SPRAWLDEF

Sustainability, Parks, Recycling And Wildlife Legal Defense Fund

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July 31, 2025

VIA EMAIL ONLY

President John Mercurio and Directors, Colin Coffey,
Elizabeth Echols, Luana Espana, Lynda Deschambault,
Olivia Sanwong, and Dennis Waespi
East Bay Regional Park District

Agenda Item: Board Meeting, 2025-08-05, Item VIII.B.1-Wildcat Flow Trail

Dear President Mercurio and Directors Coffey, Echols, Espana, Deschambault, Sanwong, and Waespi:

Introduction

SPRAWLDEF makes the following comments on the proposed Wildcat Canyon Bicycle Flow (Thrill) Trail. These comments are in addition to the comments from SPRAWLDEF's legal counsel, Greenfire Law. For the reasons set forth in this letter and in its attorneys' letter, SPRAWLDEF requests the Board to deny going forward with this proposed major recreational use for Wildcat Canyon Regional Park and to find an alternative location for it.

The Proposal for a Bicycle Flow Trail

This proposed trail is not just a "bike" trail as the Park District planning documents inaccurately and misleadingly describe it. It is a mountain bike flow trail to provide a "thrill" ride for mountain bikers. A flow trail is a type of mountain biking trail designed for a twisting, turning, and fast riding experience. It's characterized by features like berms, rollers, banked turns, and jumps that allow riders to maintain momentum and "flow" through the trail with minimal pedaling

or braking. These trails are often machine-built and can be enjoyed by riders of varying skill levels, including beginners and intermediate riders.

In May 2024 Pointe Strategies prepared a conceptual plan ("the Plan") for the trail.[1] That Plan shows an extensive construction of rollers, jumps, and berms including such features constructed out of wood and stone. See Pointe Strategies Conceptual Plan, ppg. 11, 12, and 13. (Attached as Exhibit 1). Page 12 depicts riders flying through the air from a "kicker ramp" and "ladder drop." A large "Berm turn" is also depicted.

The Plan specifically states that the trail would "provide a training ground for local National Interscholastic Cycling Association (NICA) High School and Middle School teams." (See The Plan at p. 2) The Plan further identifies various locations along the trail that could serve as "passing areas for NICA and similar types of races" (See The Plan, pp. 6, 7, and 8) Consequently, this trail will not just be for limited local teams, but is intended to be a national racing trail and as facility to host recurring regional competitions.

In addition, The Plan Circulation Map shows the geographic area that will be used for the flow trail. It includes the Oil Well Trail to the North/West, the San Pablo Ridge Trail, the Wildcat Creek Trail, and to the South/East the Leonards Trail and the Havey Canyon Trail. See The Plan, p. 3, (Attached as Exhibit 2). Consequently, the true extent of the area of Wildcat Park that will become incorporated into the flow trail is far larger than just the trail and some buffer areas on each side.

The video below demonstrates how to ride flow trails, including techniques for navigating berms and jumps. While the staff report shows some pictures of various elements of various flow trails, to date the Park District has not provided any graphic of what this flow trail would look like in its entirety. The link below was taken off the internet, and is just one example. Trails can be designed for various degrees of skill and thrill, and the Pointe Strategies Plan makes it clear that this trail will be designed for all skills levels from low to high. In sum, this is not just a flow trail for high schoolers.

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[1] https://www.ebparks.org/sites/default/files/Wildcat-Bike-Trail-Conceptual-Design-Submittal_052024.pdf. This document is incorporated herein by reference as though fully set forth in this letter.

1m

Global Mountain Bike Network

YouTube · Jul 27, 2016

The Park District Should Not Go Forward With This Proposal

The Park District Has Failed to Comply With Its Own Planning Requirements and Should Not Go Forward With the Proposal or the NOP for an EIR on the Proposal

The Park District has failed to follow its own planning policies and requirements for this change in use. The Park District Master Plan makes it clear that a change in a use in a regional a park such as Wildcat requires compliance with the rules and policies concerning amendments to park Land Use Plans (LUP), in addition to any EIR. Wildcat has had a LUP since 1981 and at least two Land Use Plan Amendments (LUPA). The Master Plan requires that an addition of a new trail in a LUP requires a LUPA. (See Master Plan, p. 63).

But the proposed flow trail is not just a trail. Nor is it just converting an existing trail to a bike-only trail. In fact, as the Pointe Strategic Conceptual Plan shows, the proposed flow trail is a major recreational facility with specialized berms, jumps, and other specially constructed components and includes a large geographic area of Wildcat. Such facilities must be planned through a LUPA to an existing LUP. (See Master Plan, pp. 104-106)

A LUPA requires a process that includes public notice to affected adjacent communities and to park users. The current process has not complied with the LUPA amendment process and cannot go forward until it does so.

The Location For the Flow Trail Is an Impermissible Use in the Park's Natural Area

Neither the park board nor the public have been informed about the area's significant wildlife and habitat values, and its fire hazards, landslide hazards, and potential erosion impacts on Wildcat Creek. These issues were important reasons for zoning the central area of Wildcat Canyon as a "Natural Area" in the Park District's 1985 Land Use Plan (LUP) (See LUP pp. 28, 37-38, 40-42, 49-50) (Attached as Exhibit 2). The proposed Flow Trail is not permitted under the Park District's Mater Plan for Natural Areas (LUP, p. 37). Furthermore, the LUP states that the Natural Area "...shall be free from intensive recreational activities and of any development except hiking, equestrian, and service use." (LUP, p. 38.) A Flow Trail is an intensive recreational use as graphically shown in the Pointe Strategies Conceptual Plan.

Equally important, the proposed location of the flow trail is incompatible with the existing character and nature of the park. The flow trail is highly intense recreational use in a park that is known for its quiet and tranquil character and as a refuge from more intensive recreational uses. Park ranger Tim Gordon's "The Heart of Wildcat Canyon" eloquently expresses this point.[2] Indeed, the Park District's own statistics show that 90% of current users are hikers, with just 8% bikers, and 2% equestrians. The proposed Flow Trail will cover a large portion of a key area of the Wildcat Park Natural Area for just, at most, 8% of park users.[3]

The Location Is Protected Habitat for Various Endangered or Threatened Species

The flow trail will be located in an area that is classified as habitat for the endangered Alameda whipsnake, California red-legged frog, White-tailed kite, and a number of sensitive plant species. There is no reason for locating the trail in this area which would require mitigation measures. Both the U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife had advised the Park District in writing that they must evaluate the proposed trail for

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[2] The Regional Parks Association recently sent Tim Gordon's tribute to Wildcat Park to the Board. SPRAWLDEF will work to make sure it does not become a eulogy.

[3] SPRAWLDEF assumes that all 8% of bikers in the Park District's survey will use the flow trail. More than likely it will be far less, perhaps only 1%.

impacts on protected habitat and wildlife pursuant to federal and state law, respectively. The Park District should not be locating recreational facilities that will disrupt and impact wildlife and habitat and require such an evaluation. The requirement for Land Use Plan Amendments is one way that such conflicts can be avoided.

Wildcat Regional Park Has Areas Designated for Recreational Uses

That Could Be a More Appropriate Location

Wildcat Park has two areas North and South of the Natural area that are designated as the appropriate location for a possible Flow Trail. The Park District should have relocated this proposed Flow Trail to one of those recreational areas. It certainly should create real alternatives in Wildcat in those recreational areas for evaluation in order to properly evaluate them.

In sum, the Park District should not and cannot go forward with this proposed recreational facility in the Natural Area of Wildcat Park. SPRAWLDEF urges the Park District to evaluate other locations that would better serve as locations for the type of flow trail that is proposed.

The Initial Study Has Major Omissions and Deficiencies And the Park District Should Not Go Forward with Issuing a NOP for an EIR for the Proposal

The Initial Study Does Not Include The Actual Geographic Extent of the Proposed Flow Trail

The Initial Study and Staff Report limit the scope of the geographic area that has been and will be covered under the EIR. As the Pointe Strategies Conceptual Plan shows, the actual area that must be studied for impacts on habitat and wildlife covers a wide area of Wildcat Park and includes the Havey Canyon trail and adjacent park lands to that trail. (See Exhibit 3) Unless this wider area is included in the EIR analysis, the EIR will be fatally flawed. Therefore, the Park District should not proceed until this deficiency is corrected.

A Geotechnical Study Will Need To Be Conducted

The Initial Study includes the conclusory statement that risk of landslides is less than significant. Yet, the Natural Area was designated as a natural area because of the extensive landslide history and danger. Moreover, as the Pointe Strategic Conceptual Plan shows the construction of the flow trail will require major grading and cuts into a steep hillside and the placement of rock and construction of flow trail installations. The Park District needs to prepare a full geotechnical report on the potential for a landslide after the Flow Trail is graded and constructed especially given Wildcat Park's well known and

documented landslide hazards. In fact, the landslide at the Rifle Range Road trailhead has remained unrepaired to this day.

There Are Significant Wildfire Safety Issues With the Flow Trail in the Natural Area

The Initial Study fails to address the wildfire risk. The more recent Park District's 2010 Plan/EIR includes a requirement that the Mezue and Wildcat Strategic Fire Routes will be installed and maintained, but nothing has been done on either of these two critical fire trails. SPRAWLDEF is also very concerned about how El Cerrito, West Contra Costa County, adjacent cities, and the Park District will address and implement the provisions in SB131. Environmental provisions include the possibility of statutorily exempt projects for 40 acres of prescribed fire, home hardening, 200' of defensible space in a very high wildfire hazard zone, and 200' wide fuel breaks for homes and structures. The issues concerning both the risk of fire and methods for reducing that risk is another fatal flaw in the Initial Study and proposed EIR.

Traffic Issues Need To Be Analyzed

While the Initial Study noted that there would be transportation issues, there is no discussion of those. Yet, it should be obvious that the proposed trail will require arrangements for parking for cars and vans carrying mountain bikers to the start of the trail along with the necessary restroom and other facilities to accommodate the needs of participants on the trail. One cannot make the unsubstantiated assumption that mountain bike riders will not travel to the Flow Trail in their cars. Moreover, the trail is clearly intended to be used for Interscholastic team races and events, drawing racers from all over California but also the country. Cars, vans, and other vehicles will clearly be used by those coming to participate in such events. Yet, the Initial Study and proposed EIR ignore this fact. In sum, this is not just changing an existing trail to simply "bikes only," but constructing a recreational facility in the park that will result in increased traffic.

Parking will also be affected. The Rifle Range Road trailhead has only a few parking spaces, and it is a dead end with no option to turn around trailers. Likewise space at Inspiration Point is also limited. It is obvious that Regional, State, or National racing events will bring significant demand for parking. Yet, the Initial Study does not appear to deem this an issue.

The Initial Study Failed to Identify Reasonable Alternatives

The Park District already has existing trails that are reasonable alternatives. The most obvious one is the Crockett Hills Regional Park. Some years ago the Park District built a set of

trails for mountain bikers. These are either already existing "flow trails" or can be reconstructed as flow trails at far less expense than building a whole new flow trail. Other locations are also more suitable and thus reasonable alternatives including a proposal for one or more flow trails in Contra Loma Regional Park and/or at Oyster Point.

The proponents of the Wildcat Flow Trail portray the proposed trail as a trail for local high schoolers from in Albany, Berkeley, El Cerrito, and Kensington This is a very limited and select group. The Park District could have and should have studied alternative locations that would expand the accessibility of a flow trail to other population areas within the Park District boundaries. It should also have studied how to use funds to make other locations accessible to other populations such as Oakland, San Leandro, and Alameda to name a few other cities. This is yet another fatal flaw with the Initial Study and proposed EIR.

The Park District and Its Consultant Failed to Engage in an Open and Transparent Process

In pursuing alternative locations, the Park District must do so in an open and transparent process instead of the prior process that lacked transparency. Instead, the Park District not only has withheld alternatives from public review, but also failed to consult with key stakeholders.[4] At its website about the Wildcat Flow Trail, Pointe Strategies states:

> "Pointe Strategies initiated the design process by conducting a thorough review of all available project data, including GIS data, topography, and relevant studies. This was followed by a comprehensive site visit with key stakeholders, including Trails Program staff, the Park Supervisor, and Stewardship staff, to discuss the project's history, context, design parameters, and operational considerations such as grazing and emergency response protocols. (emphasis added)
>
> "Based on this collaborative input, several alternative design concepts were developed and presented to stakeholders. Following extensive discussions, a final conceptual design was selected. Pointe Strategies then delivered a comprehensive package to the client, including a preferred concept trail plan with schematic and illustrative drawings, planning-level cost estimates, and a detailed report justifying the chosen alternative."

[4] The Park District's previous lack of transparency in regard to this flow trail was documented in a letter the SPRAWLDEF, Sierra Club, and Golden Gate Bird Alliance sent to the Park District on June 21, 2023. That letter is incorporated by reference as though it was attached to this letter.

(See Exhibit 4, Pointe Strategies | Wildcat Bike Trail)

The statement that there was a comprehensive site visit with "key stakeholders" is simply not true. There is no evidence that Pointe Strategies consulted with, or even contacted, the Regional Parks Association, California Native Plant Society, SPRAWLDEF, Golden Gate Bird Alliance, or the Park Advisory Committee, all of whom are "key stakeholders."[5]

Moreover, the Park District could have and should have developed ways to reach out to the 90% of trail users, hikers/pedestrians to get their input. Other jurisdictions when engaged in planning for major projects seek ways to engage the broader public than simply noticing a meeting at their website. Two good recent examples are the outreach for the planning of the North Basin Strip in the McLaughlin Eastshore Park and the outreach regarding the proposed RSAP for the Emeryville Crescent.

In sum, the Park District ignored the environmental community. Such a failure to ignore key stakeholders taints this entire process. In order to rectify this omission, the Park District should withdraw this proposal and go back to the drawing board and require Pointe Strategies to actually consult with environmental stakeholders and find ways to get input from the 90% of its trail users.

The Proposed Trail Cannot Be Endorsed Because the East Bay Regional Park District Has Repeatedly Admitted Over Many Years It Cannot Enforce Regulations Regarding Bicycle Use

The Park District has admitted many times over the past years that it cannot enforce regulations regarding trail and bicycle use on its trails. So far the Park District has not approved any "implementing regulations" for this Flow Trail. The inability of the Park District to enforce regulations or rules controlling mountain bike use is a glaring omission, especially because we know from the Park District's own analysis there are at least 100 miles of rogue trails mainly created by mountain bikers. Of those 100 miles, around 30 miles are in Briones Regional Park where the Park District acknowledged that they were created by mountain bikers.

The Park District Allows Ebikes on the Proposed Trail But There Is no Evidence that the Park District Can or Has Met the criteria for Allowing Ebikes

The proposed flow trail will or can be used by ebikes because the Park District's policy allows for Class 1 ebikes on any trail open to bicycles. Yet, ebikes pose greater environmental

[5] Nor did it consult with the Sierra Club's East Bay Public Lands Committee in 2023 or 2024.

impacts and enforcement issues that go beyond those of regular bicycles. A full environmental impact analysis needs to be prepared on the impacts of ebikes using the Flow Trail. Moreover, any analysis of a mountain bike flow trail that is accessible to Class1 ebikes should include the potential use of the site by those riding Class2 and Class3 ebikes because it is well known that bikers are riding those classes of ebikes on trails in the Park District. The Initial Study and proposed EIR are fatally flawed for not addressing the environmental impacts from ebikes.

STRAVA Data For the Havey Canyon Trail Show Mountain Bikes Traveling at Dangerous Speeds That Are Unsafe On The Proposed Flow Trail But This is Not Addressed in the Initial Study

STRAVA data shows that on the adjacent Havey Canyon trail which is open to mountain bikes for downhill runs except during November and December, the average downhill speed for the top 50 mountain bikers exceeded 24 mph. It is quite plausible that speeds on the downhill portion of the proposed Flow Trail would exceed 24 mph. This is highly dangerous to bikers and potentially to hikers and equestrians using the intersecting Mezue Trail. Therefore, the Park District should put forward in writing a plan for how it will enforce the travel speeds and/or overall safety on the proposed flow trail. This needs to be a real enforcement program. Statements that the mountain bikers will enforce their own rules is not a program, but rather a wishful desire. The EIR for the proposed flow trail should analyze the environmental impacts of mountain bikes and ebikes traveling at speeds in excess of 24 mph. The Initial Study and proposed EIR make no reference to this issue as one that should be analyzed. This is a fatal flaw.

Relevant STRAVA DATA Shows that the Overwhelming Mountain Bike Users Are Not High School Students But Adults, But This Use Is not Addressed in the Initial Study

The Initial Study makes an erroneous assumption that the Flow Trail will be used predominately by high school teams. But the same STRAVA data show that bicycle users over the age of 19 constitute 87% of those going downhill on the Havey Canyon Trail, while only 13% are under the age of 19. In light of this data and the speed data, the Park District must evaluate environmental impacts from the proposed flow trail based on this user data. Moreover, the Initial Study and proposed EIR fail to address the issue that the greatest percentage of mountain bikers who presumably are adults will be the real users of the proposed flow trail. As noted above, this data also feeds into concerns about traffic and parking at access points to the proposed Flow Trail.

The Park District Should Evaluate the Likelihood and Financial Impact on the District for Major Personal Injuries Resulting from Users on the Proposed Flow Trail

Anecdotal information from YouTube videos of mountain bike injuries on flow trails reveal that serious injuries can occur. The links noted here describe serious injuries including brain damage and arterial bleeding.

Teen suffers brain injury after mountain bike accident

www.youtube.com › watch

2:26

A 17-year-old is in the hospital with a traumatic brain **injury** after an accident on a popular mountain biking **trail** over the weekend.

YouTube · FOX31 Denver · Apr 12, 2023

Punctured Femoral Artery Bleeding - MTB Crash Reacts with ...

www.youtube.com › watch

12:12

... **Trail Trauma**, we cover what to do when faced with an arterial bleed **injury** on the trial, the importance of acting fast as well as the ...

YouTube · GearUp Outdoors · Jan 13, 2023

The Park District should conduct a major evaluation of the statistical potential for serious injury to any mountain bike rider using the proposed flow trail, but especially for teenagers and what facilities may be necessary or desirable to handle potential injuries as a component of the flow trail. The Park District staff or consultant should also provide the Board with an evaluation of the potential for Park District liability and potential liability to others who could be liable for injuries to a mountain biker on the flow trail, both for casual use and in any planned racing competitions.

The Flow Trail Is A Demonstration of How Wealthy Individuals Can Purchase Special Access to Park District Lands and The Park District's Approval Is Tainted By the Conditions They Have Set for Their Funding the Trail

Two individuals have bought this trail. Based on information from a Public Records Act request, they have agreed to donate $1,000,000 for the construction of the trail. This donation, however, is contingent on the Park District complying with the flowing conditions:

> "It is further understood that no payment shall be made until the East Bay Regional Park District has identified a location for the Wildcat Canyon mountain bike flow trail, the District Board of Directors approves the proposed project, any required environmental review process has been concluded and approved, and all necessary permits are in place for said project."

See Exhibit 5.[6]

In other words, the Park District will only receive the funds if the Board approves the flow trail and certifies the EIR for the trail regardless of the actual or potential environmental impacts. If, hypothetically, the Park District prepares an EIR on the proposed trail and it finds that there are significant adverse environment impacts that cannot be mitigated, the Board is placed in the position of either not certifying the EIR and losing the $1,000,000 or certifying a legally invalid EIR in order to get the $1,000,000. In sum, the wealthy are buying special access to the parks for their special interest. The Board cannot go forward with this project given these conditions.

[6] To date this is the only document concerning the terms of the donation that the Park District has produced despite repeated Public Records Act requests.

Conclusion

In sum, the Park District should not go forward with this proposed recreational facility. If it does, it must do so in compliance with is own Master Plan policies and procedures and through a true transparent public process that includes neighboring communities and stakeholders.

Sincerely yours,

Norman La Force

Norman La Force, President

Soft Surface Bike-Optimized Trail Features

Roller: A trail feature in which the trail tread rises and lowers gradually with no defined lip, takeoff, or landing. For beginner users this is a feature to help teach a 'pumping' motion to create speed without pedaling. Feature can be used as a reversal in grade to be a drainage technique to force water off the trail. Feature is also an effective speed measure to slow and alert users of an intersection or direction change by creating a roller that is taller than longer.
Difficulty rating: Beginner to Intermediate depending on size.
Spacing Guidelines: Feature can be placed most anywhere with few spacing restrictions. It can be spaced 50-100' to increase drainage or add ungulations to a particular section of trail, 10-25' to create more vertical texture for user enjoyment, or be placed in quick succession to help slow down users.
Price: $

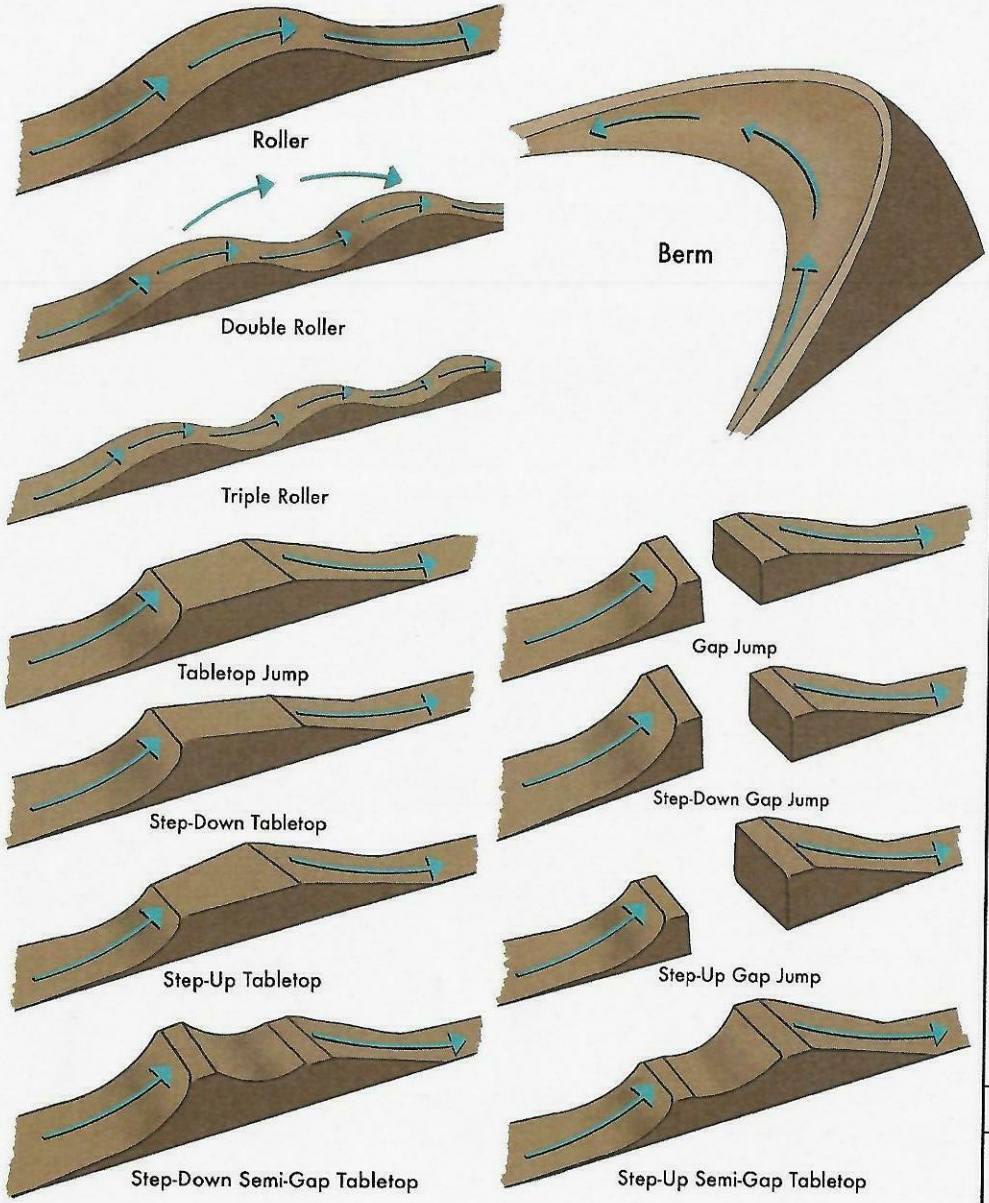
Tabletop Jump: A jump feature that has a defined lip or takeoff and defined landing with a flat surface connecting the two allowing users to ride across the feature without their tires leaving the ground. This feature allows beginner users to ride the trail within their comfort level but promotes progression for frequent users. Advanced users will find this feature exciting and will generally leave the ground to clear the flat section on top.
Difficulty rating: Beginner to Advanced depending on size.
Spacing Guidelines: Adequate space must be left both before and after a feature to allow users time to prepare for the jump and readjust after the jump. Depending on the size of the feature, beginner sized tabletops should have spacing of roughly 15-30', intermediate should be spaced 25'-50' apart and advanced can range from 30-100' depending on the terrain and level of difficulty.
Price: $-$$$

Double or Gap Jump: A jump feature that has a defined lip or takeoff and defined landing but no ridable surface connecting the two. This feature has a mandatory gap that users must clear in order to avoid crashing. This is considered an advanced feature and should only be incorporated into advanced trails.
Difficulty rating: Advanced to Expert.
Spacing Guidelines: Adequate space must be left both before and after a feature to allow users time to prepare for the jump and readjust after the jump. Depending on the size of the feature and gap, spacing can range from 30-100' depending on the terrain and level of difficulty.
Price: $-$$

Step-down Jump: A jump feature in which the landing is lower than the lip or takeoff. This feature can be used to generate speed where needed. This feature can be built in a tabletop or gap jump style, with the tabletop style being more appropriate for most trails and the gap jump style being only appropriate for advanced trails.
Difficulty rating: Intermediate to Advanced depending on size.
Spacing Guidelines: Adequate space must be left both before and after a feature to allow users time to prepare for the jump and readjust after the jump. Depending on the size of the feature, intermediate rated features should be spaced 25'-50' apart and advanced can range from 30-100' depending on the terrain and level of difficulty.
Price: $-$$$

Step-up Jump: A jump feature in which the landing is higher than the lip or takeoff. This feature is generally used to slow users down where needed. This feature can be built in a tabletop or gap jump style, with the tabletop style being more appropriate for most trails and the gap jump style being only appropriate for advanced trails.
Difficulty rating: Intermediate to Advanced depending on size.
Spacing Guidelines: Adequate space must be left both before and after a feature to allow users time to prepare for the jump and readjust after the jump. Depending on the size of the feature, intermediate rated features should be spaced 25'-50' apart and advanced can range from 30-100' depending on the terrain and level of difficulty.
Price: $-$$$

Berm: An trail feature designed to keep a user's speed through a turn and provide a change of direction by using a built up in-sloped tread surface. Bike optimized berms typically are located where a trail is changing direction for more than 90°, with most features carrying users thru a complete 180° change of direction. Typically soil is built up above ground to achieve this feature, but the natural terrain may provide opportunity for partial or fully natural berms in ideal conditions. An in-sloped turn may become a bermed turn with use over time.
Difficulty rating: Beginner to Advanced depending on size.
Spacing Guidelines: Given the special use case of this feature, berms should be placed anywhere the trail turns more than 90°. Spacing therefore coincides with trail design and no spacing requirements are necessary. Two berms can be built in succession creating a feature called a chicane.
Price: $-$$$



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REVISIONS

WILDCAT BIKE TRAIL
WILDCAT CANYON REGIONAL PARK
RICHMOND, CALIFORNIA

SOFT SURFACE FEATURES

SHEET NUMBER
FO-1

EXHIBIT
1

Hard Surface Bike-Optimized Trail Features
Prefabricated Features

Roller: A prefab feature in which you can rollover the feature and accelerate through it. It can also serve as a small jump for more advanced users. The feature is similar to the soft surface version and does not have a defined lip, takeoff, or landing. For beginner users this is a feature to help teach a 'pumping' motion to create speed without pedaling.
Difficulty rating: Beginner to Intermediate depending on size.
Spacing Guidelines: Feature can be placed most anywhere with few spacing restrictions. It can be spaced 50-100' to add ungulation to a particular section of trail, 10-25' to create more vertical texture for user enjoyment, or be placed in quick succession to help slow down users.
Dimensions: 2' H x 18.7' L x 36" W
Price: $2,507.78 - tax, shipping, and installation not included.

A-Frame: A prefab feature in which you can rollover the feature and can also serve as a small jump for more advanced users. The feature is similar to the prefab Roller feature but does have a more defined lip, takeoff, and landing.
Difficulty rating: Beginner to Intermediate depending on size.
Spacing Guidelines: Feature has relatively low spacing restrictions. It can be spaced 50-100' to add ungulation to a particular section of trail, 10-25' to create more vertical texture for user enjoyment, or be placed in quick succession to help slow down users.
Dimensions: 2' H x 19' L x 36" W
Price: $2,185.00 - tax, shipping, and installation not included.

Straight Ladder: A prefab feature in which you can ride over the feature and may serve as a jump for advanced users. The feature is similar to a Tabletop soft surface feature and does have a defined takeoff, top, and landing.
Difficulty rating: Beginner to Intermediate depending on size.
Spacing Guidelines: Adequate space must be left both before and after a feature to allow users time to prepare for the feature and readjust after. Straight Ladder feature should be spaced roughly 25'-50' from other features other than Rollers, which can be spaced 10-25' if necessary.
Dimensions: 2' H x 22.8' L x 36" W
Price: $2,895.24 - tax, shipping, and installation not included.

Rollable Sender: A prefab version of a tabletop soft surface feature. This feature that has a defined lip or takeoff and defined landing with a flat surface connecting the two allowing users to ride across the feature without their tires leaving the ground. This feature allows beginner users to ride the trail within their comfort level but promotes progression for frequent users. Advanced users will generally leave the ground to clear the flat section on top.
Difficulty rating: Beginner to Advanced depending on size.
Spacing Guidelines: Adequate space must be left both before and after a feature to allow users time to prepare for the jump and readjust after the jump. Depending on the size of the feature, beginner sized tabletops should have spacing of roughly 15-30', intermediate should be spaced 25'-50' apart and advanced can range from 30-100' depending on the terrain and level of difficulty.
Dimensions: 2' H x 17.8' L x 48" W, 3' H x 21.5' L x 48" W, or 4' H x 28' L x 48" W
Price: 2ft H - $3,525.10, 3ft H - $4,602.06, 4ft H - $6,242.48 - tax, shipping, and installation not included.

Kicker Ramp: When paired with a dirt or prefabricated landing, this is a hard surface version of a Double or Gap Jump soft surface feature. This a jump feature that has a defined lip or takeoff and defined landing but no ridable surface connecting the two. This feature has a mandatory gap that users must clear in order to avoid crashing. This is considered an advanced feature and should only be incorporated into advanced trails.
Difficulty rating: Advanced to Expert
Spacing Guidelines: Adequate space must be left both before and after a feature to allow users time to prepare for the jump and readjust after the jump. Depending on the size of the feature and gap, spacing can range from 30-100' depending on the terrain and level of difficulty.
Dimensions: 3' H x 8.3' L x 48" W, 4' H x8.3' L x 48" W, or 5' H x 8.9' L x 48" W
Price: 3ft H - $2,208.04, 4ft H - $2,715.52, 5ft H - $3,164.80 - tax, shipping, and installation not included.

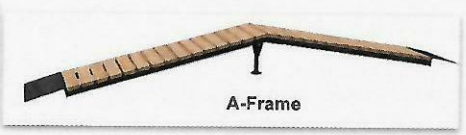
Ladder Drop: When paired with a dirt or prefabricated landing, this becomes a constructed drop feature to replicate what users may find on an intermediate or advanced singletrack trail. This feature requires users to lift up the front wheel of the bike to prepare for landing after 'dropping' off of the ladder. The height of the drop can be adjusted to relatively any height for full customization.
Difficulty rating: Intermediate to Expert depending on height of drop.
Spacing Guidelines: Adequate space must be left both before and after a feature to allow users time to prepare for the drop and readjust after the drop. Depending on the size of the drop, spacing can range from 20-75'.
Dimensions: 1' to 8' H x 8' L x 36" W
Price: 1ft H - $1,208.04, 5ft H - $3,164.80 - tax, shipping, and installation not included.

Berm Turn: A prefabricated hard surface version on a Berm. This is a feature designed to keep a user's speed through a turn and provide a change of direction by using a built up curved tread surface. The feature is available in 45° sections, four sections can be put together to complete a 180° change of direction. This feature can be used to create a durable turn for areas where an excessive amount of material may be needed to ensure a durable soft surface turn.
Difficulty rating: Beginner to Intermediate.
Spacing Guidelines: Given the special use case of this feature, berms should be placed anywhere the trail turns more than 90 degrees. Spacing therefore coincides with trail design and no spacing requirements are necessary. Two berms can be built in succession creating a feature called a chicane.
Dimensions: 180° section 3' H x 34'-4" L x 17'-3" W
Price: $18,481.00 - tax, shipping, and installation not included.

All features spec'd from

Progressive Bike Ramps
601 S. McKinley Ave.
Joplin, MO 64801
855-727-7267
www.progressivebikeramps.com


Roller


A-Frame

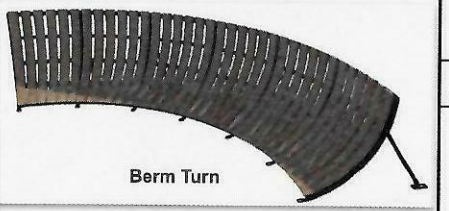

Straight Ladder


Double Roller


Rollable Sender


Ladder Drop


Kicker Ramp


Berm Turn

DESIGNED BY
POINTE STRATEGIES
info@pointestrategies.com
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970-462-7059

DESIGNED FOR
East Bay Regional Park District
2950 Peralta Oaks Court,
Oakland, CA 94605
1-888-327-2757
www.ebparks.org

4/25/24

DRAWN BY: EE

REVISIONS

WILDCAT BIKE TRAIL
WILDCAT CANYON REGIONAL PARK
RICHMOND, CALIFORNIA

HARD SURFACE PREFAB FEATURES

SHEET NUMBER
FO-2

Hard Surface Bike-Optimized Trail Features

Rock Features

Rock Roller: A trail feature that can be constructed using a large semi smooth rock to mimic a soft or hard surface Roller feature. Construction consists of a medium to large size rock(s) with at least ⅓ of the rock(s) buried in the ground, oriented in a fashion that allows users to roll over it in a generally smooth manner creating undulations in the terrain. For beginner users this is a feature to help teach a 'pumping' motion to create speed without pedaling and help with body positioning while navigating rock features. This feature may also serve as a jump or drop for more advanced users depending on construction.
Difficulty rating: Beginner to Intermediate depending on size.
Spacing Guidelines: Feature can be placed most anywhere with few spacing restrictions. It can be spaced 50-100' to add ungulation to a particular section of trail, 10-25' to create more vertical texture for user enjoyment, or be placed in quick succession to help slow down users.

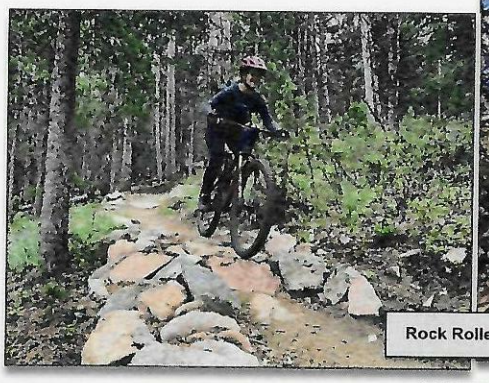
Rock Armoring: A series of medium to large sized rocks placed in a fashion to create a protected section of trail that can test users skills or protect sensitive sections of trails. Rocks should to be constructed in a relatively smooth fashion for trail tread, rocks can still create a challenging riding surface but the goal of this feature is to protect steep grades or pour trail conditions. This type of feature would be ideal for sections of trail with heavy livestock activity or where user speed is creating brake bumps to protect trail tread.
Difficulty rating: Beginner to Intermediate depending on size.
Spacing Guidelines: Feature can be placed most anywhere with few spacing restrictions. Adequate space should be left both before and after rock armoring to allow users time to prepare for and readjust after the feature. Depending on the length and smoothness of the aromoring, spacing can range from 5-25' depending on the terrain and level of difficulty.

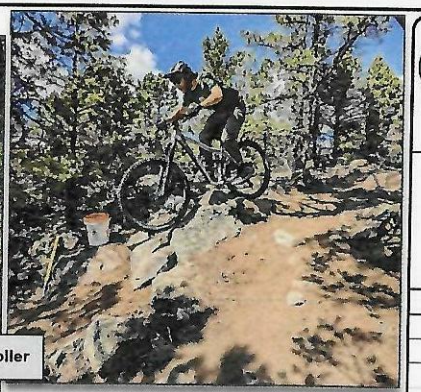
Rock Garden: A series of medium to large sized rocks placed in a fashion to create a challenging section of trail to test users skills, slow user speed, or protect sensitive sections of trails. Rocks do not need to be constructed in a smooth fashion for trail tread, rocks should create a challenging trail tread but still allow users to pass over without stopping. This type of feature would be ideal for sections of trail with heavy livestock activity to protect trail tread.
Difficulty rating: Beginner to Advanced depending on construction.
Spacing Guidelines: Feature can be placed most anywhere with few spacing restrictions. Adequate space should be left both before and after a rock garden to allow users time to prepare for and readjust after the feature. Depending on the length and smoothness of the rock garden, spacing can range from 10-50' depending on the terrain and level of difficulty.

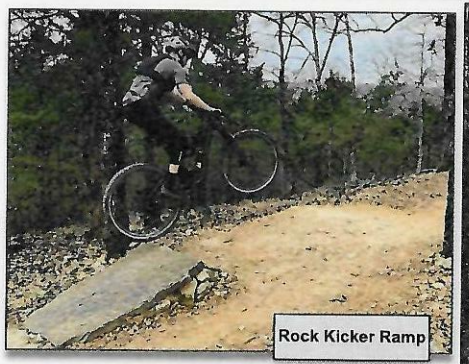
Rock Kicker Ramp: When paired with a dirt or prefabricated landing, this is a rock version of a Double or Gap Jump soft surface feature. This a jump feature that uses a large rock to create a defined lip or takeoff allowing users to leave the ground and land further down the trail. There is generally no ridable surface connecting the takeoff and the landing, but one can be made to mimic more of a tabletop style jump feature. These types of feature can be used on the side of the trail to create an more advanced option while not impacting the main trail tread.
Difficulty rating: Intermediate to Expert
Spacing Guidelines: Adequate space must be left both before and after a feature to allow users time to prepare for the jump and readjust after the jump. Depending on the size of the feature and gap, spacing can range from 20-50' depending on the terrain and level of difficulty.

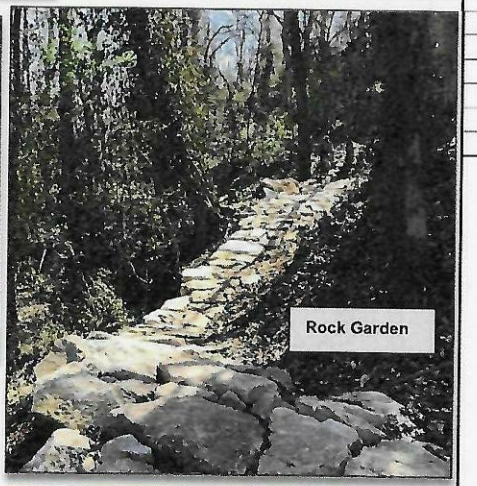
Rock Drop: When paired with a dirt or prefabricated landing, this becomes a constructed drop feature to replicate what users may find on an intermediate or advanced singletrack trail. This feature requires users to lift up the front wheel of the bike to prepare for landing after 'dropping' off of the large rock. The height of the drop can be adjusted to relatively any height for full customization. These types of feature can be used on the side of the trail to create an more advanced option while not impacting the main trail tread.
Difficulty rating: Intermediate to Expert depending on height of drop.
Spacing Guidelines: Adequate space must be left both before and after a feature to allow users time to prepare for the drop and readjust after the drop. Depending on the size of the drop, spacing can range from 20-75'.

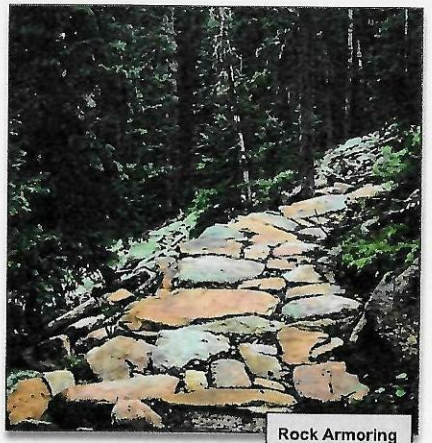
Rock Berm: This feature is typical constructed mostly of soil and then capped or finished with large flat rocks to help increase the durability of the berm. The large flat rocks should follow rock armoring guidelines and allow users to ride across the surface relatively smoothly. This type of feature is typical constructed in locations with poor soil conditions, steep grades, or where user speed is creating brake bumps in turn. If the terrain and materials allow, the berm can be built entirely with rock as well. This goal of this feature is to keep a user's speed through a turn and provide a change of direction by using a built up curved tread surface.
Difficulty rating: Beginner to Intermediate.
Spacing Guidelines: Given the special use case of this feature, berms should be placed anywhere the trail turns more than 90 degrees. Spacing therefore coincides with trail design and no spacing requirements are necessary. Two berms can be built in succession creating a feature called a chicane.

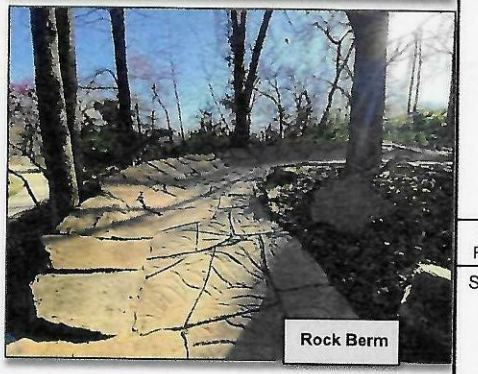

Rock Roller




Rock Kicker Ramp


Rock Garden


Rock Armoring


Rock Berm

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REVISIONS

WILDCAT BIKE TRAIL
WILDCAT CANYON REGIONAL PARK
RICHMOND, CALIFORNIA

HARD SURFACE ROCK FEATURES

SHEET NUMBER
FO-3

WILDCAT CANYON REGIONAL PARK

FINAL LAND USE-DEVELOPMENT PLAN AND

ENVIRONMENTAL IMPACT REPORT

September 10, 1985

Draft Circulated:	**August 7, 1985**
Resolution No.	**1985-9-281**
EIR Certified:	**September 26, 1985**

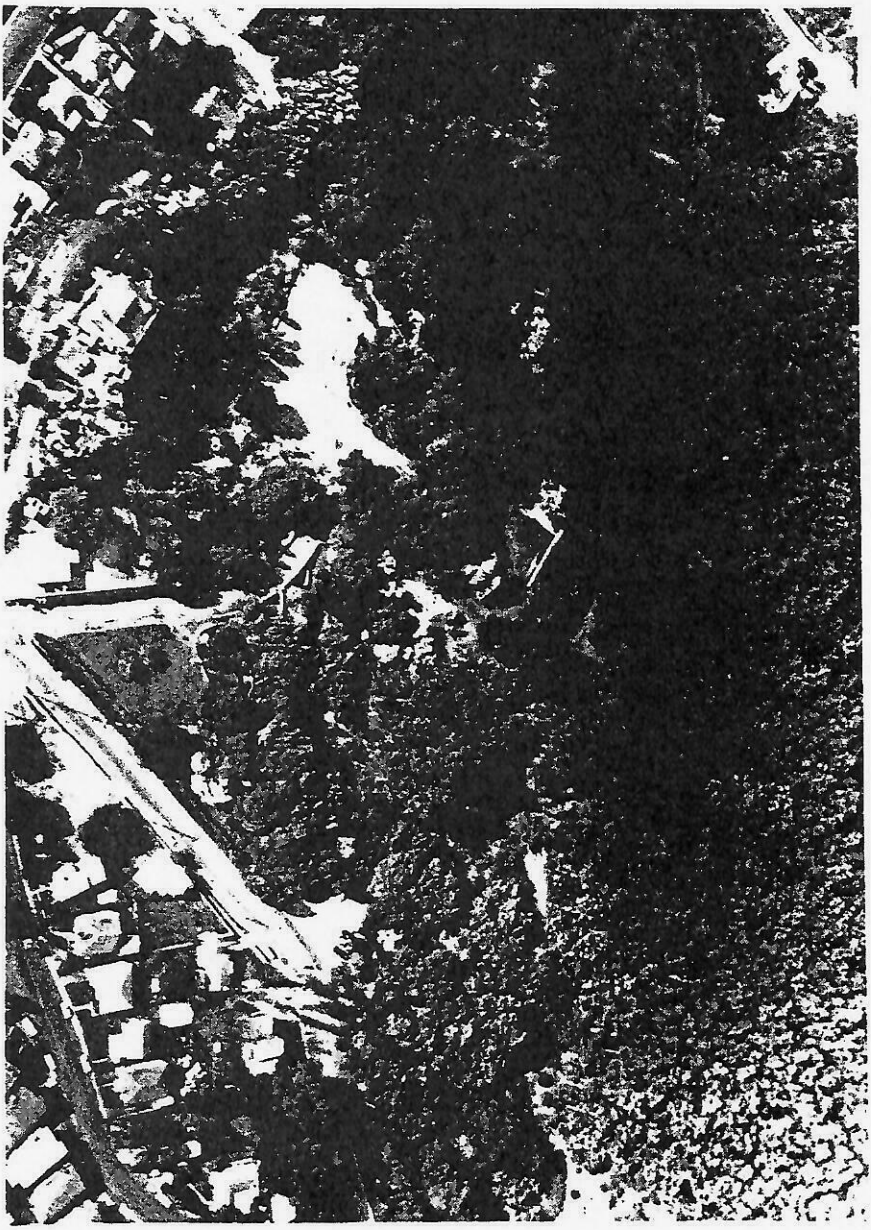
Prepared by:

Dillingham Associates

For:

East Bay Regional Park District
2950 Peralta Oaks Court
Oakland, CA 94605

III. LAND USE DEVELOPMENT PLAN



As discussed in the Resource Analysis, Alvarado Park for many years has served some of the active recreation needs of the Richmond area. Its incorporation into the Regional Park and use for active recreational and staging continues a long tradition. The majority of Wildcat Canyon is left, then, as a natural complement to the more active recreation of Tilden and Alvarado Parks.

2. Land Use Zoning

As outlined in the District Master Plan (page 10), for planning and management reasons, Regional Parks are divided into "Recreation Units" and "Natural Areas". Major development is to take place in Recreation Units, while development is restricted in the Natural Areas.

This Land Use Development Plan provides planning and management policies specific to Wildcat Canyon Regional Park leaving details concerning proposed facilities to the design phases of a Capital Improvement Plan (District Master Plan page 28). In order to give an idea of the scale and type of facility proposed, however, a brief description is given with an estimated range of numbers representing the parking or person capacity. Only detailed design study can determine actual capacities and facilities.

a. Recreation Units

1) General Definition:

EBRPD MASTER PLAN (page 10)
Planning and Management Guidelines - Recreation Unit

1. Recreation Units should contain substantially all the recreational development and staging facilities that are to be provided within a Regional Park. Development may include a broad range of facilities such as campground, picnic areas, snack stands and concessions, outdoor education and interpretive facilities, equestrian facilities, beaches, bathhouses, turfed meadows, archery field and other regional outdoor recreational facilities.

2. All improvements should be designed, landscaped and managed to provide an appearance that harmonizes with the surrounding natural landscape. This may require extensive maintenance because of the relatively heavy use of Recreation Units.

will be restored to a natural-appearing state. Vehicular access to the overflow parking area will be maintained from Park Avenue by a two-lane bridge.

b. Natural Area

1. General Definition

As outlined by the District Master Plan, page 10:

Planning and Management Guidelines - Natural Areas

1. The purpose of this designation is to assure protection of natural features and values within a significant portion of a Regional Park.

2. The primary management objective is to allow only activities which are compatible with the natural environmental values while preserving, or restoring where necessary, scenic, near-natural landscape conditions.

3. Development should be limited primarily to making the natural area available for public enjoyment in a manner consistent with the preservation of natural resource values. Development may include such things as basic, but not elaborate, improvements necessary for camping and related outdoor activities, hiking, nature study and horseback riding.

4. A Natural Area may contain a Regional Preserve or a Trail Link, which should be planned and managed according to applicable guidelines. A Natural Area may contain peripheral access staging facilities for internal trails.

5. Forest and land management techniques such as tree cutting, controlled burning, reforestation and planting programs using indigenous plant materials, and livestock grazing may be used to preserve, maintain or recreate the desired environmental setting.

The Natural Area includes all other areas of the Parkland not designed as Recreation Units, and includes the Special Protection and Educational Use Units. The vast majority of Wildcat Canyon Regional Park will be a Natural Area -- over 2,470 acres or 95% -- where development is limited to preserve the Park's natural features and qualities. This area contains a variety of wildlife habitats, topography and scenic areas. The major features are the west slope of San Pablo Ridge, the east slope of the Berkeley Hills, Wildcat Creek, Havey and Belgum Canyons, and Lookout Ridge. This area will be free from intensive recreation activities, and other than several camp areas as described below, devoid of any development except trails for hiking, equestrian and service use.

2. Educational Use Units

These are areas within parklands identified by the District Educational Use Committee as appropriate for the study of natural, achaeologic, and historic features by University and College faculty students, high schools, and professional and amateur researchers. These areas were selected to provide a sample of each of the major ecological communities to be found within District lands will be available for study within designated units.

EBRPD MASTER PLAN
Educational Use Area Policy

1. The District will designate selected areas within various regional parklands as Educational Use Areas, where faculty or advanced students of universities and colleges and other research organizations within the District are encouraged to conduct ongoing or periodic studies, and where they can be assured of the long-term status of such use.

2. When the Land Use-Development Plan of the pertinent parkland is prepared, any such Educational Use Area in that parkland will be incorporated into the plan, insuring maintenance of the integrity of the natural resources for which the Use Area was established.

E-2 This area of approximately 830 acres (shown on figure 7), is designated an Educational Use Unit because its vegetation types are among those of widest occurrence in the Berkeley Hills area and it is important to set aside some portion of each type where long-term studies can be carried out with some assurance that park management practices will not alter the ecological communities significantly.

3. Special Protection Units

These include any area within a parkland containing: Outstanding natural features; rare or endangered plant and animal species, and their supporting ecosystems; selected samples of each plant and animal community occurring naturally in the District; significant geologic, topographic, hydrologic or scenic features; archaeological sites; historical structures; or streams shown as a blue-line on USGS maps and other designated water courses, which, in the context of all District resources, warrant special protection management policies.

EBRPD MASTER PLAN
Environmental Preservation Zones

There may be areas within all parkland classifications which contain outstanding natural features, rare or endangered plant and animal species and their supporting ecosystem, significant geological, topographical features or have structures of historical significance.

Because of the unique and potentially fragile nature of these areas, Special Protective Zones shall be identified in the Resource Analysis and designated in the Land Use-Development Plans for each parkland. The primary objective of these Special Protection Zones is the preservation and enhancement of significant resources. Development within the Special Protection Zone shall be held to the minimum required for public safety protection and enhancement of the resource. Detailed restrictions of each Special Protective Zone shall be included within the Land Use-Development Plan of each park. Prior to completion of the prescribed planning process, Enviromental Preservation Zones may be designated by the Board within benefit of a completed Resource Analysis or Land Use-Development Plan to protect sensitive areas. (page 33)

A number of areas have been identified for "special protection" without a clear indication of how habitat management should differ from the management of other natural areas in the parks. Areas which provide habitat for plants or animals which have (or are likely to have) protection under State and/or federal endangered species laws, will be managed to preserve or increase that habitat value. Other areas which have been identified for "special protection" will be managed as part of the Natural Unit under the management practices of the Natural Resources Management Plan. See Figure 9.

The following Special Protection Units have been identified in the Wildcat Canyon/Tilden Resource Analysis and are designated here and on Figure 7, Land Use Development Plan.

S-1 through S-5

The Santa Cruz tarweed (Holocarpha macredenia), an annual herb whose range is now limited to Contra Costa, Marin, Monterey and Santa Cruz Counties. This plant has been introduced in eight separate localities in areas of moderate grazing pressure. It has survived and is successfully reproducing in Wildcat Park. This officially protected plant has been classified as endangered under the California Native Plant Protection Act. Special management required for this plant include monitoring by staff, continued cattle grazing and removal of any invading thistles and shrubs.

S-6 †

Habitat of Oakland mariposa (Calochortus umbellatus); a jeopardized plant, listed as rare by the California Native Plant Society. This plant has not received official protection under State or federal law. Special management required for this plant is occasional removal of forest litter, and/or thatch and invading brush.

S-7 †

This unit provides habitat which appears suitable for the Alameda striped racer (snake) (Masticophus lateralis euryxanthus). Prescribed burning is to be carried out only during the fall when the animals appear to be less active. Thus, they are more likely to be in an underground burrow and survive a fire.

† Although not within WCRP boundary, discussions of this area is included because of its relevance to WCRP's operations and/or impacts.

The following areas, formerly identified Special Protection Units, have been designated for appropriate management under resource management policies affecting the natural area.

a) Habitats of field iris (Iris longipetala).

b) Riparian vegetation zone within Havey Canyon.

c) Alkaline marsh in the lower area of Laurel Canyon. †

d) Wilson's Warbler habitat on slopes west of the Environmental Education Center. †

e) Rotary Peace Grove of giant sequoia. †

4. Camping

There will be five different types of camping and camp sites at Wildcat Canyon:

a) Youth group camping at a permanent camp in the Alvarado recreation unit;

b) Rotational group camps at one of a series of camps within the natural area;

c) An equestrian camp at a specific designated site for the major group rides;

d) "Mystery Camps", undesignated areas to be used only under the direction of District Staff; and

e) Back Packing Camp, for back packers, as an adjunct to the National Skyline Recreation Trail.

Family or individual camping will only be allowed at the backpacking camp. All other camps will be only for group use, on a reserved basis. Camp fires will be restricted to designated camp areas within the Alvarado or "Tilden" Nature Area Recreation Units.

a) Permanent group camp sites at Alvarado Recreation are discussed under Section III, B, 2, a, 3) "Alvarado Recreation Unit".

b) Rotational Camp Sites: Several sites are designated to be used on a rotating and reserved basis by groups. Only one site will be designated for use at a given

† Although not within WCRP boundary, discussions of this area is included because of its relevance to WCRP's operations and/or impacts.

IV. NATURAL RESOURCES MANAGEMENT PLAN

A. SUMMARY

The following outline summarizes major actions contained in the following Natural Resources Management Plan. A listing of further studies to be made follows the summary.

General: Use levels will be monitored in the park relative to resource protection.

1. Earth Slides:

   Earth slides cannot be easily predicted, nor economically prevented. Management policies are aimed at improving post-slide conditions.

   a. Minimize construction activities in slide areas.

   b. Divert runoff water from flowing over slides.

   c. Minimize damage to constructed improvements by avoiding development in the path of existing or potential slides and, in the case of unavoidable construction such as trails and roads, anticipate continued sliding.

2. Soil Erosion and Sedimentation:

   a. Seed earth slides and other bare areas.

   b. Limit wet season construction.

   c. Maintain drainage and erosion control devices.

   d. Construct a fence line to restrict cattle from the Wildcat Creek Trail.

3. Water Resources:

   a. Limit access to riparian zones, especially cattle access, through fencing (2.d. above).

   b. Correct heavy erosion on the slope west of Jewel Lake and resulting sedimentation of the lake. †

   c. Dredge 7,000 to 10,000 cubic yards of sediment from Jewel Lake by suction dredging at a cost of $50,000 to $60,000. Spoils will be deposited on-site. †

   d. Improve fish habitat.

† Although not within WCRP boundary, discussions of this area is included because of its relevance to WCRP's operations and/or impacts.

4. Vegetation:

   a. Maintain grassland as the dominant cover of the Park through cattle grazing.

   b. Continue existing control programs on artichoke thistle and purple star thistle.

   c. Take no action on brush management and fuel break development until:

      1) Data is available on slope stability from the Seidleman Study; and

      2) Temperature, humidity and fuel moisture data is collected and compared to information from previous fire sites in the District.

      3) Required CEQA process is fulfilled.

   d. Take no action on Eucalyptus management until fuel moisture, humidity and temperature studies are carried out. †

5. Wildlife:

   Feral cats and/or other feral animals will be controlled where they conflict with other park uses by trapping and surrender to an animal control officer.

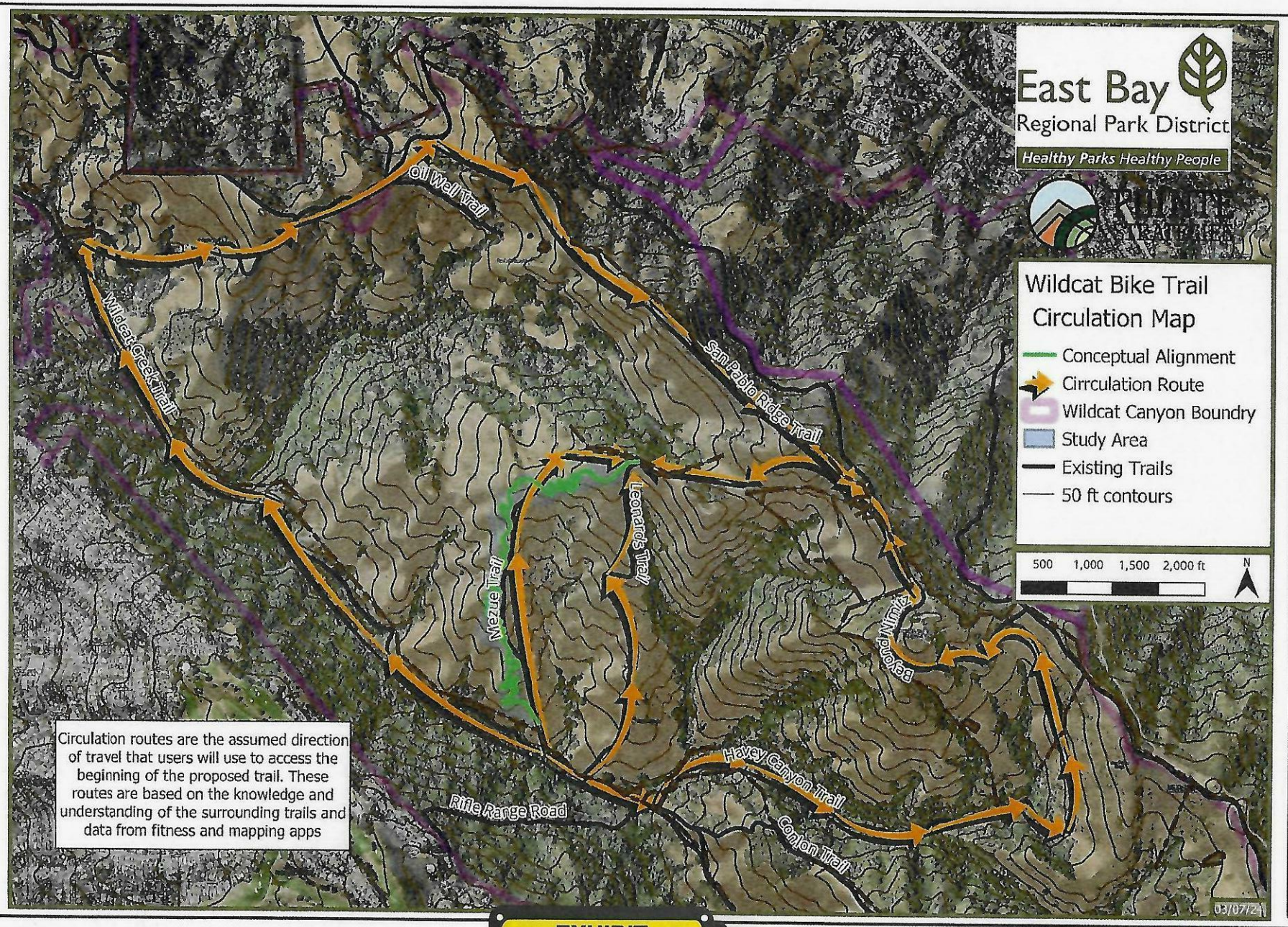
6. Future Studies to be Carried Out:

   a. Prepare a long-range water management plan to study the Tilden/Wildcat Canyon Park section of Wildcat Creek watershed and it's problems associated with sedimentation and chemical water quality as well as fish planting and the management of Lake Anza and Jewel Lake. This study will be executed as part of the LUDP for Tilden Regional Park.

   b. Prepare a long-range grazing management program to study the effects on WCRP of seasonal rotation of cattle, pasture deferment, and soil management as well as the relationship, if any, of pest plant species and grazing. This program will be developed by the District Grazing Manager and the WCRP Supervisor.

   c. Monitoring of fuel moisture content of brush and Eucalyptus at the Park and at other previous fire sites in the District. This work will be carried out by the District Fire Department.

† Although not within WCRP boundary, discussions of this area is included because of its relevance to WCRP's operations and/or impacts.



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4/25/24

DRAWN BY: EE

REVISIONS

WILDCAT BIKE TRAIL
WILDCAT CANYON REGIONAL PARK
RICHMOND, CALIFORNIA

CIRCULATION MAP

SHEET NUMBER
SP-2
4 of 32

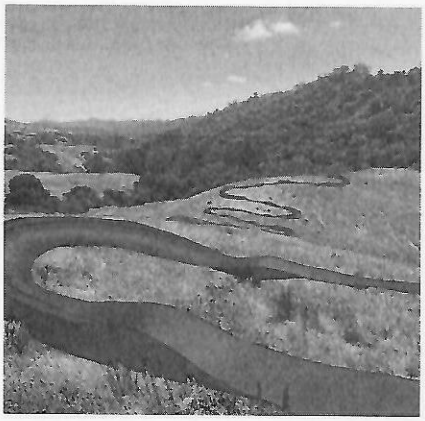
EXHIBIT
3

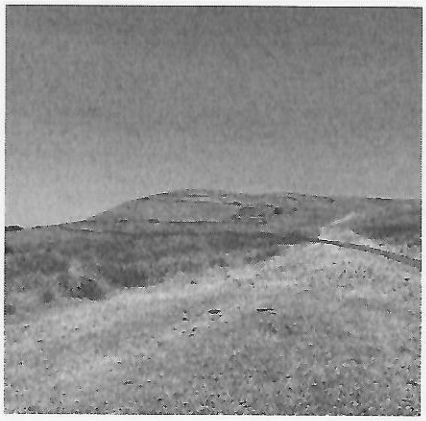
Wildcat Bike Trail Design

Tasked with creating a conceptual directional mountain bike trail that caters to the diverse needs of today's riders, Pointe Strategies sought to incorporate popular trail components while providing opportunities for skill progression and alleviating pressure on existing trails within Tilden and Wildcat Canyon Parks.

Pointe Strategies initiated the design process by conducting a thorough review of all available project data, including GIS data, topography, and relevant studies. This was followed by a comprehensive site visit with key stakeholders, including Trails Program staff, the Park Supervisor, and Stewardship staff, to discuss the project's history, context, design parameters, and operational considerations such as grazing and emergency response protocols.

Based on this collaborative input, several alternative design concepts were developed and presented to stakeholders. Following extensive discussions, a final conceptual design was selected. Pointe Strategies then delivered a comprehensive package to the client, including a preferred concept trail plan with schematic and illustrative drawings, planning-level cost estimates, and a detailed report justifying the chosen alternative.





REGIONAL PARKS
Foundation
Supporting East Bay Regional Parks

Gift Agreement

Between

The Regional Parks Foundation and Cortis and Barbara Cooper

Commented [JS1]: I apologize, I am not sure if this is correct.

This Gift Agreement ("Agreement") is made this ____ day of _____ between Cortis and Barbara Cooper (hereinafter referred to as "the Donor"), and the Regional Parks Foundation a nonprofit organization located in Oakland, CA. The Donor and the Regional Parks Foundation agree as follows:

1. **Donor Commitment.** The Donor hereby pledges to the Regional Parks Foundation the sum of $1,000,000, which as provided for herein is designated for the benefit of mountain bike trail construction within the East Bay Regional Park District.
2. **Donor Purpose.**
    1. Purpose. It is understood and agreed that the gift will be used for the following purpose or purposes: To plan, develop and construct an approximate 1-mile mountain bike flow trail at Wildcat Canyon Regional Park, an East Bay Regional Park District Park.
3. **Payment**. It is further understood and agreed that no payment shall be made until the East Bay Regional Park District has identified a location for the Wildcat Canyon mountain bike flow trail, the District Board of Directors approves the proposed project, any required environmental review processes have been concluded and approved, and all necessary permits are in place for said project.

    At such time as all requirements listed above are completed, payment(s) shall be made as follows:

Date	Amount
_____	_____
_____	_____
_____	_____

It is also understood and agreed that the gift funds as received may be invested by a third-party that shall best determine investment options for this fund. The spending policy for the fund will be the Investment Policy Statement set forth and approved by the Regional Parks Foundation Board of Directors to protect the funds and perpetuate growth until the conclusion of the project.

4. **Matching Gift.** The Donor has indicated the gift may be used as a matching gift opportunity to raise additional funds for mountain bike trail construction and maintenance within the community.

REGIONAL PARKS
Foundation
Supporting East Bay Regional Parks

5. **Intent**. It is the agreement of the parties and the intention of the Donor that this gift and any unpaid promised installment under this Agreement shall constitute the Donor's binding obligation. The Donor acknowledges that the Regional Parks Foundation has substantially relied, and shall continue to rely, on the Donor's gift being fully satisfied as set forth herein.
6. **Donor Engagement**. In addition to providing a cash donation for the construction of the mountain bike flow trail at Wildcat Canyon Regional Park, Donor agrees to promote mountain biking best practices, and trail safety and etiquette within the East Bay community. Specifically, X organization(s). Furthermore, Donor agrees to work with X organization(s) to host trail maintenance and clean up dates X times annually to encourage ongoing stewardship of the project.
7. **Recognition by the Regional Parks Foundation**. The Donor has chosen for said gift to remain anonymous receiving no public recognition.
8. **Reporting and Stewardship.** Reports on the status and performance of the project and use of funds shall be provided bi-annually to the Donor until the completion of the trail project.
9. **Future Changed Circumstances**. If, in the opinion of the Board of Directors of the Regional Parks Foundation, all or part of this gift cannot at some time in the future be usefully or practically applied to the above purposes or if the purpose cannot be achieved because of a future change in law or unforeseeable circumstances, the Regional Parks Foundation agrees to return the funds to the Donor.
10. **Amendment.** By mutual consent of the Regional Parks Foundation and the Donor, the Donor's legally or duly appointed agent or attorney-in-fact, or the personal representative of the Donor's estate, any provision of this Agreement may be amended, modified, or deleted. Any such changes, deletions or additions shall be recorded in written signed addenda, which shall form part of this Agreement.
11. **Entire Agreement.** This Agreement contains the entire understanding of the parties with respect to the subject matter of the Agreement and is subject to the laws of the State of [Your State]. This Agreement also supersedes all other agreements and understandings, both oral and written, between the parties relating to the subject matter of the Agreement.

Commented [JS2]: I wasn't entirely sure which organizations we wanted to engage or the frequency of the commitment. Adding something here will likely be of value to the EBRPD board of directors.

In witness whereof, the parties to this Agreement have affixed their signatures:

_____ _____

Cortis Cooper Date Juliana Schirmer, CAO Date

_____

Barbara Cooper Date