

**Update Citizen's Advisory Committee (UCAC)  
"Outstanding Issues Memo"**

**Documentation of Some UCAC Members' Significant Outstanding Issues  
For the 2006 American River Parkway Plan Update  
Draft May 17, 2006**

In the course of the 2006 Update of the American River Parkway Plan, the UCAC has almost always been able to reach consensus on their recommendations. However, there have been seven significant issues which the UCAC considered carefully, but upon which strong and diverse opinions remain. We are using the term "outstanding issues" as a short-hand for this concept: that the UCAC's dialogue on a topic, and the UCAC's resulting recommendation (or lack thereof) regarding that topic in the update of the Parkway Plan, did not fully resolve an issue of significant concern to some of its members.

The purpose of this memo is to document those outstanding issues and provide a summary of the interests and concerns on all sides. This type of documentation is common in consensus-building processes and is provided for in the UCAC Charter.

This memo serves two main audiences: 1) For those UCAC members who did not fully agree with where the group landed on an issue they care deeply about, this memo ensures that their perspectives are captured and honored, in the context of the full discussion. 2) For those observing the UCAC, and especially for the sponsoring agencies who could be asked to consider some of these outstanding issues in the future, this memo provides a neutral summary of what occurred during the UCAC process.

The seven outstanding issues detailed below are, in no particular order:

1. Prioritizing Parkway goals
2. Revising language describing "Passive, unstructured, water-enhanced recreation...not available elsewhere."
3. Creating an off-leash dog recreation area
4. Putting an upper limit on the allowable size of an interpretive center in Discovery Park.
5. Eliminating policy guidance on bridge crossings over the American River that do not directly serve the Parkway.
6. Prohibiting new restaurants/cafes/commercial kitchens in the Parkway.
7. Allowing consideration of the Woodlake river's edge trail, at the Parkway Manager's discretion, for off-paved-trail cycling.

**1. Prioritizing Parkway goals:**

The 1985 Parkway Plan list five goals:

- To provide, protect and enhance for public use a continuous open space greenbelt along the American River [...]

- To provide appropriate access and facilities so that present and future generations can enjoy the amenities and resources of the Parkway [...]
- To preserve, protect, interpret and improve the natural, archaeological, historical and recreation resources of the Parkway [...]
- To mitigate adverse effects of activities and facilities adjacent to the Parkway [...]
- To provide public safety and protection within and adjacent to the Parkway [...]

The 1985 Plan does not explicitly prioritize among these goals, and offers guidance for a balanced management approach in the Parkway Concept, which is summarized in the Plan as follows: “The American River Parkway...shall be managed to balance the goals of a) preserving naturalistic open space and protecting environmental quality within the urban environment and b) contributing to the provision of recreational opportunity in the Sacramento area.”

During discussion of Chapter 1 of the Parkway Plan, UCAC member Frank Cirill proposed new language on behalf of the Save the American River Association (SARA) that would prioritize among the Plan’s goals. Frank’s suggested language was “The primary goal is to preserve the Parkway as a perpetual open space greenbelt; secondary goal is to permit and encourage human uses of the Parkway which do not conflict with the Primary Goal that protects these natural values. Whenever there is a conflict in determining appropriate uses of the Parkway, the Primary Goal shall prevail”.

UCAC members had a robust discussion regarding creating priorities among Parkway goals. Some supported Frank’s proposal, while others critiqued the language, which they thought could be interpreted to disallow any given human use. Several UCAC members did not want to introduce any language that might be used to limit or deny what they considered to be appropriate recreational uses of the Parkway. Several members commented on other goals that could possibly be considered to be primary, e.g. flood control. Others expressed that while they thought it was a good idea in theory to have a prioritization, they doubted it was possible to do so in a way to give meaningful direction to staff in a management plan. The UCAC did not reach agreement on any prioritization of goals and instead directed staff to describe a need for balanced management of environmental protection and restoration, recreation, flood management and public safety of the Parkway. Staff incorporated this direction in revised policies 1.1 through 1.4 in the Updated Plan.

Although the UCAC directed staff to continue the status quo of balanced management from the 1985 Parkway Plan, the concept of a primary vs. secondary goal has continued to surface periodically at Update Committee meetings in the comments of UCAC members, and it has also been raised by members of the public.

## **2. Revising recreation language in Parkway Concept Policy 1.2**

The 1985 Parkway Plan includes in Parkway Concept policy 1.2, “The Parkway shall be oriented to passive, unstructured, water-enhanced recreation activities which are appropriate in a natural environment, and which are not normally provided by other

County recreational facilities.” County Parks staff informed the UCAC that this language is one key element of their determination of whether a proposed activity or facility is appropriate in the American River Parkway.

During the discussion of Chapter 1, some UCAC members expressed concern that the terms “passive” and “unstructured” were not accurate descriptions of some current Parkway activities, and therefore were not useful as guidance for future proposed activities. Members gave equestrian use, bicycling and boating as examples of currently allowed uses which they thought might not qualify as passive or unstructured. Some members suggested striking this language, or revising it to more accurately reflect current practice. Some members expressed an interest in ensuring that new recreational activities similar to currently allowable activities were not judged to be inappropriate based on application of the “passive, unstructured” criteria. Other members felt that this language had served the Parkway manager well in the past and should not be changed. Staff informed the UCAC that the experience of the County Parks Department to date is that the language of the 1985 Parkway Plan has been helpful.

UCAC members were not able to reach agreement on revising this language, but requested that staff review the language and attempt to draft an improved version that better reflects current practice. Subsequent staff research on this issue found that “passive” recreation is a commonly used term in the world of parks and recreation, and that it is typically used to characterize the types of recreation that currently are allowed in the Parkway, such as bicycling and horseback riding. For example, the US Environmental Protection Agency defines passive recreation as follows:

- **Passive recreation** refers to recreational activities that do not require prepared facilities like sports fields or pavilions. Passive recreational activities place minimal stress on a site’s resources; as a result, they can provide ecosystem service benefits and are highly compatible with natural resource protection. (Note: Examples accompanying this text include bicycling, running/jogging, and horseback riding). Source: U.S. Environmental Protection Agency
- The following broad goal and policy statements were developed to guide **passive recreation** management for the North Boulder Valley:
  - Manage and preserve land for passive recreation use, its aesthetic or passive recreational value, and its contribution to the quality of life of the community.

Other sources consulted by staff include the City of Boulder Open Space and Mountain Parks Department, the City of San Luis Obispo, and California State Parks. Although there are differences between representative examples of passive activities defined by these jurisdictions, the general theme remains somewhat constant. The relative descriptions of passive recreation remained representative of current practice in the Parkway.

After considering this question and their research results, staff do not have any suggested language that they feel would be better than “passive, unstructured” to describe desirable recreational uses in the Parkway. This outcome preserves the status quo and does not change the language from the 1985 Parkway Plan. For various reasons, including a desire for accuracy as well as a perception that these criteria might be unfairly applied, some UCAC members continue to take issue with the “passive, unstructured” phrase.

### **3. Off-leash dog recreation area**

Recreating with a dog off-leash is currently prohibited in all County parks by County ordinance. If off-leash dog recreation (OLDR) were to be permitted in the American River Parkway, a suitable area would need to be identified and an exception made to that area of the Parkway in the County ordinance prohibiting dogs off-leash.

The issue of OLDR was explored as a potential recreational component of updated area plans in Discovery Park, Woodlake, and Cal Expo as part of the Integrated Area Planning (IAP) process. After considerable discussion of this issue among the UCAC as described below, the UCAC recommended against modifying the 1985 Parkway Plan to include an OLDR area in the Discovery Park, Cal Expo, or Woodlake areas of the Parkway (the Integrated Area Planning Area). The UCAC did not prioritize or conduct any further discussion of OLDR in the Parkway, and made no further recommendations regarding OLDR. This outcome maintains the status quo in the Parkway: no area of the Parkway is recommended to be exempt from County ordinance prohibiting dogs off-leash. There remains a division of opinion between those members who find the idea of OLDR in the Parkway clearly inappropriate, and those who think it could, and should, be made to work.

During the Integrated Area Planning process, SacDog proposed to the UCAC the type of OLDR they would like to see in the Parkway. They favored either 1) a moderate to large (25+ acres) fenced area with water access, or 2) a defined but unconfined open area with access to trails and water. SacDog was clear that they are not seeking a 1-2 acre fenced dog park in the Parkway similar to existing City OLD parks. They stressed that any OLDR area should be thoughtfully designed, have policies and guidelines closely patterned after other successful OLDR areas, protect sensitive habitat areas, and would be policed by responsible dog owners. Trainings, user guidelines, and peer monitoring would also aid in managing the use and reduce possible conflicts. They offered examples of successful OLDR areas in other jurisdictions, such as East Bay Regional Parks. A long-time staff member from East Bay Regional Parks (EBRP) District informed the UCAC that in his opinion and experience, OLDR worked well as a component of EBRP’s highly valued multi-use recreational trail system, and posed little management burden.

At the heart of SacDog’s request is a desire by some Sacramento dog owners to be able to legally hike a distance (preferably in an area with an accessible water feature) in their local area with their dogs off-leash. Benefits anticipated by SacDog of including OLDR in the Parkway included: 1) Provide a needed type of recreation that currently does not

exist in other County Parks facilities (large OLD hiking area with water access); 2) Parkway stewardship by responsible dog owners; 3) Inclusion of OLDs and their owners in enjoyment of the Parkway, ending the current practice of excluding OLD recreationists, which SacDog considers discriminatory; 4) Increase utilization of appropriate and potentially under-utilized area of the Parkway; and 5) Revenue increase (e.g. parking fees, potential license fees).

Dialogue on this issue also included input from community workshops where attendees were divided between those who conveyed strong support for off-leash recreation and those who were concerned with potential impacts to wildlife and the safety of other Parkway users. Some community members recounted personal experiences of successful OLDR in other jurisdictions and the benefits to both dogs and humans, such as the health and enjoyment benefits to dog owners of getting out and hiking, and the connection between proper exercise and a dog's good behavior. Others gave firsthand or secondhand accounts of off-leash dog misbehavior such as running in front of bicycles, harming wildlife, and scaring humans. Some attendees expressed fear that not all dog owners would be responsible, and some doubted that dog training could overcome dog instincts. At the second IAP community workshop, attendees were asked to rate the idea of allowing some form of OLD use in the IAP area on a scale of 1-5 where 1= don't include, 3 = worth considering, and 5 =definitely include. The five public discussion groups rated the issue 3, 5, 4, 1 and 5 respectively, for an average ranking of 3.6.

Additionally, the Project Management Team (PMT) presented an analysis memo with its thinking on OLD to the UCAC. They acknowledged the need for an off-leash dog area to serve the needs of residents in the Sacramento region; however they judged the Integrated Area Planning (IAP) area to be an inappropriate location. The primary concerns of the PMT were: 1) impact to expensive, sensitive restoration projects planned for Woodlake and Cal Expo, as well as potential harassment or harm to wildlife, and 2) concerns about the feasibility of creating a confined area within the floodway in the levee-confined portion of the Parkway, as any barrier that would restrict dogs would also impede flood flows. The PMT also considered voice control unreliable for stopping aggressive behavior, which they felt could lead to safety risks and conflicts with other Parkway users. They also noted that off-leash dog recreation could deter Parkway users who are not inclined to share space with dogs that are off-leash, and this would be inconsistent with overall goal to activate additional recreational use in the IAP area. Parkway management also expressed concern with the cost and logistics of establishing and managing an OLD area.

At the June 27, 2005 UCAC meeting, the Committee gave clear direction (2/3 or 12 of 18 members present) that they did not want to allow off-leash dog use in the IAP area, for a number of reasons including doubts about voice control, concerns about Parkway user comfort and safety, concerns about habitat and wildlife, and the difficulties of putting fencing in the floodway. However, no poll was taken on the question of off-leash dogs outside the IAP area, and the UCAC chose not to prioritize OLDR as an issue for discussion in areas outside of the IAP. The majority of UCAC members agreed with the statement that there is a need for a facility and support finding a suitable location outside

the Parkway. Several UCAC members expressed their hope that the County would move quickly to support the needs for off-leash recreation outside of the Parkway.

#### **4. Discovery Park interpretive center square footage**

The idea of recommending a new interpretive center in Discovery Park was explored during the Integrated Area Planning (IAP) process. After much discussion as described below, the UCAC approved the idea of an interpretive center in Discovery Park, but did not agree to include an associated policy limiting the size of an interpretive building. This silence on the issue of appropriate size of an interpretive center is deeply troubling to several UCAC members.

The UCAC received several presentations in 2005 on the potential to build the California Indian Heritage Center within the Parkway, and also discussed the idea of an interpretive center more generally. On August 15, 2005, after discussion which seemed to indicate that the UCAC favored a recommendation to include a “generic” interpretive center in the updated area plan for Discovery Park, a poll was taken, and no UCAC members present opposed the idea of designating an interpretive center in Discovery Park. Members were particularly attracted to the potential for such a center to benefit underserved populations in the urban core, e.g. school children who would not be visiting the Parkway’s other interpretive center, the Effie Yeaw Nature Center.

Through additional polling that night, staff received direction that the UCAC felt that the Riverdale Resort and Mobile Home Park, currently a private in-holding in the Parkway, was an appropriate site for the new interpretive center, should it be acquired into the Parkway. The UCAC approved the following language as an interim agreement: “We will entertain a design for an interpretive center that would be within the current Riverdale footprint of 4 acres and within total building square footage that is taken up by the current mobile home park. We will revisit this issue before the committee sunsets.”

On January 24, 2006 the UCAC reviewed a draft policy in the Discovery Park area plan that would have limited the total floor space of an interpretive center building to no more than 32,000 square feet of floorspace. This draft policy was proposed by staff based on a Project Management Team suggestion to specify a number based on the existing square footage of all allowable mobile homes at Riverdale; the PMT members who offered this suggestion viewed it as a useful clarification consistent with the UCAC’s earlier direction.

UCAC members had a spirited dialogue on the draft policy to set an upper limit of 32,000 square feet of floorspace on a new interpretive center in Discovery Park. Some members were concerned that this number was too large. They feared a building of this size would be aesthetically inappropriate in the Parkway, especially since it would need to be elevated above the height of the levee to avoid flooding. They also feared that such a large center, along with the necessary parking and volume of visitor traffic, would create

unacceptable impacts to environmental values. Some of these members preferred a size limit closer to the size of the Effie Yeaw Nature Center, which is approximately 10,000 square feet. Other members preferred not to specify any size limit. They feared that imposing a size limit could potentially “kill a deal” to bring an interpretive center to Discovery Park, and they also did not want to set limits on the creative imagination of planners and architects trying to design a facility that would meet many needs, including those of the Parkway. Some of these members preferred to craft policy language describing the type of facility they would like to see, then leave it to the subsequent public planning process and the Board of Supervisors to determine whether any proposed building was appropriate for the Parkway, consistent with all of the Parkway Plan policies. Alternative suggestions were floated, including a proposal to require that all interpretive activity associated with the interpretive center, including parking and trails, be no more than 4 acres of footprint.

Polling confirmed that the UCAC had no agreement on the issue of specifying a maximum size for a new interpretive center in Discovery Park; however, a slim majority of those present preferred to eliminate any size limitation from the draft policies. In conclusion, staff affirmed that the UCAC has no recommendation on a size limitation for the interpretive center in Discovery Park.

#### **5. Policy guidance on bridge crossings over the American River that do not directly serve the Parkway**

The UCAC’s discussion of bridge crossings over the American River Parkway has been complex and controversial, especially when contemplating the possibility of new automobile bridges. At one point, the UCAC was considering recommending a ban on all new crossings of the river, beyond those approved by the UCAC during the Update. The Update Project Management Team (PMT) informed the UCAC that it could not support a prohibition on new bridge crossings in the Parkway Plan, and instead suggested that it would be helpful if the UCAC recommended guidelines for consideration of Parkway interests when new bridges are considered in the future.

At the April 17, 2006 UCAC meeting, UCAC member Al Freitas recommended that the Parkway Plan should not have policies related to bridges that cross over the river but do not directly serve the Parkway. In his view, the Parkway Plan should not be the venue to establish County transportation policy, therefore it should only have policies for bridges that provide direct access to recreation activities in the Parkway. By “being silent” about other bridges, Al felt the Parkway Plan would not be endorsing or opposing them, and the Parkway Plan would be divorced from transportation planning.

Planning staff recommended against this approach, and instead supported the PMT suggestion that the Parkway Plan should give guidance for future bridge crossings. After much discussion, polling determined that ten UCAC members preferred to include policy guidance on future bridge crossings, regardless of whether these serve the Parkway directly; three UCAC members preferred that the Plan “be silent” on such crossings; and

one member abstained. The UCAC approved the following policies that may apply to future bridge crossings that have no direct connection to the Parkway:

- 8.17 If new bridge crossings are constructed, they shall be designed and located in such a manner as to result in the least negative impact to the Parkway environment, aesthetic values, and natural resources. Bridge crossings should be located within developed recreation or limited recreation areas.
- 8.18 Bridge crossings should incorporate river themes and the Parkway context into its design and use muted, earth toned colors.
- 8.19 If new automobile bridges are considered, expanding existing bridge capacity is preferred to constructing new bridges. If after careful study of all other alternatives, another crossing is required, a map amendment to the locally-adopted area plan shall be required.
- 8.20 If new automobile bridges are to be constructed over the American River or existing automobile bridges enlarged, these facilities should provide a path for bicycles and pedestrians that is separated from vehicle lanes and include viewing platforms where appropriate.

## **6. Restaurants / cafes / commercial kitchens in the Parkway**

On February 28, 2006, the UCAC considered a policy to allow food and beverage sales within the Parkway from mobile day-use units in fixed locations in association with a special event, or as an auxiliary component to permitted recreational or interpretive / educational facilities. No members objected to having a policy to allow the type of food and beverage sales that have traditionally occurred on the Parkway in association with special events. However, some members had concerns about allowing food and beverage sales as an auxiliary component to permitted facilities. In particular, some members wanted a policy to specifically ban new restaurants or cafes, keeping the club house in Ancil Hoffman Park as a recognized exception which was not proposed for removal.

The UCAC debated the idea of banning new restaurants or cafes from the Parkway. Some members argued that new sit-down restaurants or cafes were a clearly inappropriate commercial use of the Parkway. Staff clarified that the policy would only allow the sale of food and beverages as a secondary component to a permitted facility or event in order to support that use; it would not allow new restaurants or cafes that were stand-alone attractions. Committee members discussed whether it would be useful to make a distinction between the sale of pre-packaged foods and foods prepared on-site as in a commercial kitchen; however, they were unable to agree upon any such language. Points raised during the discussion of pre-packaged vs. freshly prepared foods included the fact that packaged foods generate trash, some people did not want to prevent the sale of fresh, healthy foods, and barbecues traditionally occur in association with special events.

Some members commented that they would like to preserve the possibility that there could be a café or other food sales associated with interpretive center such as Effie Yeaw or a new interpretive center in Discovery Park, and suggested that any such decision should be left to the Board of Supervisors.

An initial poll determined that nine UCAC members supported banning new restaurants, cafes, and commercial kitchens, while 4 did not. One UCAC member who had abstained during the poll requested during the meeting break to be added to those supporting a ban, and one of the members who had polled as “do not support a ban” changed to abstaining due to a potential conflict of interest. The final poll numbers were: 10 supported a ban on restaurants, cafes, and commercial kitchens, 3 did not, and 1 abstained. According to the UCAC Charter, 10 members is not enough support to approve a recommendation by vote or consensus; therefore no such policy banning new restaurants or cafes has been recommended by the UCAC or included in the final draft of the updated Parkway Plan.

In sum, it is clear that no UCAC member would support bringing a commercial franchise restaurant into the Parkway, and stakeholders do not support bringing in a restaurant that would draw patrons simply for the purpose of enjoying the restaurant (not the Parkway). Where members differ is a question of scale. Members who are primarily concerned with maintaining the naturalistic feel of the Parkway would not like to see any new café or restaurant, even in association with an approved recreational or educational / interpretive use, although they would be open to some type of food and beverage sale to support permitted facilities and uses. Members who look more favorably upon built recreational and educational amenities in the Parkway take less issue with the idea of a café or restaurant, provided that it is an auxiliary component to an approved use and the design of any such facility is approved by the Board of Supervisors through a public process.

## **7. Allowing consideration of the Woodlake river’s edge trail for off-paved-trail cycling**

On December 6, 2005, the UCAC approved by a vote of 16 to 4 that off-paved-trail cycling should be permitted on designated maintenance and emergency roadways at the discretion of the Parkway manager for a trial period in the Woodlake and Cal Expo areas. Any such use would be required to be consistent with certain conditions as outlined in policy 5.17 in the final draft of the updated Parkway Plan.

The UCAC discussed which trails might be appropriate for off-paved-trail cycling in the Woodlake and Cal Expo areas during the Integrated Area Planning (IAP) process. At that time, consultants to the committee recommended designating trails as wide or narrow multi-use trails. Several committee members expressed concern that narrow trails would be inappropriate for cycling due to potential user conflicts, limited lines of sight, and potential for erosion or other habitat degradation. Other members countered that narrow or “single-track” trails with appropriate user guidelines and signage were successfully used as multi-use trails in other parks, and that the County would have the ability to monitor and close any trail if there were a problem.

In particular, some members wanted to leave open the possibility that the riverside trail in Woodlake, initially shown on the map as a narrow trail, could be considered by the Parkway Manager for inclusion in the off-paved-trail cycling trial period. This trail, they pointed out, is very attractive and would be appreciated by cyclists. Other UCAC members wanted to designate this trail as pedestrian only, due to its habitat value and proximity to the river. This trail varies in width along its length and is not clearly wide or narrow; consultants from MIG who assisted with the IAP process proposed narrowing this trail in the places where it is wider and making it a pedestrian-only trail.

Although the UCAC never polled on this issue, staff initially recommended that this trail not be open for consideration by the Parkway Manager for off-paved-trail cycling, and staff have received no clear recommendation from the UCAC to change this determination. Therefore, this memo documents staff's recommendation, based on staff expertise as well as UCAC discussion, that the Woodlake riverside trail NOT be considered for off-paved-trail cycling. This memo acknowledges that there are several UCAC members who disagree with this recommendation and prefer that the decision on whether or not to open this trail to cycling be left to the discretion of the Parkway Manager.

Capturing the results of this discussion on the Parkway Plan maps has been somewhat problematic. Staff are no longer using the wide vs. narrow multi-use trail distinction in the Parkway Plan, because the UCAC directed staff to instead label the trails by permitted use (e.g. equestrian / pedestrian), and because in staff's judgment there is no simple and direct link between trail width and that trail's appropriate use. In this Plan, any maintenance and emergency roadway in the Woodlake and Cal Expo areas may be considered by the Parkway Manager for designation as appropriate for the off-paved-trail cycling trial period. It should be noted that the Woodlake riverside trail is currently designated on the map as a maintenance and emergency roadway, even though the recommendation going forward is that this should be a pedestrian trail. This trail is not marked in the Plan as pedestrian because doing so could potentially imply requirements under the Americans with Disabilities Act (ADA) guidelines for pedestrian trails, which this trail would not be able to meet. It is intended that this memo will clarify for the Parkway Manager that the Woodlake riverside trail was not judged through the Update process to be appropriate for off-paved-trail cycling.