

1) Alameda County Flood Control Requirement for encroachment permit for EBRPD rehabilitation work at Don Castro Lagoon. EBRPD's project to rehabilitate the Don Castro Lagoon was planned for start two years ago, but was delayed a year due to Alameda County's concerns about the affects a potential project to raise the dam at Don Castro could have on the Park District's improvements. In a discussion of County Flood Control's dam seismic upgrades projects (for both Cull Canyon and Don Castro) at the June 6, 2008 Liaison Committee meeting, County Public Works Flood Control Program Manager Hank Ackerman indicated that the lagoon project would not be affected by any of the options under consideration by the County. Based on that information, EBRPD's Design and Construction Department proceeded to restart the Don Castro Lagoon rehab project.

The Park District hired a contractor, worked diligently to meet the requirements of the County Building Official and stand ready to proceed with the rehab project. Several months ago, EBRPD received from the County an application for an encroachment permit, with special provisions that rewrite the Park District's underlying agreement for the facility. Over the last two years there never was a discussion of the need for such an encroachment permit. EBRPD staff has no authority to approve the special conditions contained in the permit since they rewrite the terms of the standing agreement and would require approval by the Park District Board of Directors.

EBRPD staff feels that these new encroachment permit conditions are unacceptable and inappropriate requirements that are a complete break from past procedures for gaining approval for the improvement of Don Castro. EBRPD Assistant General Manager for Planning, Design, Stewardship and Construction Mike Anderson has communicated with Mr. Ackerman and requested that the County follow the normal process for approval of improvements to Don Castro and/or a revised permit that eliminates the special conditions. Unfortunately, there has been no response from the County to this communication which occurred in May of this year. This item has been placed on the Liaison Committee agenda in hopes that there can be some action to move this project forward

2) Renewal of EBRPD's License at Coyote Hills Regional Park 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. This license expired on December 5, 2008.

In August 2007, the Park District contacted Alameda County Public Works requesting an extension of this License Agreement. In July 2008, Public Works agreed to an interim extension of the license on a month-to-month basis, pended the execution and renewal of license renewal documents. Although Park District staff has repeatedly requested these documents, none have been provided to date. Park District staff is willing to draft the license and do whatever else is necessary to accomplish this renewal; however, cooperation from ACFC is urgently needed.

3) Renewal of EBRPD's license for portions of the Shoreline Trail along the Hayward Shoreline 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 2.5-mile shoreline trail which runs south from the Grant Avenue Staging Area to the Hayward Landing Flood Control Channel (approximately 2.5 miles). This license expired on July 26, 2008.

Nearly a year prior to the expiration, Park District staff contacted Alameda County Public Works requesting an extension of this License Agreement. An interim extension has been granted on a month-to-month basis, pending the execution and renewal of license renewal documents. Despite numerous requests, no progress has been made toward the desired renewal. Park District staff is willing to draft whatever documents are required; however, some guidance and cooperation from ACFC regarding the process is necessary.

4) EBRPD's interest in acquisition of a portion of road right of way along Fairmont Drive for a trail connection. The Park District wishes 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. Currently, the Stanton Ridge trail ends approximately 200-300 yards from the existing pedestrian crosswalk that leads into Lake Chabot Park. In order to improve public safety, the District wishes 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. Staff would like to request information regarding what rights the County is willing to convey and what steps need to be completed.

5) Measure WW general update on local grant program

\$530,722.00 in Measure WW Local Grant Funds has been appropriated to the unincorporated areas of Alameda County. EBRPD retains project selection authority for unincorporated areas in Alameda County and Contra Costa County. However, the counties will have the first opportunity to propose projects for the unincorporated areas of the county pending approval of project selection by the Board. The Board will select projects that best meets the needs of the unincorporated areas and insures equitable geographic distribution of funds. Neighboring agencies with projects that serve the unincorporated area are encouraged to work with the counties in proposing projects.

EBRPD accepts applications for Measure WW Local Grant Funds in February and March each year through 2018. In 2009, EBRPD received 48 project applications valued at \$33,786,227.00 from local agencies, none from Alameda County. EBRPD staff has been in contact with Rubin Izon and Paul Keener regarding the submission of the County's projects to EBRPD for approval. EBRPD will need to coordinate further with the County before the end of the year if the County wishes to submit an application prior to the 2010 application deadline March 31st.