



City Manager's Office

September 20, 2024

To: Honorable Mayor and Members of the City Council  
From: Paul Buddenhagen, City Manager  
Re: Information About Burrowing Owl Area in Cesar Chavez Park

This document provides brief background information about the Burrowing Owl Area in Cesar Chavez Park and addresses recent Cesar Chavez Park user concerns that the existing art installation/barrier established in 2011 is insufficient to keep dogs from accessing the area.

Western burrowing owls have been designated a “species of special concern” by the State of California with their population declining for reasons that include loss of habitat. Starting in the 1990s, local residents reported seeing many Burrowing Owls in Cesar Chavez Park area. Spurred by concern from Golden Gate Audubon members about their protection, the City erected temporary fencing in 2009 to keep dogs and people out of the owls’ preferred roosting area along the rip-rapped eastern shore of Cesar Chavez Park. Additionally, in 2009 the City started a thorough public process that included the general public, Civic Arts, Golden Gate Audubon Society (GGA) and Burrowing Owl biologists to erect an art installation at the northeast corner of Cesar Chavez Park that would replace the temporary fencing.

In 2010, the City entered into a contract with Reed Madden Designs to design and install this existing art installation after consideration of many perspectives. On July 14, 2011 the City dedicated the Opening Circle installation that serves as a boundary during months when the owls are in residence, which is typically from October to April. In 2022, the City entered into another contract with Reed Madden Designs to do minor upgrades and maintenance to the art installation.

Since the Burrowing Owl Area was established, the GGA has provided the City with information on how to maintain this area and when to annually install and remove the fencing/art installation. Volunteer docents from the Golden Gate Bird Alliance (known as the Golden Gate Audubon Society until 2023) are in Cesar Chavez Park on most weekends and on some weekdays. City staff continues to follow GGA recommendations each year. GGA staff and members have confirmed many times over the years that they do not want to see changes to this area. Staff have reached out to GGA in the last week to confirm what they have confirmed many times before: that they are not in favor of raising height, modifying the existing fencing, or adding additional snow fencing in the vicinity because it would be more detrimental than beneficial to the burrowing owls.

Over the last few years many park users have expressed their concern that the art installation/fence needs to be larger or more robust. Some concerned parks users have put up their own temporary fence and signage in this area. City staff have removed their installations and continue to decline these requests for the safety of the owls as additional and more substantial fencing can provide opportunities for predators to perch above and prey upon Burrowing Owls nesting in the ground.

Dogs are required to be on leash in Cesar Chavez Park, except in the Off-Lease Area (OLA). The OLA is approximately 315-460 feet from the Burrowing Owl Area, depending on where you measure from (see Attachment 1). The OLA and the Burrowing Owl area are separated by a fence that borders the OLA, the Natural Protected Area (NPA) and the perimeter path. While dogs are allowed on leash on the perimeter path, neither dogs nor humans are allowed in the NPA. There is signage requiring dogs on leash on the perimeter path and signage bordering the path and NPA stating that no dogs or people are allowed. Further, detailed maps exist at the entrances to Cesar Chavez Park (see Attachment 2) and the OLA that explain where dogs are or are not allowed. The sign at the OLA specifies that dogs should not be allowed to interfere with wildlife under any circumstance (see Attachment 3).

Attachments:

- 1 – Waterfront Map
- 2 – Cesar Chavez Park Entrance Signage and Map
- 3 – Off Leash Area Signage

cc: LaTanya Bellow, Deputy City Manager  
Anne Cardwell, Deputy City Manager  
Scott Ferris, Director, Parks, Recreation & Waterfront  
Farimah Brown, City Attorney  
Jenny Wong, City Auditor  
Mark Numainville, City Clerk  
Matthai Chakko, Assistant to the City Manager



Chávez Memorial Solar Calendar

César Chávez Park

Off Leash Dog Area

Western Burrowing Owl Habitat

North Sailing Basin

Berkeley Marine Center Boatyard

Sailing School and Club

Doubletree Hotel

Boathouse Restaurant

McLaughlin Eastshore State Park

San Francisco Bay

Berkeley Yacht Club

City of Berkeley Marina

Horseshoe Park

K-Dock (Public)

University Ave.

Skates on the Bay Restaurant

Harbormaster's Office

Hana Japan Restaurant

Shorebird Park

Nature Center

Sports Convenience Store

Adventure Playground

Sailing Clubs and Public Docks

Berkeley Pier (Closed)

Beach

South Sailing Basin

Seawall Dr.



# César E. Chávez Park



**NO FEEDING WILDLIFE**

## César E. Chávez Park

Welcome to César Chávez Park, Berkeley's windy front porch! César Chávez is a 90 acre multi-use urban park managed and maintained by the City of Berkeley Parks, Recreation and Waterfront. The park has several distinct features, including the perimeter walking trail, the nature area to the northeast, the off-leash dog area in the north center of the park, the landscaped area to the west, numerous vista points, the "flare station" that burns off the traces of methane gas from the old landfill, and the hilly contours that provide shelter from the prevailing westerly winds.

### PARK RULES

- Open 6 am to 10 pm a.m. 6.30.00
- Dogs must be on six-foot leash a.m. 10.04.120
- Dog litter must be removed a.m. 10.04.091
- All dog bites or aggressive dog behavior must be reported to Animal Control at 644-6755
- No unattended property or objects 10 sq. ft. or more without permit a.m. 6.32.000
- No feeding wildlife a.m. 6.30.000
- No smoking, no alcoholic beverages, no littering, no motorized vehicles, no overnight camping, no amplified sounds, no fireworks, no model rocket flying a.m. 12.70.000, 11.04.070, 12.40.000, 6.32.000, 6.32.000
- Permits required for groups over 50 persons
- Please do not enter the Protected Natural Area

- Kite flying rules:**
- Never fly dual line kites within 20 ft. of people, pathways, and roads
  - Never fly dual line kites within 50 ft. of entrance
  - Never fly kites over 500 ft. (FAA regulation)

For information or to comment on park use, call 644-6376, ext. 0  
[www.cityofberkeley.info/PBW](http://www.cityofberkeley.info/PBW)



During times of conflict and uncertainty we remember those who believed in peace, equality, and justice. In 1982, César E. Chávez Park was named by the City of Berkeley to honor the labor leader, labor organizer, dedicated for his social and environmental justice for all Americans by challenging the war-like and cruel working conditions faced by farm workers. In 1968, Chávez was posthumously awarded the Presidential Medal of Freedom, the highest civilian honor in the United States. He is the only labor and farm worker leader to have a state holiday — March 31<sup>st</sup>.

In 2004, the Berkeley City Council approved the development of the César Chávez Senior Center. An elevator installation is located in the northeast section of the park. Funds are being raised for the final design and construction.



# Welcome to the César Chávez Off-Leash Dog Area

## Park and Off-leash Dog Area Rules

- Dogs must be on a six-foot leash in all areas of Cesar Chavez Park, with the exception of the Off-Leash Area, and also when entering and exiting the Off-Leash Area. Dogs found off leash outside boundary of the Off-Leash Area may be impounded (BMC 10.04.120)
- Dogs should be under voice control at all times.
- Dog litter must be picked up and deposited in garbage cans (BMC 10.04.091)
- Digging holes and damaging vegetation/park resources is prohibited (BMC 12.44.020)
- Dog barking should be controlled and limited.
- Puppies under 4-months, aggressive dogs, or dogs in heat are not allowed.
- Dogs should not interfere with wildlife, ever.
- Immediately leash any dog showing aggressiveness.
- Accept responsibility for any damage or injury caused by your dog.
- Dogs must be licensed and wear the license on a collar at all times (BMC 10.04.020; 030; 060; 220).
- Not more than four dogs per owner/guardian are allowed in the park at any one time (BMC 10.04.120).
- Contact Animal Care Services in the event that unsafe behavior is observed (510) 981-6600

**To All Park Users:**  
Please be aware of the Off-Leash Area context within the park. It is shown in the light green on the map, and indicated on site with green "entering on leash area" signs and red "Exiting off leash area signs" at key locations.  
  
In this area, expect to see dogs running free, under voice control. Adherence to park rules improves safety of other park goers and preserves the protected natural habitat in other areas of the park.



	On Leash Area		Paved Trail
	Dog Park Off Leash Area		Footpath
	Protected Natural Area		Picnic
	Chavez Memorial Solar Calendar		View Point
	Western Burrowing Owl Habitat		Parking
			Accessible
			Restroom

**City of Berkeley Phone Numbers:**  
 Animal Care Services: (510) 981-6600  
 Police: (510) 981-5900  
 Graffiti/Damage: 311  
 Emergencies: 911 or (510) 981-5911  
 Berkeley Waterfront/ Park Management: (510) 981-6740  
 Waterfront Monitor: (510) 549-6036