

I. Master License Agreements – EBRPD/County Flood Control Status Update.

a) Renewal of EBRPD's license at Coyote Hills which expired December 2008

In 1983, the Park District entered into a license with Alameda County Flood Control and Water Conservation District for the license of the greater portion of Coyote Hills Regional Park (approximately 454 acres) for park and recreational purposes, which included the development and operation of a fresh water marsh on the property. With the license set to expire in December 2008, Park District staff contacted Alameda County Public Works in August 2007 requesting an extension of the license agreement.

While County Public Works agreed to an interim extension of the license on a month-to-month basis in July 2008, pending the execution and renewal of license renewal documents, no documents have been provided.

This matter was discussed at the September 3, 2009 Liaison Committee meeting and County Public Works staff indicated that the County would like to create a master agreement containing all license agreements for parcels with the Park District in one document with a 25-year term including an automatic renewal provision.

b) Renewal of EBRPD's license for portions of the Shoreline Trail along the Hayward Shoreline which expired December 2008.

Also in 1983, the Park District entered into a license with Alameda County Flood Control and Water Conservation District for the 2.5-mile shoreline trail which runs south from the Grant Avenue Staging Area to the Hayward Landing Flood Control Channel.

Nearly a year prior to the 2008 expiration date Park District staff contacted Alameda County Public Works requesting an extension of this License Agreement. An interim extension was granted on a month-to-month basis, pending the execution and renewal of license renewal documents.

As with the preceding license agreement, County Public Works staff indicated at the last Liaison Committee meeting that this license agreement would be part of the master license agreement they were proposing.

In the intervening months since the last Liaison Committee meeting the Park District's Land Acquisition staff has had no follow-up from County Public Works staff regarding establishing a master agreement.

Supervisor Steel requested these items be on the next Liaison Committee meeting agenda for a progress update.

2. EBRPD's interest in acquisition of a portion of road right of way along Fairmont Drive for a trail connection.

At the last Liaison Committee meeting Park District Land Acquisition staff made the report indicating that the Park District wished to acquire the rights to construct and maintain a trail extension and crossing adjacent to Lake Chabot Road from Crest Field to Lake Chabot Regional Park. In order to improve public safety on the Stanton Ridge Trail the Park District wished to develop a new trail through Crest Field leading directly to the existing crosswalk.

Alameda County Public Works staff members have indicated that acquisition of the rights to extend this trail is possible. The Park District is prepared to proceed with a field survey, appraisal and preparation of legal documents. Park District Land Acquisition staff requested information regarding what rights the county is willing to convey and what steps need to be completed.

County Public Works staff indicated that the County is waiting for the Sheriff's Department to get back to them regarding how much space they will need for a turn-out on Fairmont Drive. After that is decided the County will write a metes and bounds description. To date there has been no follow-up by county staff.

Supervisor Steele requested that this item be on the next Liaison Committee agenda for an update.

3 Update on San Francisco Public Utility projects including impacts on Sunol - Calaveras Dam Replacement

Project Description

SFPUC is proposing to replace the existing earthen Calaveras Dam with a new \$250,000,000 dam. The 96,850 acre-foot reservoir will remain the same size. The dam was not designed to current seismic standards and it at risk of failure in a large seismic event. The existing dam is 210 feet tall with a top elevation of 779 feet. The new dam would be 772 feet. The proposed project would affect 343 acres within the existing watershed. A draft EIR was release for public comment in October 2009. Construction is scheduled to begin in 2011 and be completed in 2015. However, the final EIR has not yet been released so this schedule may have slipped.

Human Health Impacts

Approximately 6,200,000 cubic-yards of earth and rock will be moved to construct a new 2,400,000 cubic-yard earthen dam. Approximately one-half of the earth work will take place in Franciscan rock that contains asbestos. Airborne asbestos generated by the project may enter Sunol Regional Wilderness, especially during periods of later summer southerly winds. SFPUC believes that there will be no adverse effects to public health from potential asbestos exposure. However, this can only be demonstrated by air quality monitoring during project construction. Exposure to even very low levels of Amphibole asbestos can result in the respiratory cancer Mesothelioma. Short-term health effects may also result from exposure to airborne Chrysotile asbestos (and non-asbestos particulates). The project area contains both asbestos types.

Traffic and Circulation Impacts

About 320,000 cubic-yards of fill material will be imported to the project area using Calaveras Road from the Sunol area. This will require an estimated 16,000 truck trips on Calaveras Road, the sole point of vehicular access to Sunol Regional Wilderness. Calaveras Road south of Geary Road will be closed for a total of twenty months during project construction. Calaveras Road north of Geary Road will be subject to periodic and unscheduled closures during a twenty-month period (total) for transportation of heavy equipment, road surface repair and repaving, and whenever airborne particulates exceed air quality standards. When the road is open, park visitors and bicyclists will need to share this narrow road with two-way heavy truck traffic. This will make road conditions unsafe and will discourage park usage.

Potential Park Closure

SFPUC has not proposed adequate mitigation measures to protect the health and safety of park employees and visitors during project construction. In order to mitigate these impacts it may be necessary for the Park District to close portions or all of Sunol Regional Wilderness during the four-year project construction period. This would be an unprecedented decision and is of great concern to the Park District.

Requested Mitigation Measures

The Park District has requested a number of measures to mitigate the significant impacts to human health, traffic and circulation, recreation and increased District costs during project construction. Thus far SFPUC has not committed to the requested mitigation measures.

Park closure for four years would result in the loss of approximately \$500,000 in revenue. The District would also experience increased operating costs to close and secure the park. District facilities and twenty staff would be relocated outside the park. The Park District leases 3,812 acres of parkland from the SFPUC for \$40,000 per year. The total costs of lost revenue, increased operations, facility relocation and lease payments may well exceed \$2,000,000.

Mitigation for the loss of recreational opportunities is another significant concern for the District. Closure of the 6,858-acre Sunol Regional Wilderness for up to four years is a significant impact. Dedication of the 3,812-acre leased area to the Park District would mitigate some of this impact and the \$40,000 annual lease payment would no longer be required.

The park has more than 230,000 visitors per year. Potential recreational impacts to visitors would include closure of campgrounds, backpack camps, picnic facilities, equestrian programs and trails. Naturalist programs for 97 schools from 16 school districts would be suspended. Mitigation for such impacts could include construction or replacement of recreational facilities, including installation of drinking water and construction of a \$3,000,000 replacement bridge over Alameda Creek. Such improvements could be implemented while the park is closed.

As a condition of its road closure permit, Alameda County will be requiring the SFPUC to dedicate right-of-way for construction of future bicycle lanes on Calaveras Road. SFPUC is also required to repave Calaveras Road after dam construction is completed. We believe that SFPUC should also be required to construct the new bike lanes as a permit condition and project mitigation measure. This could be completed as part of the road repaving project.

4. Creation of a committee to continue the Children's Memorial Grove Project

Supervisor Gail Steel requested that this item be placed on the Liaison Committee agenda to discuss her ideas for how best to keep the Children's Memorial Grove Project "alive" following her retirement from the Alameda County Board of Supervisors at the end of this year.

5. Potential Historic Designation of County Property Used by Pacific Locomotive Association

Chris Grey, Supervisor Scott Haggerty's Chief of Staff requested that this item be placed on the Liaison Committee agenda and County staff will be making the presentation.