increase the time needed for implementation of the Bay Trail Plan, for lack of more formal coordination among participating communities. • Lacks the sovereignty powers of a joint powers authority or an open space district. • No legal authority over individual jurisdictions. • Often underbudgeted, as its financing may depend largely on capital budgets of the supporting jurisdictions, each of whom may not see it as a priority item. • May lack clear direction and ability to attract the range of funding possibilities. • May be perceived as a competitor for scarce local revenues.
Applicability	This vehicle could be used for all phases of trail implementation and management, but would be ill-suited for acquisition and less appropriate for long term operations and maintenance. This is due to its often informal and temporary nature. While most financing tools could be applied through an inter-jurisdictional cooperation, it would likely turn to the participating governmental bodies to administer regulatory tools. This partnership arrangement would be best used for implementing smaller segments of the trail, perhaps involving up to four or five cities. It would not apply well for doing a phased implementation of the Bay Trail, as this vehicle lacks the capacity to do formal coordination.
Legal Considerations	A cooperative agreement or memorandum of understanding would be drawn up between interested parties, with clear assignment of roles and responsibilities for each. The agreement would be binding, and were one to violate or ignore the agreement, other participating members could withdraw. The partnership would serve in a planning and coordinating capacity, leaving operations and management functions to the "parent" agencies. Such bodies usually lack legal powers.
BCDC Coordination	Permits would likely not be issued to the partnership (unless it were the legal project sponsor), but rather to the individual agencies composing it.

Joint Powers Authority (JPA)

Definition	A JPA is an agency set up to fund and/or administer a specific purpose that is shared by cooperating governmental bodies. It may exercise powers common to all members of the organization.
Examples	Solid waste authorities (composed of the participating cities and county governments); Richardson Bay JPA, (organized to administer the Richardson Bay Management Plan).
Relevant Issues	Were it set up to implement the Bay Trail, it would be likely operate in those areas without an open space district to carry out the trail mandate. There would be the question of whether to set up a temporary agency (with a "sunset clause") or a permanent one. There would also be conflicts over the extent of its authority relative to other jurisdictions.
Advantages	• Has limited police powers and sovereignty (depending on how its charter is written). • Would facilitate a number of governments to work together to develop and potentially operate a trail. • Proven method of building continuity and agreement on design and implementation process; can readily prioritize trail acquisition and development phases. • Could exercise power of condemnation. • Could have appointed or elected board representing the interests of cities and counties. • Way of fairly distributing the responsibility for trail acquisition and development. • May issue debt and lobby for legislation.
Disadvantages	• Resistance of jurisdictions to another governmental entity dictating policy (particularly if the JPA were a permanent agency rather than a temporary commission). • Questions of accountability and credibility, particularly if the JPA board of directors is answerable to the city councils and boards of supervisors who appoint them. • Potential for becoming too dependent on political circumstances, with a consequent loss of program consistency and direction. • Governance could be complicated by multiple levels (city, county, and open space district) or by differing agendas among these governmental bodies. • Fear by existing jurisdictions of the JPA duplicating other agencies' authority. • Would be viewed as a competitor for local funding.
Applicability	Could be engaged in acquisition, development and operations and management, although it is more likely that O and M would be handled by open space districts and recreation districts/departments. All financing tools could be tapped, too; the "bedroom tax" of Quimby Act fees could be used by a JPA along with a corresponding city's levying of this fee. A JPA would be best applied for "closing gaps" of trail segments between cities where they would have difficulty implementing the trail and for coordinating the trail plan among jurisdictions.
Legal Considerations	The JPA is formally constituted body with a board of directors. It can exercise those powers that are common to any participating member; the limits of its powers are defined by those of the "named jurisdiction." Its meetings must be open and have posted agendas (per the Ralph and Brown Act). Establishment requirements include a JPA agreement and bylaws that must be approved by each represented agency.
BCDC Coordination	Permits can be issued to a JPA as to any governmental body or requesting landowner. Applications for a particular segment of trail is preferred to a system or countywide permit.

Bay Trail Open Space District (OSD)

Definition	An OSD is a special purpose district established to preserve, protect, develop and operate open space areas, which in this instance, would be the Bay Trail corridor. It would seek to carry out the purposes for which it is created as set forth in its master plan.
Examples	East Bay Regional Park District, Marin Open Space District, Midpeninsula Regional Open Space District.
Relevant Issues	Were an open space district established for the Bay Trail, it would only operate in those areas without an open space or recreation district to manage and maintain the trail segment. (This includes portions of Santa Clara, Napa, Sonoma, and Solano Counties.) This would be the most difficult vehicle to apply politically, due to likely authority conflicts.
Advantages	• Has police powers and sovereignty, with power to administer, operate and prosecute. • Could provide a logical organizing tool for those areas without existing ability. • Proven method of building continuity and agreement on design and implementation process; can readily prioritize trail acquisition and development phases • Could exercise power of condemnation. • Would have appointed or elected board representing all "precincts" within the district. • Way of fairly distributing the responsibility for trail acquisition and development. • May issue debt and lobby for legislation. • Professional staff, with expertise in recreational planning and management.
Disadvantages	• Potential for conflict with local jurisdictions and other OSDs over authority issues. • "Territorial" concerns would limit range of the open space district's physical jurisdiction. • Difficulty in establishing the district's legal boundaries. • Would not be able to develop or administer trail segments outside its geographic boundaries, potentially leaving large gaps in implementation of the Bay Trail. • Less flexibility than trusts in arranging partnerships and negotiating for acquisition. • Likelihood of using property tax assessments to provide the district's basic budget makes the concept less desirable, given the public's resistance to new taxes. • Could be viewed as a competition for local funding.
Applicability	An OSD could be used for all phases of trail implementation and management, and would be especially well suited for operations and maintenance functions. While most financing tools could be applied by the OSD, it could not administer regulatory tools (like development fees or dedications) but only be the recipient of them by cities willing to donate the land or fees. An OSD would be most applicable for implementing the Bay Trail in the North Bay, especially within Napa and Sonoma Counties.
Legal Considerations	Governed by an elected or appointed board of directors, the OSD exercises police powers on all property over which it holds title. Its meetings must be open and have posted agendas (per the Ralph and Brown Act). As a land owning and operating agency, it would have management responsibilities and potential liability for the trail corridor it controls. Enabling legislation, preferably at the state level, would be needed to establish it.
BCDC Coordination	Permits can be issued to an OSD as to any governmental body or requesting landowner. Applications for a particular segment of trail is preferred to a system or countywide permit.

Table 3

Implementation Strategies for the Bay Trail

(Roles and relationships of implementing organizations to phases of the Bay Trail)

Note: This matrix represents a composite of preferred roles identified by the Bay Trail Financing Subcommittee on October 27 and 28, 1988.

LEGEND: ++ most appropriate or applicable o not applicable
+ applicable - counter-productive
(Two signs separated by a slash mean "depends on the situation.")

Implementing Agency/Organization	Unbuilt Trail Segment							Built Trail Segment						
	Advocacy	Planning/Coordination	Acquisition	Development	Maintenance	Patrolling	Liability	Advocacy	Planning/Coordination	Acquisition	Development	Maintenance	Patrolling	Liability
■ Government Agencies														
1. Open Space Districts	++	+	+	+	+	+	+	++	+	+	+	+	+	+
2. Cities/Counties	+ ¹ / _o	++ ²	++ ³	+	++	++	+	+ ¹ / _o	++ ²	++ ³	+	++	++	+
3. State:	+	o	+ ⁴ / _o	+ _o	+ ⁵ / _o	+ ⁵ / _o	+	+	o	+ ⁴ / _o	+ _o	+ ⁵ / _o	+ ⁵ / _o	+
Coastal Conservancy	o	+ ⁶	++	++	o	o	o	o	+ ⁶	++	++	o	o	o
B.C.D.C.	+ ⁷ / _o	+ ⁸	o	o	o	o	o	o ⁷	+ ⁸	o	o	o	o	o
■ Multi Government														
4. Regional Agency (ABAG)	++	++	o	o	o	o	+ ⁹	+ _o	+ _o	o	o	o	o	+ _o
5. Joint Powers Authority	-	+ _o	o	+ _o	+	+	o	-	o	o	o	o	o	o
6. Management/Cooperative Agreements	o	+ _o	o	o	+	++ ¹⁰	o	o	o	o	o	+	++ ¹⁰	o
■ Quasi/Non-Government Sector														
7. Bay Trail Fund (Friends of the Bay Trail)	++	+	+	+	+ _o	+ _o	+ ¹¹ / _o	++	+	+	+	o	o	+
8. Private Sector (Corporations)	- _o	-	+ ¹²	+ ¹²	+ ¹³ / _o	+ _o	+	-	-	o	o	o	o	+

Footnotes:

1. Cities inapplicable if maintenance sources aren't identified.
2. Existing local recreation and trail plans; but lacks coordination.
3. Through dedications or exactions only.
4. Through legislation, grants; acquisition within park system.
5. If within existing state parks.
6. Providing support/expertise to localities.
7. In capacity of requiring public access.
8. Plans to meet B.C.D.C. standards.
9. Pooled liability program (to be investigated).
10. Share a ranger or "rent a ranger."
11. Limited liability protection through agreement with Coastal Conservancy.
12. If required through B.C.D.C. dedications.
13. Through "adopt a trail" program.

Readily-Initiated Trail Segments

Developing momentum for implementing the Bay Trail begins with identifying "pilot projects," links that could be readily initiated because they have already been considered, planned and/or programmed. The following trail segments are among the potential pilot projects; they have been grouped by geographic location. Each was examined at the workshops of the respective focus groups in relation to the sites' conditions and funding opportunities. Some of the potential tools listed are responsive to these circumstances.

East Bay

1. **San Leandro Bay to Oyster Bay Trail.**
City: Oakland and San Leandro
Length: 3 miles
Cost: \$700,000+
Implementing Agency: East Bay Regional Park District

Existing Conditions: The alignment of the trail would connect San Leandro Bay (at the base of Arrowhead Marsh) and Oyster Bay, both EBRPD parks; it runs adjacent Doolittle and Davis Streets, in the Cities of Oakland and San Leandro. The trail would most likely be a class II trail entirely, unless it were to parallel the Lew Gailbraith Golf Course, in which case it could become a class I trail in this stretch. Most of the surrounding area has been developed, largely in an industrial pattern. The City of San Leandro is contemplating commercial office redevelopment in the Eden Road and Davis Street area, (including parts of Doolittle Dr. rive) In fact, it has initiated study for creating a redevelopment zone here. Truck traffic is heavy in along Davis and Doolittle Roads due to salvage yards and the transfer station at the end of Davis. The trail would also adjoin the San Leandro Sewage Plant and the City rifle range. The Port of Oakland owns the property to the west of Doolittle in Oakland. Airport commercial and service uses predominate on the east side.

Potential tools: State Coastal Conservancy, corporate support, redevelopment agency, and Measure AA

2. **Pt. Isabel to Miller Knox Regional Park.**
City: Richmond:
Length: 5 miles
Cost: \$1 million
Implementing Agency: EBRPD

Existing Conditions: The trail alignment passes through a re-developing waterfront area in the City of Richmond. It would connect two regional parks, pass through the major new Marina Bay residential /commercial complex, and link to the BART line by utilizing the abandoned railroad right-of-way north of Ohio Avenue.

Potential tools: State Coastal Conservancy, Prop. 70 , Fees and dedications, maintenance district, private/public enterprise, Measure AA

3. Carquinez Scenic Trail (Crockett to Martinez)

Jurisdiction: Crockett, Martinez, Contra Costa County

Length: 5+ miles

Cost: \$600,000

Implementing Agency: EBRPD

Existing Conditions: The trail would connect the town of Crockett with the Martinez Regional Shoreline. Most of the region through which the trail alignment passes is unincorporated land of Contra Costa County. Consequently, much of the land use is rural residential and grazing along the bluffs of the Carquinez strait. Notable exceptions are in the western end of the alignment where the trail adjoins the C and H sugar plant and passes through the residential areas of Crockett. EBRPD currently has 190 acres of shoreline and bluffs of parkland midway, known as the Carquinez Strait Regional Shoreline. The East Bay Regional Park District is seeking to expand this park west to Crockett. While a class II trail would be dangerous if located on Carquinez Drive, a class I trail would be more expensive and require considerable engineering, in view of the steep slopes and high landslide potential in some sections of Carquinez Strait.

Potential Tools: State Coastal Conservancy, Proposition 70, Measure AA

North Bay

1. Marin Civic Center to McNears Beach Trail.

Jurisdiction: Marin County

Length: 6 miles

Cost: approximately \$1.1 million (\$600,000 - trail; \$500,000 - grading)

Implementing Agencies: County of Marin; California Parks and Recreation Dept.

Existing Conditions: The alignment of the trail would begin at the North end of the Marin Civic Center, adjacent Civic Center Drive, then turn east and parallel North San Pedro Road. Running through China Camp State Park, it would connect with an existing trail at McNears Beach County Park. In order to improve the trail experience and avoid traffic hazards a class I trail would be advocated. A half mile segment of class II trail in the town of Santa Venetia already exists.

Land uses in the surrounding area vary. The trail begins in county institutional land use, and passes through neighborhood commercial and residential uses until it reaches China Camp State Park. At this point, the north side of San Pedro Road becomes a marsh area adjacent Gallinas Creek, while the south side adjoins a meadow before entering a steeply sloping section in the vicinity of the former town of China Camp.

Potential Tools: State Recreation Budget, Foundation Support (Buck Trust, TDA Article 3, assessment district, State Coastal Conservancy)

2. Vallejo Shoreline Trail.

City: Vallejo

Length: 8 miles:

Cost: \$500,000+ (depending on acquisition needs)

Implementing Agency: City of Vallejo

Existing Conditions: Connecting the City's municipal dock on the northern end and Benicia State Park on the Southern terminus of the Trail, the route would be a combination of Class II, (primarily along Route 29 and Class 1 (from the Maritime Academy to the State Park. The area has a variety of existing land uses, including industrial particularly in the vicinity of the Southern Pacific RR right of way, (e.g. the Kaiser Property), built-out residential areas fronting on Route 29, the California Maritime Academy and the currently developing residential subdivisions at Glen Cove to the east of Route 80. There are a number of steep ravines in the Glen Cove area that will require careful engineering for establishing the trail. Development dedications will be used to finance much of the development of the Glen Cove section of trail.

Potential tools: Development fees, dedications, State Lands Commission - public trust easements, State Waterways Grants (California Department of Parks and Recreation), redevelopment agency support.

South Bay

1. Redwood Shores Trail.

Cities: Redwood City, San Carlos

Length: 5 miles

Cost: \$450,000

Implementing Agencies: Cities of San Carlos and Redwood City

Existing Conditions: The alignment of the trail would connect San Carlos Airport to the north and Bayfront Park to the south, filling a trail gap between the Dumbarton Bridge and Redwood Shores and paralleling Route 101. The southern section of Redwood Shores (below the San Carlos Airport) has not been subdivided yet and is zone tidal plane from Whipple Avenue north. A BCDC permit has been granted to improve the existing levee that borders existing salt ponds and abuts the highway. Throughout most of its length the trail would be next to a mixture of residential and commercial land uses to its west. Traffic conflicts at Whipple Ave and Bayshore would have to be resolved, as does the question of residential development on the southshore section of Redwood Shores. There is a sewage treatment plant at the end of Maple Street and a health club off Whipple near the proposed alignment. Currently, many joggers (some associated with the health club) use a "vernacular" trail on Bair Island

Potential tools: Coastal Conservancy, Proposition 70, development dedications

2. Guadalupe River Trail

Cities: San Jose, Santa Clara

Length: 7 miles

Cost: \$700,000+

Implementing Agencies: City of San Jose, City of Santa Clara

Existing Conditions: This trail would connect the Alviso Marina with the San Jose Airport to the south where there is currently an existing trail that runs almost to the Civic Center. Most of the trail alignment is currently in public ownership, (i.e. the Santa Clara Water District), so there would be minimum acquisition requirements. As the trail alignment borders both the Cities of Santa Clara to the west of the Guadalupe River and San Jose to the east, it would probably prove to be a joint project, unless the Cities wanted to defer to the County. It would have high use by white collar workers in the "Golden Triangle" (commercial and industrial parks scattered between Routes 237, 101 and 880). Land use around the proposed alignment is mixed. From the Alviso Marina to Route 237 there are landfill sites, salvage yards, scattered residential units and vacant land. South of Route 237 to 101, the pattern is mostly residential on the Santa Clara side (including mobile home parks) and industrial parks on the San Jose side of the River. About midway between the trail termini, is the west campus of the Agnew State Hospital. One of the major challenges to trail development includes getting the trail under Routes 237 and the Bayshore Freeway.

Potential tools: Cooperative agreement (with the Santa Clara Water District), Proposition 70, corporate grants

Chapter 5

Process and Methodology

Considerable public involvement has helped to shape the direction and substance of the financing and implementation recommendations for the Bay Trail Plan. This study reflects the participation of two sets of advisory groups, the Trail's Finance Subcommittee and three regional "focus groups." The subcommittee was formed with the goals of evaluating the proposed funding mechanisms, suggesting and assessing potential implementation vehicles, establishing the format for the financing workshops of the focus groups, and making implementation recommendations to the Bay Trail Advisory Committee. The 39 member group was split between an evening and following day session. (The two sessions were offered to accommodate differing work schedules and maximize participation potential.) The three focus groups corresponded to each major reach of the Bay: East Bay, North Bay and Peninsula/South Bay. They were formed to evaluate the most appropriate implementation means for their side of the Bay, to examine the financing tools according to their suitability, and to match them with selected "readily-initiated trail segments," (as described in Chapter Four). Three evening workshops for the focus groups were scheduled, one in each reach of the Bay. There were 63 who agreed to participate in one or more of the three focus groups. (See Appendix C for a list of both subcommittee and focus group members and their affiliations.) Both sets of groups were composed principally of community leaders and park professionals, a cross-section of representatives from public, private and non-profit sectors, ranging from councilmembers to developers to environmental and bicycling activists.

Each of the two sessions of the subcommittee met twice. The first meeting was to review the structure and role of the financing plan, to evaluate and broadly rate the financing tools, to set up the structure for the subsequent focus group workshops, and to discuss possible implementation vehicles. The second pair of meetings took place shortly after the workshop sequence. Members proposed elements of an implementation strategy, based on the project's phases and the relative strengths and weaknesses of different implementing agents, (Table 2). Summaries of each of the focus group's workshops and of the final subcommittee meetings are given in Appendix D.

In addition to the work of the two advisory groups, a phone survey of 18 park and public works personnel from around the Bay Area was conducted. Its intent was to assess cost estimates for acquisition, development and operational phases of the project and to poll the types and terms of regulatory measures as applied to financing recreational facilities.

The significance of incorporating a diversity of social and professional perspectives in the public involvement process for the project's financing and implementation is that it is a microcosm of the diverse constituency that the Bay Trail will ultimately serve. Furthermore, it is a reflection of the kind of cooperation among public, non-profit and business interests that will be needed in the future to effectively realize the vision of the Bay Trail.

References

The following resources are grouped in four categories to assist the reader who wishes to further explore public financing for recreational facilities.

1. Planning Guides and Reports

Association of Bay Area Governments. San Francisco Bay Area Regional Wetlands Plan for Urban Runoff Treatment, Volume 1. April 1983.

Bicycle Federation. Pro Bike 80: Proceedings of the First Conference for Bicycle Program Specialists. November 9-12, 1980.

Brenneman, Russell et al. Land Saving Action. Island Press. 1984

Brooks, Mary. Planning for Urban Trails. Planning Advisory Service. December 1969.

California Department of Parks and Recreation. Bicycling in California: A Recreation Perspective. May 1978.

Gold, Seymour. Recreation Planning and Design. McGraw-Hill: New York. 1980.

-- Urban Recreation Planning. Lea and Febinger: Philadelphia. 1973.

Hart, Krivatsy, Stubbe. BART/Trails: A Study of the Commuter and Recreational Trail Potential to the Bay Area Rapid Transit System. February 1974.

Heritage Conservation and Recreation Service. The Third Nationwide Outdoor Recreation Survey. U.S. Department of the Interior: Washington, D.C. 1979.

Hernandez, Marcel and Oke, David. The Department of Parks and Recreation Urban Services Program: California Study on Urban Open Space and Recreational Needs. Preliminary Report. Prepared for the Department of Parks and Recreation. March 1976.

President's Commission on America's Outdoors. Report and Recommendations to the President of the United States. December 1986

Trudeau, Richard. Draft Report on ABAG Land Trust/Foundation Prepared for the Association of Bay Area Governments. February 1987.

2. Revenue Source Reports and Studies.

California Department of Parks and Recreation. State Funding Sources Related to Parks and Recreation. August 1983.

California Horse Racing Board. Horse Racing in California: 16th Annual Report. 1986.

Horler, Virginia. Guide to Public Debt Financing in California. Packard Press: San Francisco. 1987.

3. Innovative and Creative Financing Techniques

Alterman, Rachelle, ed. Private Supply of Public Services: Evaluation of Exactions, Linkage and Alternative Land Policies. New York University Press: New York. 1988.

Hoel, Lester, ed. Innovative Financing for Transportation: Practical Solutions and Experiences. Final Report 1986. Prepared for the Office of Technology and Planning Assistance, Washington, D.C.

Kaiser, Ronald and Mertes, James. Acquiring Parks and Recreation Facilities through Mandatory Dedication: A Comprehensive Guide. Venture Press. 1986.

Peterson, John and Forbes, Ronald. Innovative Capital Financing. Planning Advisory Service (Report No. 392) 1988.

MacDonald, Stuart. "Building Support for Urban Trails." P&R November 1987.

Magnuson, Anne. "City Park Departments Search for New Funding." American City and County. October 1988.

4. Other Regional Trails

Nevel, Bonnie, et. al, ed. A Guide to America's Rail-Trails. Rails-to-Trails Conservancy: Washington, D.C. May 1988.

City of Portland, Metropolitan Service District. Regional Bicycle Plan. August 1983.

Sacramento City-County Bikeway Task Force. Sacramento Bieways Masterplan. January 1977.

APPENDIX A

Contact Agencies and Procedures for Selected Financing Tools

Proposition 70

This grant program is administered by the California Department of Parks and Recreation (DPR). Processing for grant applications will be expedited if the name of the project officer assigned to the applicant's area is included on all mail. All inquiries and correspondence should be addressed to:

Project Officer (name)
California Dept. of Parks and Recreation
Local Assistance Section
1416 Ninth St., Room 1449-1
P.O. Box 942896
Sacramento, CA 94296-4441

Telephone: (916) 445-4441
FAX: 916-323-6586

Additional pointers for applicants:

1. The DPR is looking for projects that can be completed in a timely manner, therefore it is to the applicant's advantage to focus on discreet, readily completed trail segments.
2. Applicants should apply first for acquisition funds, later for development dollars.
3. A project is regarded more favorably relative to the degree of volunteer participation it has; community support is a key criteria for selection.
4. Innovative projects are desirable, as are joint applications.
5. Where a special district qualifies for Per Capita Grants, it may not be eligible for trail grants.
6. Photos should be included with any grant request.
7. Final plans for the proposed recreational facility do not need to be prepared for the grant request, although CEQA requirements do have to be complied with.

State Coastal Conservancy: San Francisco Bay Access Program

The Coast Conservancy gives highest priority in this program to the allocations of funds to complete the trail system encircling the Bay. This gives Bay Trail related applications a high probability of being funded. Procedures are informal and initiated by a letter of inquiry. Allow three to five months to process. All inquiries and correspondence should be addressed to:

Reed Holderman
State Coastal Conservancy
1330 Broadway, Suite 1100
Oakland, CA 94610

Telephone: (415) 464-1015

Transportation Development Act (TDA), Article 3

The TDA of 1972 provides for funds for local transportation purposes. SB 821 provides that 2 % of these funds may be used for pedestrian and bicycle facilities. In the Bay Area, these funds are administered by the Metropolitan Transportation Commission (MTC), and can be applied for on an annual basis. Cities can apply through their county public works departments. The county should forward to MTC a copy of the following by April 1 of each year: 1) a cover letter stating the amount of funding being requested; 2) the complete priority list of projects, preferably categorized by those that are expected to be funded and those considered high priority but for which funding is not available; 3) an indication of how the projects were reviewed by city representatives and what methods were used to contact bicycle users and other interested members of the public; and 4) a Board of Supervisors' resolution approving the priority list and authorizing the claim. All inquiries and correspondence should be addressed to:

Doug Kimsey
Metropolitan Transportation Commission
101 8th Street
Oakland, CA 94607

Telephone: (415) 464-7700

APPENDIX B

Regional Trail Success Stories

American River Parkway

1. Location and Description

The American River Parkway is an open space greenbelt which extends for 29 miles along the American River from Folsom Dam at the northeast to the American River's confluence with the Sacramento River at the southwest. The Parkway has regional as well as local significance and is located in the heart of California's Central Valley near Sacramento. It offers recreational activities and educational opportunities as well as special natural resources related to the river. The Lower American River is classified as a "Recreation" river within the State and Federal Wild and Scenic River Systems. The parkway crosses jurisdictional boundaries that include the county and city of Sacramento and a portion of the Folsom State Recreation Area. The concept for the parkway was initiated in the early 1960's and incorporated into the Sacramento County General Plan. Public involvement has been a consistent force in developing the recreational opportunities of the Parkway and in protecting the natural qualities of this river resource.

2. Issues and Benefits

The 1985 American River Parkway Plan of the City of Sacramento, Department of Planning and Development provides a guide to land-use decisions affecting the Parkway and seeks to balance preservation of the natural open space and protection of the environmental quality while continuing to provide recreational opportunities in the Sacramento area. Concern for protecting the natural environment of the Parkway has emerged with greater strength as recreational and educational use has increased and as community pride in the parkway has matured. A county zoning ordinance regulates uses in and around the American River Parkway. Five general categories determine land-use suitabilities within the Parkway: Open Space Preserve; Nature Study Area; Protected Area; Limited Recreation; and Developed Recreation. A sixth category, Recreation Reserve, sets aside certain agricultural lands for future recreational use. The American River Parkway has substantially contributed to the "quality of life" in the Sacramento region. Recreational, cultural and educational activities within the Parkway and facilities supporting these opportunities are seen as key to the area's economic health.

3. Sources of Support

Funds for the Parkway are generally budgeted for capital outlay and operations. For capital outlay, dollars come from the County General Fund, the Transient Occupancy Tax, State and Federal grants, State and local bond issues and private donations. Operating funds come from the General Fund through property taxes, park use fees, reimbursements from other departments, rent or lease fees and occasionally from grants or donations. The American River Parkway Foundation exists as non-profit corporation to assist in fundraising and land acquisition in cooperation with Sacramento County Department of Parks and Recreation, the managing agency for operations and maintenance. The foundation involves corporate sponsorship in "Down River Days", an annual and very successful fund-raising event.

4. Why it Works

The American River Parkway is an established corridor which continues to be guided by a strong set of planning documents and policies, a successful park and recreation agency responsible for implementation and maintenance, a successful non-profit for fundraising and support through citizen involvement at all levels of operation.

5. Contacts

American River Parkway Foundation
P.O. Box 26566
Sacramento, CA 95826
Tel.: (916) 456-7423

Lois W. Woodruff
Community Relations Officer
Sacramento Department of Parks and Recreation
3711 Branch Center Road
Sacramento, CA 95827
Tel.: (916) 366-2672

APPENDIX B

Regional Trail Success Stories

Yakima Greenway

1. Location and Description

The Yakima Greenway is a 10-mile, 3600 acre greenway near the city of Yakima, Washington. The Greenway includes a series of parks, lakes, picnic areas, riverside pathways, river access points for boaters, and handicapped fishing facilities. Major natural areas have also been protected within the Greenway.

2. Issues and Benefits

The Greenway concept began as a citizen effort which became a campaign issue. Funds from the state legislature led to a feasibility and desirability study which in turn led to a Master Plan which was adopted into the county plan. The plan recommended the formation of a protection group, the Greenway Foundation, a non-profit, tax-exempt land trust to acquire property opportunistically, to solicit and receive donations and to coordinate agency acquisition and management of the Yakima Greenway. The establishment of the non-profit land trust early in the project development was critical to the success of this corridor. The land trust allows for overall coordination and active promotion of the Greenway within the community of Yakima. The foundation has organized successful fund raising events including relay runs, park concerts, wine tasting events and an art auction. Funds and equipment have also been secured through endowments, memorial gifts, and a "Wishbook" distributed for equipment donations. Their newsletter markets the greenway attractions and accomplishments and recognizes individual citizen contributions.

3. Sources of Support

Implementation of the Greenway master plan is carried out by the Greenway Foundation. The Greenway land is still owned by the city and county of Yakima, but administrative, maintenance and security staff are funded through the Foundation. Individual and corporate sponsors have funded various facilities which are often then named for the sponsor. Sources of community support have also been recognized and utilized in this manner throughout the project. Currently, a campaign is being conducted to establish a major endowment fund generating interest to fund operation and maintenance of the Greenway.

4. Why it Works

As a mechanism for Yakima Greenway promotion, information distribution, citizen involvement, volunteer recognition and corporate and individual financing of facilities, the foundation has been very successful.

5. Contact

Barbara Feasey
Yakima Greenway
103 South Third Street
Yakima, WA 98901
Tel.: (509) 453-8280

APPENDIX B

Regional Trail Success Stories

Willamette River Greenway

1. Location and Description

The Willamette River Greenway in the State of Oregon, is 255 miles in length, starting at St. Helens and running through Portland, Corvallis, and Eugene to Cottage Grove. The purpose of the Greenway is to maintain natural, scenic, and recreational values. Although fifty thousand acres are included in the Greenway plan, less than half are expected to be put into public ownership in a process that will take twenty to thirty years. Forty three sites have been developed for public use including hiking, fishing, boat launching, and primitive camping for boating groups. Much of the Portland riverfront is in public ownership, and the waterfront activities can be watched from Portland's Old Town. In Eugene, the Greenway has linear parks on both sides of the river. With extensive pedestrian paths paralleling the river and five pedestrian/bicycle bridges over the river, the Greenway in Eugene receives heavy walking, jogging, and bicycle use including commute use.

2. Issues and Benefits

The original protection goals grew out of a successful river clean-up effort of the 1950's and 1960's when the polluted condition of the river was very unpopular. In 1967, both gubernatorial candidates championed the greenway idea, originally conceived by a University of Oregon professor. Increased recreational use of the river has helped to create new businesses along the river including rafting outfitters and bicycle rental concessions. To involve property owners along the Greenway, landowners were surveyed to document acts of vandalism. The results of the questionnaire demonstrated that the vandalism was minor and was generally caused by local children and not Greenway users.

3. Sources of Support

The Greenway was initiated through the political process. The Greenway law, passed in 1973 by the Oregon Legislature, directed the Oregon Department of Transportation to prepare a State Greenway Plan which designated the Greenway boundary and targeted lands for acquisition by the state. Land and Water Conservation funds were also used to acquire land. These actions were coordinated by Oregon's Land Conservation and Development Commission. Each political jurisdiction has its own comprehensive plan which must comply with Statewide Planning Goal 15 which was enacted to ensure that future generations will be able to continue to enjoy the Greenway. The Goal requires that local comprehensive plans and ordinances be enacted and recognized by the Land Conservation and Development Commission. Realization and implementation of the Greenway is thus based on the Oregon Department of Transportation's Greenway Program, Statewide Planning Goal 15, and local comprehensive plans and ordinances. During the planning process, river surveys were completed by university students in order to engage local experience and minimize early expenditure of funds. In Eugene, the cost of a pedestrian bridge was offset by the installation of a sewer line below the bridge walkway.

4. Why it Works

The original protection goals were realistic; all existing land uses were continued. Strong initial landowner opposition was overcome, because the greenway concept allows continued private ownership. Lands in private ownership remain so; there is no condemnation. Legislative criteria regulates land use by requiring new developments to include landscaping and setbacks, protect the natural habitats and be compatible with their surroundings. An excellent brochure, the "Willamette River Recreation Guide" is a colorful and easy-to-use map of the river containing information on natural and historic resources, safety and a description of the legislation which created the Greenway.

5. Contacts

John Lilly
Oregon Department of Transportation
Division of State Parks
525 S.E. Trade Street
Salem, OR 97310
Tel.: (503) 378-5019

Oregon Historical Society (For copies of the brochure)
1230 S.W. Parks Avenue
Portland, OR 97205
Portland, OR 97205

APPENDIX B

Regional Trail Success Stories

Washington and Old Dominion Trail

1. Location and Description

The Washington and Old Dominion (W&OD) Trail is a 45 mile trail, that runs between Arlington/Alexandria and the town of Purcellville, in northeast Virginia. Operated by the Northern Virginia Regional Park Authority, the W&OD Trail was developed beginning in 1978 over a former rail road right-of-way of the same name. The trail corridor is generally 100 feet wide; the path consists of an 8-foot-wide paved path with a parallel 10-foot wide rock dust bridle trail/jogging path. The design does not restrict horse, pedestrians or bicycles to any particular path. The trail is very popular throughout the year, drawing regional use; it was recently named a "National Historic Trail" by the Department of the Interior. The Park Authority board of directors consists of twelve members, with two appointed by each of the six participating jurisdictions which includes five cities and the County of Fairfax. Within two years, it is anticipated to connect with the Appalachian Trail.

2. Issues and Benefits.

In the mid sixties, the Northern Virginia Park Authority (NVPA) undertook trail negotiations to acquire easements from the Virginia Electric and Power Company who had purchased the former railroad right-of-way. The Power Company was unwilling to allow use easements without the NVPA actually purchasing the land, a process it finally initiated plans to do in 1978.

Major issues in trail management consist of motorized vehicle trespassing, litter and unauthorized encroachment from neighboring homes and businesses. To cope with the first, "no motorized vehicles" signage are posted at every road intersection and a Trail crew patrols the path on motorcycles and prosecutes violators. Trash receptacles are placed at every intersection and near convenience stores and restaurants serving the trail.

Serving a growing suburban region, the Trail allows all non-motorized trail uses. Because it is located in the Washington D.C. metropolitan area and permits multiple use, it has become so popular that the NVPA has painted a yellow line down the center of the paved path to separate traffic into lanes.

3. Sources of Support

The trail has cost \$3.6 million to date for land acquisition and \$5 million for development (consisting of 35 miles of paved trail and 22.5 miles of crushed rock path). It has received Federal and state funding, including a Rails to Trail grant from the the Heritage Conservation Recreation Service (Department of the Interior), a Land and Water Conservation Fund grant, and revenues from the Virginia Commission of Outdoor Recreation.

The annual operating expenses of \$150,000 are met by fiber optics licensing fees (\$275,000 per year) for an underground easement on the trail corridor. Property rentals for homeowner gardens, and to businesses for vehicle and equipment storage contributes another \$63,000 annually. Other easement and license fees provide \$50,000 per year, including an access fee for developers who wish to connect their subdivisions with the trail. As a final source of operating funds the NVPA sells a trail guide that provides notes on historical features of as well as orientation to the trail.

4. Why it Works

The trail is in a burgeoning suburban area and is valued especially for its fitness-promoting features. It also connects a number of parks and serves other recreational activities like baseball and picnicking.

5. Contacts

Northern Virginia Regional Park Authority
5400 Ox Road
Fairfax Station, VA 22039
Tel: (703) 437-1910

APPENDIX C

Membership List of Bay Trail Finance Subcommittee and Focus Groups

Bay Trail Finance Committee Roster

<u>Name</u>	<u>Title</u>	<u>Company</u>	<u>City</u>
Besser , Irving		REBAC	Palo Alto
Britton , Jennifer	Park Planner	City of Sunnyvale	Sunnyvale
Chun , Eu Rim	Legislative Aide	Sen. Bill Lockyer	Hayward
Cipriani , Maria	Planner	Sonoma County Planning	Santa Rosa
Corbin , Rosemary	Councilmember	City of Richmond	Richmond
Curtis , Detlef		City of San Ramon Public Works	San Ramon
Davoran , Bill	Executive Director	Bay Institute of SF	Sausalito
Dedrick , Kent	Research Program Specialist	State Lands Commission	Sacramento
Dempsey , Bill	California Field Representative	Nature Conservancy	San Francisco
Dorsey , Cameron	Planning Commissioner	Marin County	Sausalito
Fenton , Frank	Management Analyst	Santa Clara County Parks and Recreation	Los Gatos
Fertig , Walter	Councilmember	City of Emeryville	Emeryville
Gold , Seymour	Professor	Davis	
Gravanis , Ruth	Director	Mission Creek Conservancy	San Francisco
Groundwater , Lorna	Chairwoman	Brisbane Parks, Beaches & Rec. Cmssn	Brisbane
Harper , Greg	Councilmember	City of Emeryville	Emeryville
Haug , Wayne	Project Specialist	CA Dept of Parks and Recreation	Sacramento
Hearne , Stana		ABAG Regional Planning Committee	Oakland
Hibben , Barry	President	Southern Marin Land Trust	Mill Valley
Holmes , Marc	Asst. Program Director	Save S.F. Bay Assn	Berkeley
Hornbeck , Hulet	Principal	Hulet Hornbeck Land Negotiator	Martinez
Howell , Dennis	Park Planner	Sunnyvale Parks and Recreation Dept.	Sunnyvale
Ingram , Peter	Parks & Landscaping Section	Richmond Public Works Dept	Richmond
Khanna , T.S.	Transportation Engineer	Contra Costa Co. Transp. Plg. Divis.	Martinez
Kimsey , Doug		MTC	Oakland
Korman , Michael	Partner	Korman-Ng	Berkeley

Bay Trail Finance Committee Roster

<u>Name</u>	<u>Title</u>	<u>Company</u>	<u>City</u>
Kulka , Ron	Assistant Director	Coastal Conservancy	Oakland
Kunofsky , Judith	Assoc. Exec. Director	POS/Greenbelt Congress	San Francisco
Lewis , Chuck	President	EBRPD Park Advisory Committee	El Cerrito
Long , Charles	City Manager	City of Fairfield	Fairfield
Lyles , Glen	Shoreline Manager	City of Mountain View	Mountain View
Marrioti , Joseph	Councilmember	City of Pinole	Pinole
Matarrese , Martin	Parkland Resources Supervisor	Oakland Park Services Dept.	Oakland
Nino , Rubin	Assistant City Engineer	City of Menlo Park	Menlo Park
Peskin , Aron	Project Associate	Trust for Public Land	San Francisco
Roberts , Chuck		Public Works Dept, Parks/Marina	Berkeley
Rust , Karen	Coastal Program Devt. Analyst	Coastal Conservancy	Oakland
Sakamoto , Wes	Superintendent of Parks	Hayward Area Rec. & Park District	Hayward
Steele , Dwight	Co-Chairman	Citizens for an E. Shore State Park	Walnut Creek
Stone , Nancy	Outdoor Recreation Planner	Rivers & Trails Technical Assist. Prog	San Francisco
Williams , Susan	Grants Coordinator	EBRPD	Oakland

Bay Trail Finance Workshops Roster

<u>Name</u>	<u>Title</u>	<u>Company</u>	<u>City</u>
Alvarez , Michael	Director of Parks & Recreation	City of Benicia	Benicia
Beardsley , Dennis	Asst. General Manager	Greater Vallejo Recreation District	Vallejo
Berman , Robert		Marin Agrigultural Trust	Benicia
Besser , Irving		REBAC	Palo Alto
Britton , Craig	Land Acquisition Manager	MROSD	Mountain View
Britton , Jennifer	Park Planner	City of Sunnyvale	Sunnyvale
Carlson , Robert	Director	City of Napa Parks and Recreation Dept.	Napa
Chaplick , Joan	Outdoor Recreation Planner	National Park Service	San Francicso
Conzelman , Richard	General Manager	Greater Vallejo Recreation District	Vallejo
Costa , Steve	Director	Bay Area Partnership	Oakland
Davoran , Bill	Executive Director	Bay Institute of SF	Sauusalito
Dedrick , Kent	Research Program Specialist	State Lands Commission	Sacramento
Dempsey , Bill	California Field Representative	Nature Conservancy	San Francisco
Dorsey , Cameron	Planning Commissioner	Marin County	Sausalito
Easterbrook , Jack	Vice-President	Wells Fargo Bank	Burlingame
Esserlieu , Martha	Chair	Citizens for Open Space in Alvarado	Union City
Evanoff , Mark	Field Coordinator	People for Open Space	San Francisco
Fenton , Frank	Management Analyst	Santa Clara County Parks and Recreation	Los Gatos
Fiala , Steve	Trails Coordinator	EBRPD	Oakland
Friend , Gil	President	Global Advantage Corp	Berkeley
Fruitman , Morris	Parks Director	Solano County	Vacaville
Gee , Adam	Traffic Engineer	City of Redwood City	Redwood City
Gravanis , Ruth	Director	Mission Creek Conservancy	San Francisco
Haug , Wayne	Project Specialist	CA Dept of Parks and Recreation	Sacramento

Bay Trail Finance Workshops Roster

<u>Name</u>	<u>Title</u>	<u>Company</u>	<u>City</u>
Havlik , Neil	Executive Director	Solano Co. Farmland & Open Space Trust	Fairfield
Henshaw , Teena		Midpeninsula Regional Open Space Dist.	Sunnyvale
Hibben , Barry	President	Southern Marin Land Trust	Mill Valley
Holan , Jon	Associate Planner	City of Union City	Union City
Holmes , Marc	Asst. Program Director	Save S.F. Bay Assn	Berkeley
Hornbeck , Hulet	Principal	Hulet Hornbeck Land Negotiator	Martinez
Howell , Dennis	Park Planner	Sunnyvale Parks and Recreation Dept.	Sunnyvale
Huebsch , Nina		Hewlett Packard	Palo Alto
Ingram , Peter	Parks & Landscaping Section	Richmond Public Works Dept	Richmond
Janoff , Clifford	Director	Friends of the Urban Forest	San Francisco
Khanna , T.S.	Transportation Engineer	Contra Costa Co. Transp. Plg. Divis.	Martinez
Korman , Michael	Partner	Korman-Ng	Berkeley
Kulka , Ron	Assistant Director	Coastal Conservancy	Oakland
LaPointe , Alan	President	Friends of Wildcat Canyon	Richmond
LaRiviere , Florence	President	Citizens Comm. to Complete the Refuge	Palo Alto
Larsen , Larry		Alameda County Parks & Rec Cmssn	Piedmont
LeGrant , Matt	Planner	Oakland Planning Dept.	Oakland
Lewis , Chuck	President	EBRPD Park Advisory Committee	El Cerrito
Look , Tony	Consultant for Land Affairs	Calif St. Parks Recreational Trails Com.	Los Altos
Lyles , Glen	Shoreline Manager	City of Mountain View	Mountain View
Matarrese , Martin	Parkland Resources Supervisor	Oakland Park Services Dept.	Oakland
Mikkelsen , Tom	Assistant General Manager	E.B.R.P.D.	Oakland
Oliver , Michael	Assistant City Manager	City of San Leandro	San Leandro
Peskin , Aron	Project Associate	Trust for Public Land	San Francisco

Bay Trail Finance Workshops Roster

<u>Name</u>	<u>Title</u>	<u>Company</u>	<u>City</u>
Radigonda , Donna	Project Specialist	Ca. Dept. of Parks and Recreation	Sacramento
Rice , Barbara	Ridge Trail Director	Greenbelt Alliance	San Francisco
Rowlan , Henry	Outdoor Recreation Planner	Rivers & Trails Technical Assist. Prog	San Francisco
Rusmore , Jean		Trails Guide Author	Portola Valley
Rust , Audrey	Director	Peninsula Open Space Trust	Menlo Park
Rust , Karen	Coastal Program Devt. Analyst	Coastal Conservancy	Oakland
Ryan , James	Civil Engineer Assistant	City of Petaluma	Petaluma
Sakamoto , Wes	Superintendent of Parks	Hayward Area Rec. & Park District	Hayward
Saltzer , Susan		Santa Fe Pacific Realty Corp	San Francisco
Siri , Will	Board Member	Save SF Bay Association/Bay Institute	El Cerrito
Spangler , Nita R.	Chair	San Mateo Parks and Rec Comm.	Redwood City
Steele , Dwight	Co-Chairman	Citizens for an E. Shore State Park	Walnut Creek
Stone , Nancy	Outdoor Recreation Planner	Rivers & Trails Technical Assist. Prog	San Francisco
Swan , Christopher	Vice-President	Speedlink	Walnut Creek
Sweeny , Robin	Mayor	City of Sausalito	Sausalito
Trudeau , Dick	Parks & Recreation Consultant	Lafayette	
Vincent , Barbara		Save SF Bay Association	Richmond
Vincent , Jay		Harbor Development Citizens Advis. Com.	Richmond
Vorhaus , Michael	Director, Corporate and Fdn. Relations	UC Berkeley, Development Office	Berkeley
Weden , Don		Santa Clara Co. Advance Planning	San Jose
Wells , Ken	Project Manager	Browning Ferris Industries	San Jose
Williams , Susan	Grants Coordinator	EBRPD	Oakland
Wilson , Carl	Public Works Dept.	Solano County	Fairfield
Zentner , John	Principal	Zentner and Zentner	San Francisco

APPENDIX D

Summary of Finance Subcommittee Sessions October 27 and 28.

Members present: Irving Besser (REBAC), Karen Rust (Coastal Conservancy), Nancy Stone, (National Park Service - Rivers and Trails Conservation Assistance), Henry Rowlan (National Park Service), Janice Barbary (Trust for Public Land), Stana Hearne (Citizens for an Eastshore State Park), Martin Matarrese (Oakland Parks and Recreation Dept.), Chuck Roberts (Berkeley Parks and Recreation Dept.), Dennis Howell (City of Sunnyvale), Peter Ingram (City of Richmond), Eu Rim Chun (Senator Bill Lockyer's Office, John Steere, Susan Phillips (ABAG).

1. Review of Regional Trail Case Studies and Financing Workshops

The Bay Trail Financing Subcommittee met on Thursday evening, October 27 and Friday morning, October 28. John Steere opened the meetings with a highlighting of the four regional trail case studies as to their potential lessons for the Bay Trail. These trails included the Washington and Old Dominion (W&OD) Trail; the Yakima Greenway (in Washington State); the Willamette River Greenway and the American River Parkway. Each provides some useful lessons for planning of the Bay Trail. The Yakima and American River examples are both extensive trail projects that are largely supported by foundations established to provide forums for citizen advocacy and to raise revenues for trail development and maintenance. The Willamette Greenway was particularly notable for the Greenway planning coordinating role played by Oregon's Land Conservation and Development Commission, which has set acquisition targets and design compliance standards. The W&OD Trail is overseen by a multi-jurisdictional park authority, and its operating costs are met by fiber optics licensing fees for underground easements. Property rentals to businesses and homeowners are also a source of income for maintenance costs.

Results of the financing workshops were then summarized. See the "Workshop Summary" memorandum included in this package for further details.

2. Evaluating the Implementation Strategies

The subcommittee members were asked to identify and relate the potential roles of organizations to the implementation phases of the Bay Trail. Members present at both sessions were in general agreement about the appropriate roles for the identified organizations as implementation vehicles; in fact, each session reached similar conclusions independently. What follows is a synopsis of the subcommittees' implementation strategy discussions; the recommendations made by participants refer to the values identified in the attached implementation strategy matrix.

2.1 The Roles of Governmental Agencies in the Implementation of the Bay Trail

Those present at the October 27 meeting envisioned the roles of **cities** and **counties** as largely focused in the maintenance and patrolling end of the implementation scenario. They would be important players in acquisition and development when exactions or dedications are involved. In fact, a principle role identified for cities and counties was to determine where they could use dedications for the securing of the Bay Trail easement. Other areas of preferred involvement identified included: 1) incorporating the Bay Trail into the local planning process through general plan amendments; 2) providing technical and planning assistance for particular segments of the Bay Trail; and 3) distributing maps and/or brochures for promoting the trail in their locality. Participants at both meetings noted two limiting factors for cities and counties that call for outside involvement or "pressure," i.e. local government avoidance of controversial projects and their traditional lack of coordinating plans and policies with other localities and to consistently communicate their intentions with them. At the same time, it was indicated that cities would need a clear direction to proceed with implementation. These limitations underscore the compensatory role of a third party, an advocacy organization like a Bay Trail Fund. It was further noted that cities and counties planning role would likely be limited to local implementation largely via their bicycle and trail plans, some of which already accommodate the Bay Trail and others that would require amendments.

Participants suggested that local government initiative in developing the trail would be improved by a "pooling of resources and expertise." Without this, cities would have to independently contract out the planning and construction of their trail segments, at great duplication of effort and unnecessary expense. In order to prevent this and to "reduce the learning curve," members urged that existing regional organizations and agencies (that might include BCDC and the Coastal Conservancy) be tapped to provide technical assistance, contract and design standards, and grant coordination.

Members remarked that the State's role in implementation depends on the agencies involved. BCDC and the Coastal Conservancy can serve in a planning and limited coordination capacity as technical support organizations to local jurisdictions. State Parks and Recreation, like the State legislature would play a major role in funding (e.g. issuing grants). Caltrans could only be looked to for trail development support for segments associated with their transportation improvement projects. Members felt that state laws and the courts will influence implementation as well.

Subcommittee members remarked that existing **Open Space and Park Districts (OSPDs)** like EBRPD would be important players in all phases of trail implementation, so long as the segments under consideration were within or adjoining their established boundaries. Regional coordination remains an important consideration at all levels. OSPDs would be lead in development and acquisition, but were seen as slightly less favorable for operations and patrolling functions relative to local governments. Participants ruled out the viability of creating a "Bay Trail Open Space District" to control the entire Bay Trail system, due to: 1) the multiplicity of jurisdictions and private land owners which already operate segments of the trail; and 2) the diverse nature of the trail system, which includes bike lanes as well as separate trails.

2.2 The Bay Trail "Fund" as an Implementation Vehicle

Members were in consensus that a Bay Trail "Trust" or Fund would be ideally suited for advocacy, community outreach and attracting short term financing for acquisition and development. The name of a Bay Trail "Trust" may need to be modified, members agreed, to a "fund" or "Friends of the Bay Trail," since the "trust" concept implies a more passive entity that engages in land conservation rather than an advocacy organization that assists in the funding and development of a recreational corridor. Its role as a third party to assist in coordinating individual city plans and in resolving stalemates was also stressed by participants. While all felt that a new non-profit vehicle was needed to focus on the Bay Trail, existing organizations should be tapped for their expertise and support. Folding the functions of a Bay Trail Fund into an existing organization however, was generally seen as inappropriate, since their own purposes and agendas would likely supersede that of the trust's primary charge of funding the implementing of the Bay Trail and coordinating existing organizations around this task.

The Bay Trail Fund was regarded as an excellent source for financing small trail segments and other short term improvements, while local government agencies were seen as being in a better position to provide long term funding (particularly for trail maintenance).

Participants recognized that the variety of political and geographic conditions called for a varied implementation strategy. The absence of a single solution for trail implementation requires that there be significant coordination not only among municipalities but among the other support organizations. Many members felt that a "quasi-governmental" body like a "Bay Trail Management Authority" might be in a better position to coordinate agency and city plans than would a non-profit organization. The key question then is the terms of the relationship between such a management authority (described below) and a Bay Trail Fund.

The fund was not perceived as the organization best suited to carry out the maintenance and patrolling functions of the trail. It could contract these out or set up a "rent a ranger" program, but members were generally agreed that the OSDs and cities were the more logical administrators. The suggestion was made to promote private sector involvement in maintenance or development through the Bay Trail Fund sponsoring an "adopt a trail" program, which would be largely applied to segments of the Bay Trail adjacent or on corporate property.

2.3 The Perceived Need for a "Management Authority"

A number of participants echoed the suggestion first made at the East Bay Financing Workshop, that a Bay Trail "Management Authority" be established through an MOU. This would be a multi-governmental regional trail coalition and would serve as the trail standard setter, the principle coordinator of agency planning and policy making and the clearinghouse for identifying where funds are available. It would have minimal staffing requirements; it would be governed by a board composed of a various local and agency representatives. Members pointed to the Regional Planning Committee (RPC) of ABAG as a logical basis for the board of directors -- constituted of local government representation from the nine counties, adding one representative from each applicable state or federal agency, and lead environmental organizations. It was proposed that the RPC's charge could be extended to include those of the recommended management "authority "

A Bay Trail maintenance fund was posed as a possible long term solution for meeting operational costs, particularly when management agencies are unable to assume additional responsibilities. A state-seeded revolving fund was offered as one means to initiate it, but there was little time remaining for discussion of this proposal. Where and how the funds would be generated and distributed are important topics for further discussion.

October 26, 1988

To: Bay Trail Finance Subcommittee and Focus Groups
From: John Steere, Bay Trail Project Analyst

**Subject: Summary of Bay Trail Financing Workshops for the
East, North and South Bay Focus Groups**

October 18 - 20 1988

The following represents highlights of the issues discussed at each of the financing workshops.

A. East Bay (October 18)

1. Many participants advocated the creation of a Bay Trail Management "Authority" to administer the building and maintenance of the trail. This was defined as a cooperative agreement among all affected jurisdictions with duties spelled out through an MOU (memorandum of understanding), for the purpose of: a) fostering cooperation among existing levels of government; b) pooling expertise in funding and operating of the trail; and c) implementing and managing planned segments of the trail if the corresponding cities or special districts were unable. This last role could be achieved through "mutual aid" agreements among neighboring jurisdictions. Example: Tijuana River National Estuarine Research Reserve Management Authority.
2. There was consensus that implementation vehicles should be flexible, responsive, and be able to easily harness financing tools that involve public/private/non-profit partnerships. There was strong support for the concept of a Bay Trail Trust.
3. The question was raised as to whether to form a new trust or use existing trusts. Two participants suggested that it might be more desirable to "keep it simple" by adding Bay Trail acquisition and development to existing trusts' project lists.
4. Implementation and fundraising would be facilitated if more of the trail could be made class I. This would ensure a better identity and "imageability" for the trail as well.

B. North Bay (October 19)

1. Participants felt that there was no one implementation vehicle that would be most appropriate for every circumstance. Applications would vary from subregion to subregion. They pointed out that in the East Bay the EBRPD would be the most logical means, while in the Bay much of the trail might be best implemented through a trust.
2. The principle question was which of the proposed means would best "complete the gaps" in the proposed trail system. The trust concept was preferred as a vehicle to either a joint powers authority (JPA) or interjurisdictional cooperation (IC). A JPA was seen as being too plodding and having too much control while an IC was not thought to be strong or binding enough to guarantee timely completion of the trail. A trust was especially appreciated for its flexibility, its ability to serve as a unifying principle and to act quickly and in the capacity of an intermediary between property owners, developers and governmental bodies.
3. The trust concept was seen as best applied to acquisition and development phases of the project. In these phases it would allow for greater innovation and creativity in pursuit of the goals of the trail plan than could corresponding governments and special districts. The trust was also desirable because of its capacity to receive private donations that would not be available to cities.
4. Several participants noted that a trust could evolve to take on management functions of the trail system through contracting out maintenance and/or patrolling to appropriate outside labor pools (e.g., the California Conservation Corps).
5. Participants indicated that a trust or JPA could use any of the financing tools with the exception of the regulatory ones.

C. South Bay (October 20)

1. It was noted that implementation should be divided into at least two distinct phases of acquisition/development and ongoing operation. This distinction was also seen as important to the determination of the most suitable vehicle(s) for implementation. Participants pointed out that funding for trail acquisition and construction would not be available without operation mechanisms and responsibilities in place.
2. Again, a Bay Trail Trust was seen as the most desirable vehicle, capable of tapping individual initiative and attracting greater private sector participation and "partnerships." However, before the non-profit gets underway, the trail's potential operating agencies need to be identified and willing to accept responsibility for trail maintenance (see #1, above).
3. Members agreed that a Bay Trail trust or fund could raise revenues for maintenance and contract out the work; however, this might prove difficult since the public perceive the "management functions" as governmental responsibilities. The Yakima Greenway in Washington, for instance, does all fundraising and contracts for maintenance through its foundation, but the foundation is finding it far harder to raise funds for operation than for trail development.
4. Participants liked the idea of calling the trust or non-profit group the "Friends of the Bay Trail" so it could be more easily recognized for its important advocacy and coordination role. Advocacy was seen as a critical charge for the organization, since a principle hurdle is anticipated to be reluctance of some cities to join in the implementation effort. It would also help in maintaining the regional visibility of the trail during its development phases. Participants added that local lobbying by the trust should also include advocating that cities amend their general plans to include the Bay Trail.
5. A JPA was seen as both more formal and difficult to establish. Participants indicated that most cities wouldn't buy into a regional authority, particularly since it would likely mean giving up some power to another governmental body. The perceived threat of a JPA to local control would only be diminished if the JPA's role was closely defined and if its sources of funding were independent of the participating localities'.
6. No master administering organization was seen as needed, since certain cities and districts will implement trail on their own; a new open space district or JPA would be perceived as interfering with local initiative. Also, implementation will take place segment by segment.
7. The trust could also serve as the coordinating and monitoring organization, particularly for the management agreements and ad hoc interjurisdictional coordination that would likely occur in the trail segments being built between jurisdictions, (as in the Alviso vicinity in the South Bay).
8. Prop 70 "Special District" grants could potentially be tapped by Santa Clara Water District for trail sections on the Guadalupe River and Coyote Creek, if it were indemnified and willing to enter into a cooperative agreement with the managing jurisdictions (e.g the City of San Jose).
9. Participants indicated that a trust was crucial in implementing the Bay Trail Plan. They urged ABAG to play a principle role in establishing the trust and in providing it at the least with technical support, as it was seen as the most logical organization to sponsor the trust.

