

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

TUESDAY, AUGUST 21, 2001

c. BUSINESS BEFORE THE BOARD

4. PLANNING/STEWARDSHIP, DESIGN AND CONSTRUCTION

b. PUBLIC HEARING

Approval of Land Use Plan Amendment for Black Diamond Mines Regional Preserve (Turner/Mikkelsen)

RECOMMENDATION

The General Manager, Board Executive Committee and Park Advisory Committee recommend that the Board of Directors approve an amendment to the Land Use Plan (LUP) for Black Diamond Mines Regional Preserve to incorporate the Arata and Southport properties within the park unit and to open the properties for public use.

REVENUE/COST

There is no cost associated with the approval of this recommendation. The properties will be operated within existing Public Safety and Park Operations (Interpretive Parklands and Maintenance) budgets.

BACKGROUND

Two properties have been acquired on the north and west side of Black Diamond Mines Regional Preserve that have not been formally incorporated into the parkland. These are the Arata and Southport properties (see Figure 1). The Arata parcel is located on the east side of Somersville Road on the northern boundary of Black Diamond Mines Regional Preserve, east and north of the park office. The Southport property is located on the western side of the preserve between Black Diamond Way and the existing parkland to its east. Both properties are dominated by annual grasslands with some oak/bay woodland on their north slopes. The Arata property has a 1000-foot sloped hill at its center whereas the Southport property is lower and less steep. Both properties include habitat for California red-legged frog and Alameda whipsnake, and both are grazed.

Both properties also contain traces of the mining activity that was common at Black Diamond Mines Regional Preserve. On the Arata property, there is an old right-of-way and railroad tunnel for the Pittsburg Railroad, which was used to transport coal from the Somersville portion of the Black Diamond Mining District. The tunnel has been graded closed. The Southport property contains the remnants of the Nortonville Townsite, and includes many features, including mine

openings (now gated or sealed), equipment used in mining, and coal mine waste piles, that contributed to the parkland being listed as a State Historic Landmark in 1981 and on the National Register of Historic Places in 1991. Approximately \$2 million was spent sealing the mine shafts after acquiring the Southport property in the early 1980s. To ensure public safety, the District's on-going *Abandoned Mine Safety Program* is implemented throughout the parkland. There are no current safety hazards on either property. Details of the acquisition of each property are given in Table 1, below.

Table 1. Area, Acquisition Date, Price and Funding Source for these Properties

Property	Area (acres)	Acquisition Date	Price (\$)	Funding Source
Arata	264.51	June 25, 1991	1,935,797	Measure AA
Southport	176.18	January 22, 1982	45,000	Supplemental Land Fund (30 acres) and gift (146.18 acres)

The properties in this amendment are contiguous with the existing park boundary and have existing trails on them. No new trail access is required. On the Arata property, the Arata Overlook Trail connects to the Loop Trail, which in turn connects with the River View Trail on the west side of the parcel and extends south into the rest of parkland. EVMA is provided by the existing staging area at Sidney Flats on Somersville Road. On the Southport parcel, the Black Diamond Trail, Nortonville Trail, and Canyon Trail traverse the site. EVMA is provided by the Nortonville Road and Black Diamond Way.

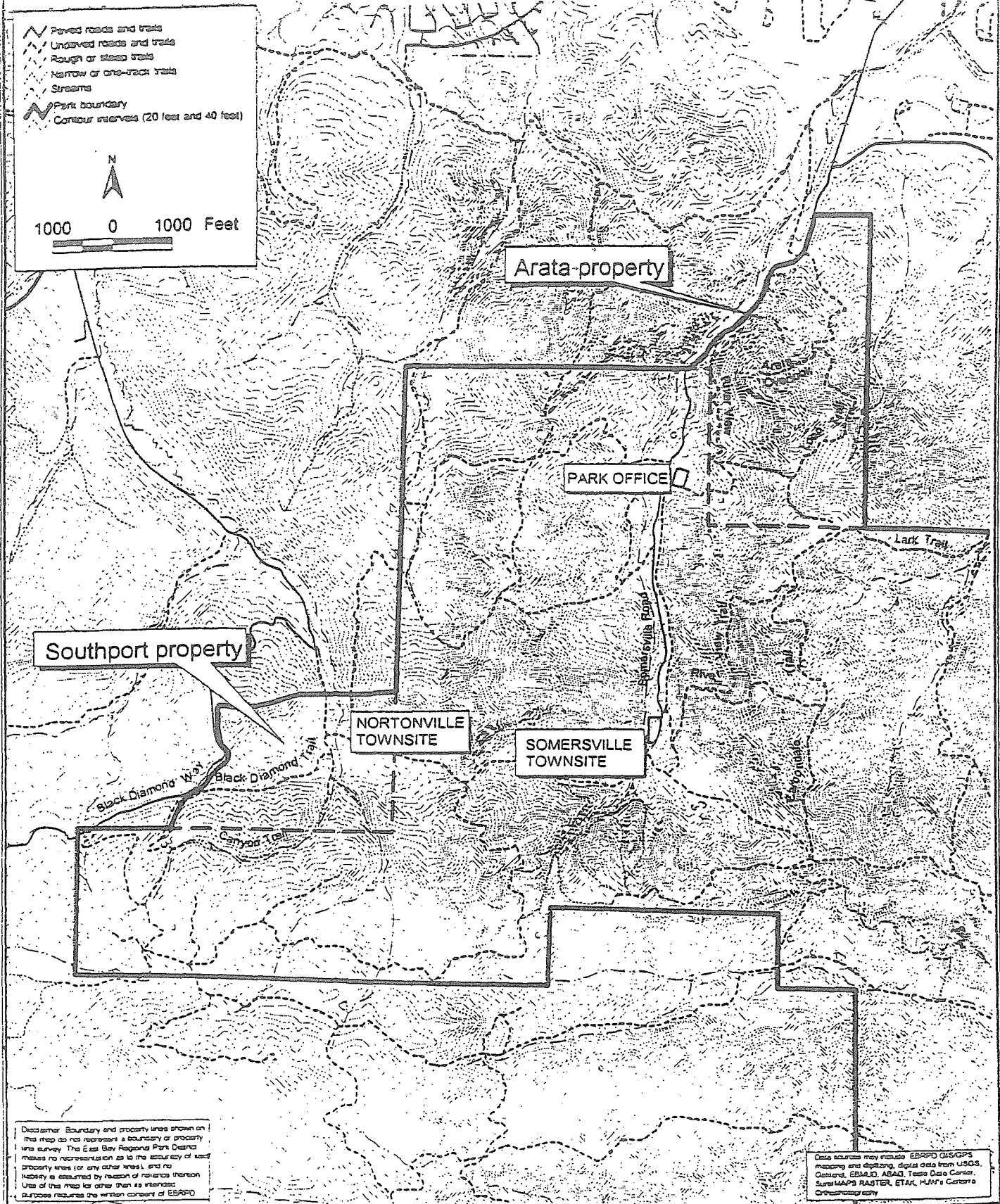
The properties were placed in Land Bank status at the time of acquisition. A Categorical Exemption for each of the properties was also adopted at the time of acquisition. A Land Use Development Plan (now called LUP) and Environmental Impact Report were adopted for Black Diamond Mines Regional Preserve by the Board of Directors on August 26, 1977 (Resolution 1977-8-250). An amendment to the LUP (Garaventa) and a Negative Declaration were adopted by the Board on August 15, 2000 (Resolutions 2000-8-185 and 2000-8-184, respectively).

A LUP Checklist (see Attachment A) was prepared for the subject properties in accordance with the modified LUP amendment process approved by the Board on March 21, 2000. The inclusion of the Arata and Southport properties into Black Diamond Mines Regional Preserve by taking the properties out of Land Bank status is consistent with the Checklist Amendment process.

The Board Executive Committee reviewed the LUP Amendment Checklist for the Arata and Southport properties at their meeting of June 27, 2001 and unanimously recommended full Board consideration of the amendment. The Park Advisory Committee reviewed the proposed amendment at their meeting of July 23, 2001 and unanimously recommended Board approval of the amendment.

Alternatives

None are recommended.



**Figure 1
LOCATION MAP**

*Black Diamond Mines Regional Preserve
Checklist Amendment*



East Bay Regional Park District
Planning/Stewardship/GIS Department
March 2001

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO. 2001-08-201

Tuesday, August 21, 2001

RECEIVED
AUG 27 2001
PLANNING/STEWARDSHIP

APPROVAL OF LAND USE PLAN AMENDMENT FOR
BLACK DIAMOND MINES REGIONAL PRESERVE

WHEREAS, the 1997 District Master Plan provides policies for the preparation and amendment of Land Use Plan Documents including public review and compliance with the California Environmental Quality Act (CEQA); and

WHEREAS, the Arata and Southport properties were acquired in 1991 and 1982, respectively, to complete the Black Diamond Mines Regional Preserve and were placed in Land Bank status at the time of acquisition; and

WHEREAS, on March 21, 2000 the Board of Directors approved a modified Land Use Plan Amendment process; and

WHEREAS, the Arata and Southport properties have been reviewed in accordance with this modified Land Use Plan amendment process; and

WHEREAS, the Board Executive Committee and the Park Advisory Committee has reviewed and recommended approval of the proposed LUP Amendment in order to allow the establishment of parkland operations in a timely manner,

NOW, THEREFORE, BE IT RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby approves the amendment of the Black Diamond Mines Regional Preserve Land Use Plan in the manner described in the written Board material and attached LUP Amendment Checklist to incorporate the Arata and Southport properties within the park unit and to open them for public use; and

BE IT FURTHER RESOLVED that the General Manager is hereby authorized and directed, on behalf of the District and in its name, to execute and deliver such documents and to do such acts as may be deemed necessary or appropriate to accomplish the intentions of this resolution.

Moved by Director Radke, seconded by Director Wieskamp and approved this 21st day of August, 2001, by the following vote:

FOR: Directors Beverly Lane, Ted Radke, Carol Severin, Douglas Siden, Jean Siri, John Sutter, Ayn Wieskamp

AGAINST: None

ABSTAIN: None

ABSENT: None

CERTIFICATION

I, Debra Fassler, Clerk of the Board of Directors of the East Bay Regional Park District, do hereby certify that the above and foregoing is a full, true, and correct copy of Resolution 2001-08-201 adopted by the Board of Directors at a regular meeting held on August 21, 2001

Debra Fassler

Attachment A

**LUP Amendment Checklist – Black Diamond Mines Regional Preserve
To Remove Arata and Southport Properties From Land Bank Status
and Open Properties For Public Use**

A. CEQA

An EIR or Negative Declaration adopted by the Board at the time of acquisition.

-or-

A Categorical Exemption adopted by the Board for properties where pre-acquisition land use will be continued and resources will not be adversely affected.

Status: A Categorical Exemption for the Arata and Southport properties was adopted by the Board of Directors at the time of acquisition (Resolutions 1990-07-217 and 1982-1-27, respectively).

B. LUP

The parkland that the properties are associated with must have an adopted LUP or ILUP and CEQA document.

Status: A Land Use Development Plan (now called Land Use Plan or LUP) and an Environmental Impact Report were adopted for Black Diamond Mines Regional Preserve by the Board of Directors on August 26, 1977 (Resolution No. 1977-8-250). A 2000 amendment to the LUP (Garaventa) and a Negative Declaration were adopted by the Board on August 15, 2000 (Resolutions 2000-8-185 and 2000-8-184, respectively). This amendment opens the Arata and Southport properties for public use.

C. Development

Development on the properties will be limited to the actions covered in the CEQA document adopted at the time of acquisition.

Status: No development is proposed on these properties. Any future development will require a plan amendment.

D. Land Use

Land uses limited to pre-acquisition use and passive public trail use. No new access. Parkland must be accessible from existing trails.

Status: The properties in this amendment are contiguous with the existing park boundary. No new trail access is proposed. The properties will be designated as part of the Natural Unit.

E. Minimal Cost

Property opening and ongoing operations and public safety costs must be minimal and able to be accommodated within existing budget. This determination is to be made by Unit Manager, the Chief of Maintenance, and the appropriate Public Safety Lieutenant.

Status: Interpretive Parklands Unit Manager Jack Kenny, Chief of Maintenance Larry Jenkins, and Lieutenant Matt Madison have stated that the Arata and Southport properties can be operated within existing budgets.