

AGENDA  
REGULAR MEETING  
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, February 19, 2002

BUSINESS BEFORE THE BOARD

CONSENT CALENDAR

Approval of Land Use Plan Amendment for Carquinez Strait  
Regional Shoreline (Mikkelsen/Terner)

RECOMMENDATION

The General Manager, Board Executive Committee and Park Advisory Committee recommend that the Board of Directors approve an amendment to the 1993 Carquinez Strait Regional Shoreline Land Use Development Plan (now called Land Use Plan or LUP) to remove the Cusick property from land bank status and to incorporate and operate it within the park unit.

REVENUE/COST

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

BACKGROUND

On August 18, 1994, the Park District acquired the 13.8 +/- acre former Cusick property for \$240,000 to help complete an existing regional trail corridor – the California State Riding & Hiking Trail – and to preserve the corridor's viewshed. The Cusick property is located within the Franklin Hills Unit and forms the southernmost boundary of Carquinez Strait Regional Shoreline immediately north and east of Highway 4. It provides panoramic views and overlooks the City of Martinez, and includes level to relatively steep-sloping terrain; elevations range from roughly 240 feet to 440 feet above sea level.

The Cusick property is vacant and unimproved aside from a water tank, a portion of an irrigation system, a deteriorated road and perimeter fencing. The site is grazed and has a low vegetative profile. Non-native shrubs and annual grasses dominate. The area provides habitat for a variety of avian species.

The Cusick property is contiguous with the existing park boundary. No new trail access is required; a segment of the California State Riding & Hiking Trail runs in a north/south direction along a relatively level knoll on the site's eastern edge. Emergency vehicle and maintenance access can be gained from public streets over a private paved driveway connecting to the subject site and via the State Riding & Hiking Trail.

The property was placed in land bank status at the time of acquisition. The Board of Directors adopted a Negative Declaration for the operation of the California Riding & Hiking Trail in August 1983 (Resolution 1983-08-194). Acquisition of the subject property as open space is within the scope of that Negative Declaration. The Board of Directors adopted a LUP and Environmental Impact Report for Carquinez Strait Regional Shoreline in 1993 (Resolutions 1993-11-304 and 1993-11-305, respectively).

A LUP Checklist (see Attachment A) was prepared for the subject property in accordance with the modified LUP amendment process approved by the Board on March 21, 2000. The inclusion of the Cusick property into Carquinez Strait Regional Shoreline by taking it out of land bank status is consistent with the Checklist Amendment process.

The Board Executive Committee reviewed the LUP Amendment Checklist for the Cusick property at its December 20, 2001, meeting and unanimously recommended full Board consideration of the amendment. The Park Advisory Committee reviewed the proposed amendment at its January 28, 2002, meeting, and unanimously recommended Board approval of the amendment.

#### ALTERNATIVES

None are recommended.

Attachment A

**LUP Amendment Checklist – Carquinez Strait Regional Shoreline  
To Remove Cusick Property From Land Bank Status and Open Property**

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 property where pre-acquisition land use will be continued and resources will not be adversely affected.

**Status: A Negative Declaration was adopted by the Board of Directors for the operation of the California State Riding & Hiking Trail in 1983. Acquisition of the corridor of land adjacent to the trail and operation of that land as open space, which includes the subject property, is within the scope of that Negative Declaration (Resolution 1983-08-194).**

B. LUP

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

**Status: A Land Use Development Plan and an Environmental Impact Report were adopted for Carquinez Strait Regional Shoreline by the Board on November 16, 1993 (Resolutions 1993-11-304 and 1993-11-305, respectively). In addition, a 1999 amendment to the LUP (C&H and Fischer Properties) and a Negative Declaration were adopted by the Board on November 2, 1999 (Resolutions 1999-11-257 and 1999-11-256, respectively).**

C. Development

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

**Status: No development is proposed on this property. Any future development will require a LUP 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 property in this amendment is contiguous with the existing park boundary. No new trail access is proposed. The property 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 with existing budget. This determination is to be made by Unit Manager, the Chief of Maintenance, and the appropriate Public Safety Lieutenant.

**Status: Shorelines Unit Manager Ray Dawson, Chief of Maintenance Larry Jenkins and Acting Lieutenant Dale Davidson have stated that the Cusick property can be operated within existing budgets.**

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO. 2002-02-35

Tuesday, February 19, 2002

APPROVAL OF LAND USE PLAN AMENDMENT FOR  
CARQUINEZ STRAIT REGIONAL SHORELINE

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 Cusick property was acquired in 1994 to complete Carquinez Strait Regional Shoreline and was 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 Cusick property has been reviewed in accordance with this modified Land Use Plan amendment process; and

WHEREAS, the Board Executive Committee and the Park Advisory Committee have reviewed and recommend 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 Carquinez Strait Regional Shoreline Land Use Development Plan in the manner described in the written Board material and attached LUP Amendment Checklist to incorporate the Cusick property within the park unit and to open it 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 Siri and approved this 19<sup>th</sup> day of February, 2002, 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 2002-02-35 adopted by the Board of Directors at a regular meeting held on February 19, 2002.

