Chapter 3

# EMERYVILLE CRESCENT: THE SCULPTURE GARDEN CONTROVERSY

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## Introduction

Open space situated within a densely populated urban environment plays an important role. It offers a change in scenery from the crowded city streets, provides a habitat for wildlife, and can be used for recreational purposes. The conflict between conservation and recreation is longstanding and very complicated. It entails questions about land use, both in rural undeveloped areas and within cities. Should the land be set aside and made inaccessible to the public in an attempt to conserve and preserve what is there, or should the rich resources of the natural environment be made available for the enjoyment of the public by creating recreational sites and facilities? Furthermore, by conserving an area of open space, is the possibility of recreation necessarily eliminated? And if an area is opened up for recreation does that imply that the natural resources and beauty cannot be conserved?

The Emeryville Crescent embodies such a conflict because it is, on the one hand, the primary habitat for many species of birds and a valuable and productive salt marsh. On the other hand, it is a popular site for many recreational activities including birdwatching, walking, dog running, and sculpture building. Because of the resources at the Crescent and its location within a heavily urbanized environment, it has much environmental and social significance. However, it is not clear whether the use of the area for recreational purposes is compatible with efforts to conserve the salt marsh and wildlife that exist at present.

The fundamental issue concerning the Crescent is whether the area should be open to public access and used as a recreational facility, or whether a wildlife preserve should be created and public access restricted. Strong supporters of preservation argue that recreational usage of the area is disruptive to the natural ecosystem and wildlife, while proponents of recreation stress the uniqueness and social significance of the Crescent, and the compatibility of recreation with the

needs of the wildlife. It is my belief that preservation can coexist with recreational usage of the area. However, compromises will have to be made. Some marshland destruction and birdlife disturbance will result from the presence of dogs and people at the Crescent, but if certain restrictions are placed on the types of recreational activities allowed at the Crescent, damage can be minimized. I will examine the conflict between conservation and recreation at the Crescent by outlining the resources at the Crescent, their use, the problems associated with their use, and the recommendations for future use of the area.

## Site Description

The Emeryville Crescent occupies the area west of the Eastshore freeway between Powell Street and the approach to the Bay Bridge toll plaza (FIGURE 1). Two hundred years ago, open water and tidal flats occupied this entire area. Since the nineteen twenties, however, filling, diking and dredging have altered the Crescent significantly. The southern arm of the Crescent between the Oakland storm drain and the

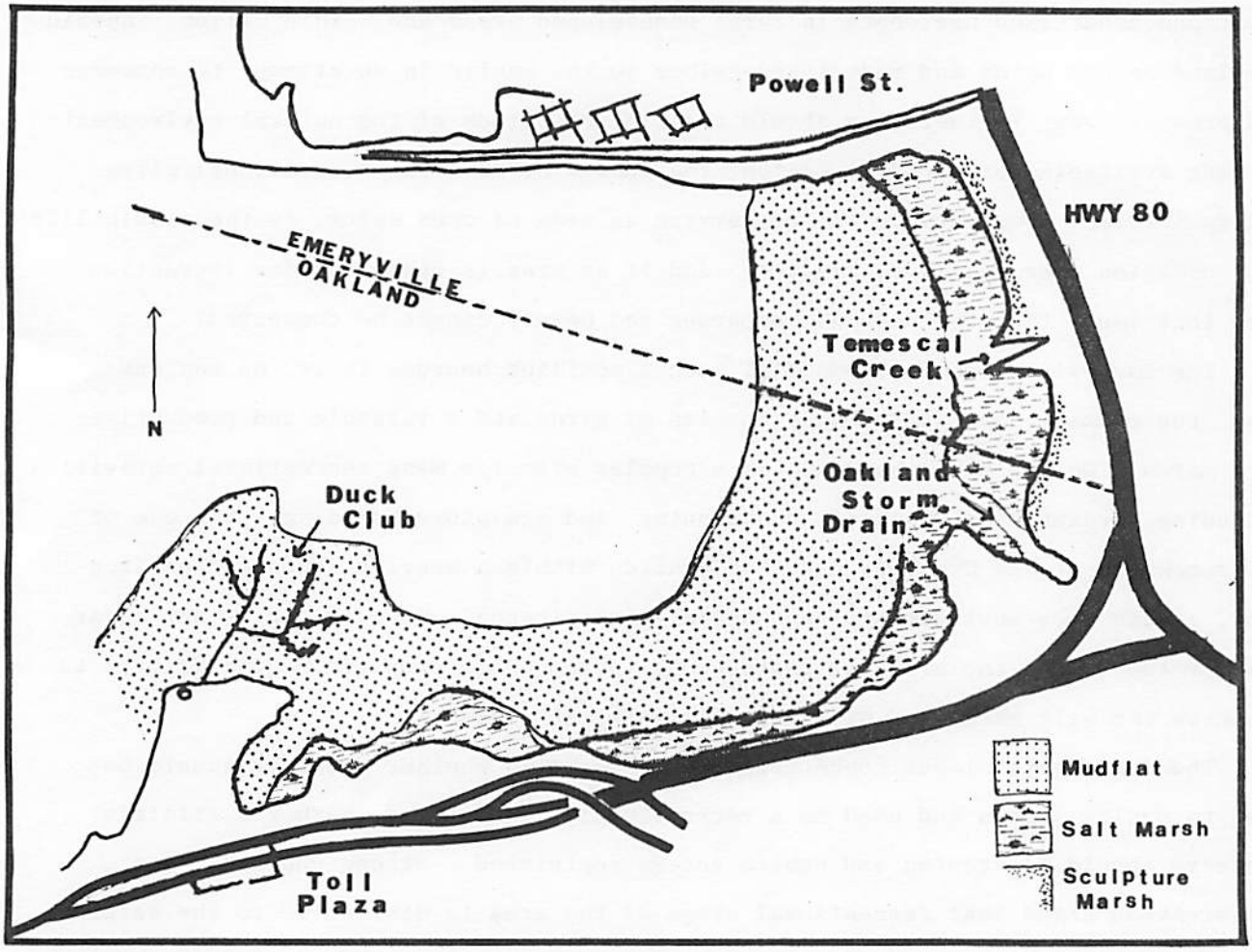


FIGURE 1. Emeryville Crescent.
Base Map: USGS.

Oakland Rod and Gun Club was filled between 1929 and 1940. The northern arm between Temescal Creek and Powell Street was created by fill between 1953 and 1967 (see Allison Turner's report). Now a continuous salt marsh stretches from the toll plaza to Powell Street.

The Crescent is owned by Santa Fe Land, Inc., but the shoreline, marsh and water are regulated by Bay Conservation and Development Commission (BCDA) and the Army Corps of Engineers. At one time, Santa Fe proposed to fill the marsh and build condominums for housing (Wakeman, pers. comm., 1982). Presently, it is unclear what Santa Fe plans for the area. The City of Emeryville has zoned the Crescent as residential.

Driftwood and other debris is carried in from the bay by tidal action and deposited on the northernmost portion of the marsh (adjacent to Powell Street), where it collects in large quantities. The wood is used to build driftwood sculptures in the marsh. A large sculpture garden extends from south of Temescal Creek north to Powell Street (FIGURE 1). In addition to sculpture building, the Crescent is used by people to observe the birdlife in the salt marsh, to walk dogs and hike, and to picnic. The southern end of the Crescent by the toll plaza is occupied by the Oakland Rod and Gun Club, otherwise known as the Duck Club.

The Biology

The biology of the Crescent is very diverse. The salt marsh biome predominates, and the major plant species include pickleweed (Salicornia), cordgrass (Spartina foliosa), and salt grass (Distichlis spicata). The salt marsh is the primary producer for the marine ecosystem; the energy-generating capacity of cordgrass is two to seven times greater than that of an equal acreage of wheat. Most of the marsh productivity goes into the bay waters as detritus, which provides food for animals higher in the food chain. Marshes are an important source of oxygen which is needed by the water in order to support marine life, and the salt marsh acts as a sink for aerial and water-borne pollutants (Bodega Bay Institute, 1978).

The second major biome, the mudflats, lies below the low tide mark and extends into the bay. The mudflats support numerous animal species, including worms, crabs and mussels. These animals are integral links in the food chain. Upon decomposition they enter the detritus pool, and, together with the decomposed salt marsh plants, serve as a major food source for mussels, shrimp and crab which, in turn, feed fish.

The Crescent supports the largest number of bird species found along the shoreline of San Francisco Bay, including a significant portion of the San Francisco Bay wintering shorebird population (Harvey, et al., 1977). Over ten thousand birds have been estimated to winter at the Crescent, representing up to fifty different species. Herons, egrets, ducks, geese, shorebirds, gulls and terns are among the most common birds found at the Crescent. In addition, a few endangered species inhabitat the area, including the California Clapper Rail, and the Brown Pelican. The Crescent is an important nesting, roosting, wintering and feeding site for the birdlife found there. For the Clapper Rail, it is the only wintering ground in all of California. For other birds, it is the only wintering site in all of North America.

The Salt Marsh Harvest Mouse also inhabits portions of the Emeryville Crescent. It is endemic to the salt marshes of the San Francisco Bay region. It is listed as an endangered species due to the rapid destruction of its limited habitat. Recreational use of the Emeryville Crescent may further limit mouse habitat. (See the report by David Olson for an in-depth discussion of mouse populations at the Crescent).

The Sculptures

The Emeryville Mudflat sculpture garden dates back at least twenty years. Perhaps the first people to utilize the driftwood that collected at the Crescent were members of the Oakland Rod and Gun Club. They built duckblinds and occasionally an interesting sculpture (Sommer, 1979).

By 1961, the Emeryville sculpture garden was underway, initiated by a group of students from the California College of Arts and Crafts who were studying the work of a German artist, Kurt Schwitters. His aptly named Merz Art, taken from the German word Kommerz, was created from the odds and ends of commerce. The students, inspired by Schwitters' collages, went down to the Emeryville mudflats and created a sculpture from the driftwood they found (Sommer, 1975). From then on, people have been building sculptures at the Crescent.

The historical significance of the sculpture garden is great. It was one of the vehicles used for expressing the political and social ideas that were raised during the 1960's and early 1970's. A few pieces from this early period still stand. For example, the large platform just north of Temescal Creek which was used as a stage for plays, concerts and rallies for many years, is now used by picnickers and sunbathers.

The sculpture garden enjoys local fame. It is highly visible from the Eastshore freeway and attracts the attention of the motorists driving along the freeway and Frontage Road. Several articles have been written about the area in local magazines and newspapers (Feelie, 1973), and a book has been written specifically about the sculpture garden (Sommer, 1979).

Non-Environmental Problems

There are specific problems associated with the presence of the sculpture garden. The uniqueness of the sculptures creates a distraction to motorists along Highway 17 and Frontage Road. If drivers slow down in order to look at them, the congestion along this stretch of road increases, and serious traffic accidents could result. There is no designated parking along the portion of Frontage Road adjacent to the Crescent. People park illegally, however, and the presence of these cars could also lead to increased congestion and possible accidents.

Some people feel the sculptures disrupt the view along the shoreline and destroy the beauty of the natural coastline. Others have criticized the increasing use of materials not found at the Crescent in the sculptures, such as paint and plastic. Not only has this phenomenon marked a change in the original "rules" of sculpture building--only materials found at the site could be used in the sculpture--it has led to an overall decline in the creativity and appearance of the sculptures. Finally, problems arise over ownership rights and public use. Although the Crescent is legally owned by Santa Fe Land, Inc., the public may have some rights to the land because of its long and continued use (Wakeman, pers. comm., 1982).

Environmental Problems

In addition to the non-environmental problems created by the use of the Crescent for recreation, there are environmental problems as well. In the following section, I will discuss the specific issues of environmental impact: salt marsh and soil degradation, the effects of the degradation on productivity and wildlife, and the disturbance of fauna.

Trampling by dog and foot traffic causes the greatest damage to the salt marsh. Pickleweed and cordgrass are extremely sensitive to such trampling. They show signs of trampling with just a little disturbance, and recover very slowly. The effect of trampling is not only visually displeasing, but biologically harmful as well.

The soil in the salt marsh is easily compacted. With the repeated impact by dog and foot traffic, permanent paths are created, and the soil becomes extremely

hard and unable to support plants. The ability of this soil to recover has been studied by Jim Doyle (see his paper).

The loss of the salt marsh has a negative impact on the larger marine ecosystem. The fishing and shellfish industry rely heavily on the production of the salt marsh. "Most of the commercial and sport fisheries of the Central Valley and of the bay are dependent on the quality and quantity of marshes, mudflats and open water and permanently submerged areas" (Harvey, et al., 1977, p. 49). The continued degradation of the salt marsh will mean less fish and shellfish available for human consumption, and may have a negative impact on the local economy.

Another major environmental impact that recreational use has on the Crescent is the disruption of the bird habitat. The roosting, nesting and feeding sites of the birds are very specific, and easily disturbed by the presence and movement of dogs and people. Dogs pose the greatest problems because they chase after birds and flush them from their roosting sites (Stephen Bailey, pers. comm., 1982). The primary habitat for the endangered California Clapper Rail is the pickleweed and cordgrass marsh. The Clapper Rail can no longer be found in the sculpture area north of Temescal Creek, and if the sculptures continue to spread south of the creek outlet, the bird could disappear altogether (Stephen Bailey, pers. comm., 1982).

The Emeryville Crescent is a habitat bridge. This means that it is a necessary location for the continuation of many of the bird species which inhabit the area. If the Crescent is destroyed, the evolution of the bird species may be seriously hampered (Bodega Bay Institute, 1978).

Recommendations for Future Use

Opinions are divided about the best future use of the Emeryville Crescent. The various interest groups, governmental and regulatory agencies, environmental groups and individuals involved in the planning for an East Bay Shoreline Park have issued statements and recommendations concerning the future of the Crescent. In the following section, I will summarize these recommendations, and then suggest what needs to be done before a final decision can be made about the future use of the Crescent.

Although there are a variety of opinions concerning the best use of the Crescent, the recommendations can be divided into two basic categories: the first emphasizes preservation of the Crescent by limiting and controlling access to people and dogs; the second stresses recreation at the Crescent by providing public access and recreational facilities.

The Case for Preservation

The Department of Parks and Recreation has described the Emeryville Crescent as "an important wildlife area which ultimately could be acquired and managed by the U.S. Fish and Game as part of the S.F. Bay Wildlife Refuge System. Public access to these wetlands should be controlled because of their fragile character" (DPR, 1982).

The Bodega Bay Institute report on the Crescent concludes that the Crescent would be best protected and managed as a wildlife preserve, with strictly controlled public access. The Institute feels that the driftwood sculpturing requires planning and regulation to avoid considerable habitat destruction. "Past attempts to exclude people from this area, including bulldozing of the sculptures and rigorous parking enforcement, have met with little success" (Bodega Bay Institute, 1978, p. 28).

The Audubon Society is very concerned with the continuing southward expansion of the sculpture garden. A special committee within the Society on the Emeryville Crescent has been very involved with efforts to preserve the Crescent. It has made direct appeals to the Coastal Conservancy, Public Trust for Lands, and the U.S. Fish and Wildlife Service, among other environmental and governmental agencies, to have the Crescent restricted to public access and made into a wildlife refuge and preserve. According to Stephen Bailey, the committee is most concerned with the expansion of the sculpture area south of Temescal Creek, and the subsequent destruction of the marsh and bird habitat by dogs and people. If the sculptures were restricted to the area north of Temescal Creek, the damage would be reduced by half. Neither the movement and noise emanating from the traffic on the Eastshore freeway, nor the birders and the Duck Club members in the south marsh seem to create any disturbance among the birdlife (Stephen Bailey, pers. comm., 1982).

The Case for Recreation

The East Bay Regional Park District (EBRPD) classifies the Crescent as Shoreline, and if it were under the control of the district, would operate the Crescent as a Regional Preserve. The purpose of a Regional Preserve, according to the District, is to protect features and outstanding elements of natural or historical significance, making them available for the enjoyment and education of the public (EBRPD, 1980). The District feels that the Crescent does need protection because of the valuable bird life and salt marsh (the next closest marsh is six to seven miles south of the Crescent in San Leandro), but it is also suitable for trail building and driftwood sculpturing. It is possible to design a trail around

the area without disrupting the salt marsh. This could be done by using physical barriers, such as moats and fences (Koos, pers. comm., 1982). The sculptures, if restricted to the areas closest to the highway and access points, could be continued without great impact on the marsh (Koos, pers. comm., 1982). Past experience has led the District to conclude that the creation of a park results in the education of the users about the environment and potential damage that could occur from misuse of the area. Consequently, the area is used less destructively than before a park is created (Koos, pers. comm., 1982).

The Bay Conservation and Development Commission (BCDC) general policy concerning marshes is that "carefully selected, designed and controlled areas should be made accessible to the public so that the unique educational, aesthetic and recreational values that marshes offer can be fully enjoyed" (Harvey et al., 1977). Like the EBRPD, the BCDC believes that if the impact is not too severe, it is better to provide limited access to an area rather than to eliminate access. The BCDC goal is to involve people with the bay. The idea of creating a wildlife refuge without public access is contrary to this goal (Wakeman, pers. comm., 1982).

Lynn Brenner, from the City of Berkeley Parks Design Section, feels that it is very difficult to keep people from using an area even if there are rules and regulations restricting public access. The best thing to do is to create a limited-access recreational area with raised boardwalks, interpretive signs, trailmarkers, and observation platforms (at the north and south ends of the marsh) for birdwatching.

The users of the Emeryville Crescent have expressed a strong interest in the continuing presence of the sculpture garden. Most of the people I spoke with in the sculpture garden said that the sculptures were interesting, unique, and important part of the history of the East Bay, and that they didn't interfere with the wildlife at the marsh. They would like to see the marsh left open to public access and sculpture building. (For a more detailed account of the users' opinions about the Crescent, see paper by Grant Edelstone).

In his book on public artwork, the UC Davis psychologist Robert Sommer has written: "It seems most logical to regard these salt marshes as multi-use areas in which the sculptors and their admirers as well as birds and birdwatchers can co-exist harmoniously as they have done in these past years" (Sommer, 1979, p. 16). He would like to see this area designated as an undeveloped regional park. "It is the most accessible public sculpture gallery where people can create their own

artwork. Nowhere is the marriage of art and biology as harmonious as on this small stretch of neglected shoreline" (Sommer, 1975, p. 41).

I would like to see the continuation of a sculpture garden at the Crescent, but restricted to the area north of Temescal Creek. This section of marsh is already severely damaged, and the endangered Clapper Rail can no longer be found here. Sculpture building south of the creek outlet should be prohibited, and a series of boardwalks and interpretive signs describing ghe marsh ecosystem and the wildlife should be constructed in this area. Dogs should not be allowed in the Crescent south of Temescal.

The continued use of the Emeryville Crescent for recreational activities will create some disturbance of the birdlife and the salt marsh, but the damage can be minimized if recreational use is controlled and properly managed. I feel that recreation and preservation are compatible at the Crescent, if compromises are made, and people use the area in the least disruptive manner.

Conclusion

The diversity of opinion presented above serves as an indication of the complexity of the issue, and the difficulty there is in making a decision about the future use of the Emeryville Crescent. The advocates of preservation feel that the natural environment and resources of the Crescent need protection, and the best way to protect is to restrict the public from using the area. The advocates of recreation feel that the natural environment and resources of the Crescent should be made available for the education and enjoyment of the public.

Several questions still need to be answered. What should be done with the existing sculptures if a wildlife preserve is created? How will restrictions be enforced and access regulated at the Crescent? Will the status quo behavior, established over a period of twenty years, change? How can public interests best be served? How will the wildlife and salt marsh best be protected?

In addition to answering these questions, studies must be carried out before a workable solution for the future of the Crescent can be arrived at. A quantitative analysis of disruption must be done in order to determine the amount of disturbance of the birdlife due to the presence of people and dogs in the marsh, the impact of dog and foot traffic on marsh productivity, and the effect of trampling on the marsh soil. Some of this work has already been started by Jim Doyle and David Olson (see their papers). In order to assess the success of raised boardwalks and platforms in marsh preservation, a survey of existing marshland

parks and preserves utilizing these structures should be carried out.

The general public, especially users of the Crescent, must be educated about the basic ecology of the salt marsh ecosystem, the role it plays in the food chain, and the importance it has in connection with the birdlife which now inhabits the Crescent.

Finally, discussion must be started between the various groups and individuals that have an interest in the future of the Emeryville Crescent. Ideas and recommendations need to be discussed among the different groups, and the priorities of each group must be shared.

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