

AGENDA  
REGULAR MEETING  
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

TUESDAY, DECEMBER 19, 2000

D. BUSINESS BEFORE THE BOARD

PLANNING/STEWARDSHIP, DESIGN AND CONSTRUCTION

PUBLIC HEARING

Approval of Land Use Plan Amendment - Cusick, Hussey, Gustin-Caccavo, and Let's Go Fishing Ministries, Inc.- Briones Regional Park  
(Mikkelsen/Terner)

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 Briones Regional Park to incorporate the Cusick, Hussey, Gustin-Caccavo, and Let's Go Fishing Ministries, Inc. properties within the park unit and to open the property for public use.

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 (Recreation Unit and Maintenance) budgets.

BACKGROUND

Four properties have been acquired on the northwest boundary of Briones Regional Park that have not been incorporated into the LUP for the park. These are the Cusick, Hussey, Gustin-Caccavo, and Let's Go Fishing Ministries, Inc. (see Figure 1). The properties are covered in oak/bay woodland and annual grasslands. The Cusick property is located on the most northerly slope of Mott Peak, on the northern border of Briones, and includes some riparian forest. The Hussey and Gustin-Caccavo properties are located on the northwest slope of Mott Peak on the western boundary of the Briones. Further south along the western park boundary is the Let's Go Fishing Ministries, Inc. property.

Three of the properties have minor improvements. These include septic facilities (Cusick and Gustin-Caccavo), wells (Cusick, Gustin-Caccavo, and Let's Go Fishing Ministries, Inc.), and utilities (electricity at Gustin-Caccavo, Let's Go Fishing Ministries, Inc.; phone at Gustin-Caccavo). A mobile home that was on the Gustin-Caccavo property at the time of acquisition will be removed in Summer 2001. A PG&E easement crosses the southwest corner of the property of the Gustin-Caccavo property and crosses the western portion of the Let's Go Fishing Ministries, Inc. property. There are no existing facilities on the Hussey property.

Table 1 (below) shows the area of each property, the date it was acquired, its price, and the source of funds used for its acquisition. The acreage for the four properties is 105.77 acres.

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

Property	Area (acres)	Acquisition Date	Price (\$)	Funding Source
Cusick	56.04	May 9, 1997	455,000	Measure AA and donation <sup>1</sup>
Hussey	11.30 <sup>2</sup>	November 21, 1994	225,000	Measure AA
Gustin-Caccavo	11.43	November 11, 1996	250,000	Measure AA
Let's Go Fishing Ministries, Inc.	27.00	March 9, 1995	313,000	Measure AA

The properties in this amendment are all contiguous with the existing park boundary; no new trail access is required. Emergency vehicle maintenance access to the Cusick property is provided by the Alhambra Creek Road (off the Alhambra Valley Road) and to the Hussey and Gustin-Caccavo properties by the Rancho La Boca Road (also off the Alhambra Valley Road). Emergency vehicle maintenance access to the Let's Go Fishing Ministries, Inc. site is via Bear Oaks Lane off Bear Creek Road.

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) was adopted for Briones Regional Park by the Board of Directors on September 22, 1981 (Resolution 1981-9-263). Amendments to the LUP were adopted by the Board on December 6, 1994 (Resolution 1994-12-305) and on February 16, 1999 (Resolution 1999-2-36).

A LUP Checklist (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, Hussey, Gustin-Caccavo, and Let's Go Fishing Ministries, Inc. properties into Briones Regional Park and the amendment of the LUP taking the property out of Land Bank status are consistent with the Checklist process.

The Board Executive Committee reviewed the LUP Amendment Checklist for the Cusick, Hussey, Gustin-Caccavo, and Let's Go Fishing Ministries, Inc. properties at their meeting of October 24, 2000 and unanimously recommended full Board consideration of the amendment. The Park Advisory Committee reviewed the proposed amendment at their meeting of November 27, 2000 and unanimously recommended Board approval of the amendment.

Alternatives

None are recommended.

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<sup>1</sup>\$450,000 from Measure AA and \$5,000 from a donation.

<sup>2</sup> The District has also acquired a 5.0-acre scenic easement, which covers the wooded drainage west of the Hussey property. This scenic easement is not considered part of the park, but development on the scenic easement is restricted. The scenic easement was free.

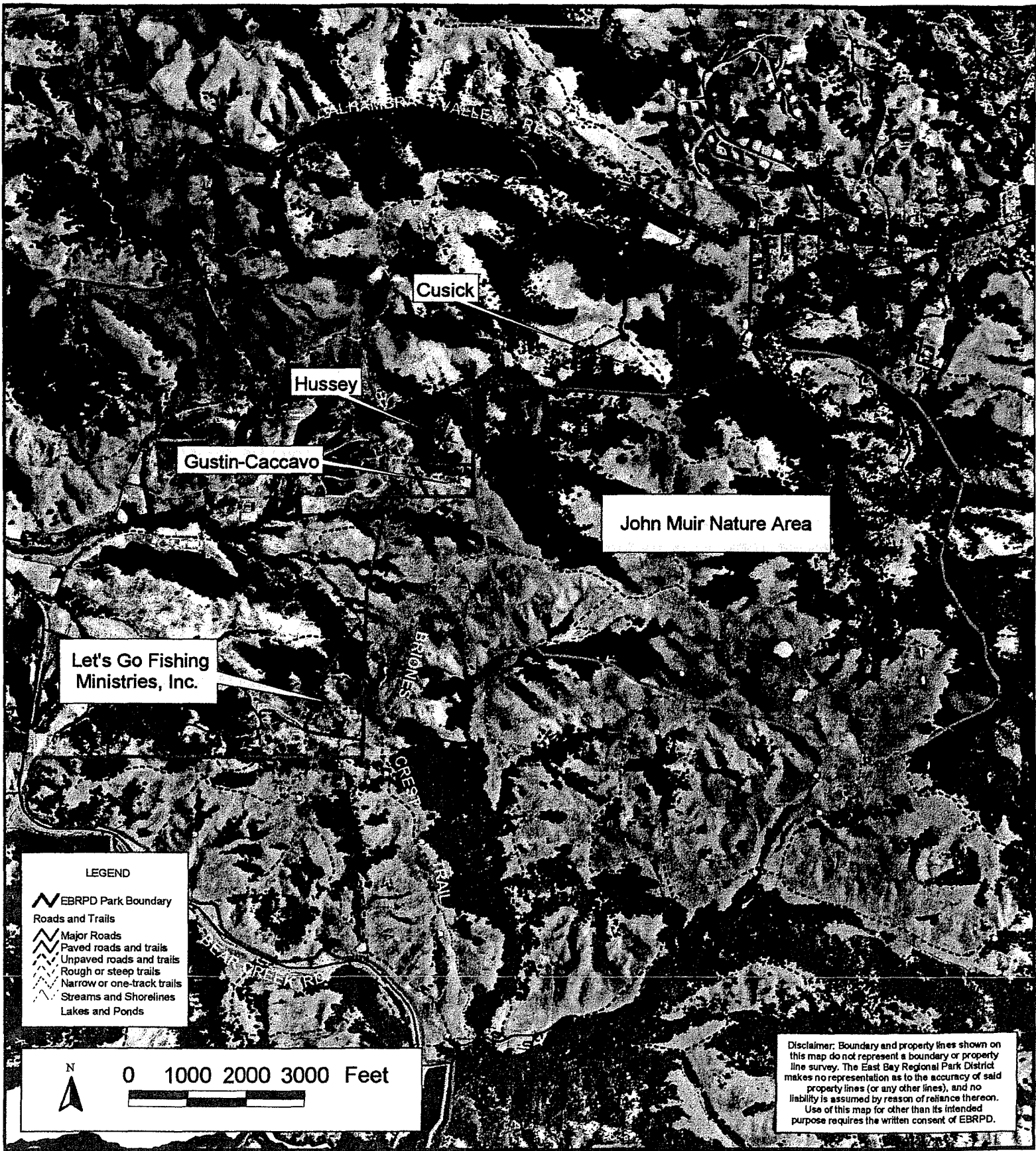


Figure 1- Location of Parcels Acquired Since 1994  
 Briones Regional Park - Checklist Amendment



**LUP Checklist Amendment  
Briones Regional Park - Cusick, Hussey, Gustin-Caccavo, and Let's Go Fishing  
Ministries, Inc. Properties**

**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 Cusick, Hussey, Gustin-Caccavo, and Let's Go Fishing Ministries, Inc. properties was adopted by the Board of Directors at the time of acquisition (Resolutions 1997-4-84A, 1994-11-276, 1996-10-278, and 1995-02-37, respectively). Land use under this Categorical Exemption is limited to the preservation of open space (Sections 15316 and 15325 of CEQA Guidelines).**

**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 (now called Land Use Plan or LUP) was adopted for Briones Regional Park by the Board of Directors on September 22, 1981 (Resolution 1981-9-263). A 1994 amendment to the LUP was adopted by the Board on December 6, 1994 (Resolution No. 1994-12-305).**

**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 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 all contiguous with the existing park boundary; no new trail access is required. All the properties will be designated as part of the Natural Unit. The Cusick, Hussey, and Gustin-Caccavo properties will also be designated as part of the John Muir Nature Area.**

**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 the Unit Manager, Chief of Maintenance, and appropriate Public Safety Lieutenant.

**Status: Recreation Areas Unit Manager Marc Seleznow, Chief of Maintenance Larry Jinkins, and Lieutenant Pete Small have stated that the four properties can be operated within existing budget resources.**

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO. 2000-12 -

Tuesday, December 19, 2000

**APPROVAL OF LAND USE PLAN AMENDMENT - CUSICK, HUSSEY, GUSTIN-CACCAVO,  
AND LET'S GO FISHING MINISTRIES, INC. - BRIONES REGIONAL PARK**

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, Hussey, Gustin-Caccavo, and Let's Go Fishing Ministries, Inc., properties were acquired by the Board of Directors on May 9, 1997, November 21, 1994, November 11, 1996, and March 9, 1995, respectively, to enlarge Briones Regional Park 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 Cusick, Hussey, Gustin-Caccavo, and Let's Go Fishing Ministries, Inc., 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 have 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 Briones Regional Park Land Use Plan in the manner described in the attached LUP Amendment Checklist to incorporate the Cusick, Hussey, Gustin-Caccavo, and Let's Go Fishing Ministries, Inc., 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 \_\_\_\_\_, seconded by Director \_\_\_\_\_ and approved  
this 19<sup>th</sup> day of December, 2000, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: