



# City of Sunnyvale

## Agenda Item

24-0130

Agenda Date: 2/15/2024

### 2024 COUNCIL STUDY ISSUE

**NUMBER**

LRS 24-01

**TITLE** Examine the Permanent Closure of Access to the Interior Levees Surrounding Sunnyvale’s Wastewater Treatment Ponds for Public Recreation

**BACKGROUND**

**Lead Department:** Library and Recreation Services

**Support Departments:** Office of the City Manager  
Office of the City Attorney  
Environmental Services Department

**Sponsor(s):** Councilmembers: Mehlinger, Melton, Klein, Cisneros, Sell, Srinivasan, Din

**History:** 1 year ago: N/A  
2 years ago: N/A

**SCOPE OF THE STUDY**

**What precipitated this Study?**

During the Moffett Park Specific Plan (MPSP) approval process, local environmentalists raised concerns about the potential impact that public access to interior levees around the water treatment plant could have on local wildlife if community use increases with additional development in the area. Based on these environmental concerns, Councilmember Mehlinger requested that staff conduct a study issue to examine the permanent, year-round closure of the water treatment pond interior levees (Attachment 1).

**What are the key elements of the Study?**

The wastewater treatment pond levees are narrow, low, and in places, fragile. The interior levees have been accessible and used by the public for recreation purposes, however these levees are not designed, intended or designated as public pathways or trails. During fall and winter migration seasons, some waterfowl gather on or near the ponds, levees and other surrounding areas to rest and recover. In the spring and summer, local species nest and raise their young on the levees. In addition to wildlife, the ponds and levees attract bird watchers, pedestrians, and bicycle traffic.

For bicycle and/or pedestrian use, access to the interior levees is not essential, as the adjacent outer levees provide alternative wider, taller, and more robust levees with trails better suited and designed for recreational and commuter access.

Sunnyvale Water Pollution Control Plant staff require 24/7 access to the interior levees. The levees and the treatment ponds are not managed for habitat purposes; they are a critical part of the wastewater treatment operations and are managed accordingly. Use of the interior levees by visitors,

birds and other species is incidental. Signage along the interior levees alerts users to the operational use of the ponds and does not invite recreational activity. The City is required to provide public access to the outer levees as a condition of its permit with the Bay Conservation and Development Commission (BCDC). The inner levees are not required to be open to public access.

This Study Issue would examine the permanent closure of public access to the interior levees. It would include public education and engagement relative to the Wastewater Treatment Ponds, the levees, alternative/adjacent recreation options, and the natural environment; presenting findings and alternatives to both the Sustainability and Parks and Recreation Commissions, either jointly or separately, to make a recommendation for City Council consideration.

Estimated years to complete study: 1-2 years

**FISCAL IMPACT**

**Cost to Conduct Study**

Level of staff effort required (opportunity cost):	Moderate
Funding Required for Non-Budgeted Costs:	\$5,000 (Outreach Signage/Materials)
Funding Source:	Will seek budget supplement - General Fund

**Cost to Implement Study Results**

Implementation costs may include signage and improved facility access controls (e.g., fencing, gates, etc.). An estimate of implementation costs will be completed as part of the study.

**EXPECTED CITY COUNCIL, BOARD OR COMMISSION PARTICIPATION**

Council-Approved Work Plan: No  
Council Study Session: Yes  
Reviewed by Boards/Commissions: Parks and Recreation Commission; Sustainability Commission; Bicycle and Pedestrian Advisory Commission

**STAFF RECOMMENDATION**

Support. This policy issue merits discussion at the 2024 Study Issues Workshop.

Staff supports the need to analyze bike, pedestrian, birder, and general recreation access (e.g., interests, benefits, and needs) relative to potential closure of public access to the inner levees of the Sunnyvale Wastewater Treatment Ponds. Outreach efforts will include the general public (trail users), Sunnyvale residents, partner or government agencies (e.g., San Francisco Bay Conservation and Development Commission (BCDC), and non-profit organizations (e.g., Santa Clara Valley Audubon Society, San Francisco Bay Bird Observatory).

As part of the Study, staff will review Sunnyvale’s General Plan, including Chapter 3: Land Use and Transportation (Land Use and Open Space); Chapter 4: Community Character (Recreation); and Chapter 7: Environmental Management (Wastewater Collection and Treatment). Staff will also determine if permission to close the interior levees is necessary from any of the agencies with jurisdiction over the area.

Prepared by: Damon Sparacino, Recreation Superintendent

Reviewed by: Michelle Perera, Director, Library and Recreation Services

Reviewed by: Ramana Chinnakotla, Director, Environmental Services Department

Reviewed by: Chip Taylor, Director, Department of Public Works

Reviewed by: Sarah Johnson-Rios, Assistant City Manager

Approved by: Kent Steffens, City Manager

**ATTACHMENT**

1. 2023 WPCP Interior Levee Closure Map

Pond A3W  
US Fish and Wildlife Service

Pond A8  
Valley Water

Oxidation  
Pond 1

Oxidation  
Pond 2

Moffett Channel

Pond A4  
Valley Water

WPCP

Legend



Proposed Interior Levee Access Closure(s)

nearmap

# Proposed WPCP Treatment Ponds Interior Levee Access Closure Map

City of Sunnyvale Water Pollution Control Plant  
1444 Borregas Ave, Sunnyvale, CA 94088



Sunnyvale