

## **ACQUISITION EVALUATION**

Black Diamond Mines Regional Park  
Eastern Development Corporation/Poon Associates Property  
460.64 Acres

### **Site Description:**

The Eastern Development Corporation/Poon Associates property consists of three parcels totaling 460.64 acres.

Improvements on the property consist of a wood frame single family residence (1,083 sq.ft.), a wood frame shed (250 sq.ft.), a cattle barn (1,800 sq.ft.), a general purpose barn (3,285 sq.ft.) as well as several other agricultural sheds. A storage tank is located on the site fed by a spring box. Existing improvements are in various states of disrepair and would be demolished.

Electrical service is extended across the property to serve the existing residential/agricultural building compound. The single family residence is served with a septic system; however, there is no evidence that it is currently operational or meet current requirements. A septic leachfield system designed to meet current standards would be required to accommodate any residential use of the property. The existing wood septic tank has collapsed and is no longer functional. What is left of it will be filled in upon demolition of the residence.

A spring-fed well serves a small storage tank located adjacent to the residence. The water is not potable. Another well is located directly east of the residential compound, which once served a cattle trough via a diesel-powered pump. There is still water in the well and the pump could be refitted with a solar-powered pump to supply water for grazing in order to keep cattle out of existing stockponds.

Water for grazing in the past was supplied by stock ponds located in the southern portions of the property. The ponds are fed by on-site springs and are seasonal. Fencing needs on the property will be assessed as part of a larger management plan required as part of the East Contra Costa County Habitat Conservation Plan.

The property directly to the east, formerly the Chopra property, is 320-acres and was purchased by Save Mount Diablo in November 2007. Existing Park District lands within Black Diamond Mines Regional Preserve are located directly to the northeast. Open space owned by the City of Clayton and residential development from the Oakhurst Country Club are located directly to the west. Mount Diablo State Park is located across Marsh Creek Road from the subject property.

The property is located within the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan area. The property is within unincorporated Contra Costa County and is zoned A-4, Agricultural Preserve District, with an

Agricultural Land General Plan designation. The Assessor's Parcel Numbers are 075-080-007; 075-200-002 and -009.

**Access**

The property has access from Clayton Road along the former Nortonville Road. The access road shares the alignment with the Black Diamond Trail that borders the subject property on the north and continues into Black Diamond Mines Regional Preserve. Internal unpaved roadways provide access for the grazing lessee for cattle feeding and control.

**Natural Resources:**

The property is comprised of moderately to steeply sloping terrain. The property is part of an important wildlife corridor in eastern Contra Costa County. Habitats on the property include annual grasslands, seasonal wetlands and habitat for the burrowing owl, San Joaquin kit fox, coyote, badger, and other grassland-dependent species.

Vegetation is almost entirely nonnative grassland. Oaks can be found within the numerous ravines crossing the south-central and southerly portions of the property. The site has been grazed and several seasonal stock ponds exist. The central portion is bisected by Irish Canyon and an unnamed seasonal creek.

**Planning Issues:**

Master Plan: This acquisition will be an expansion of an existing parkland or trail and is therefore consistent with the Master Plan 1997 Regional Parkland and Trail Map as amended in November of 2007.

Land Use Planning: The Black Diamond Mines Land Use Plan was approved in 1977. Subsequent amendments have been made to incorporate new additions to the Regional Park. The acquisition of this property will require an amendment to the existing Land Use Plan prior to taking this property off of the land bank list.

CEQA Compliance: This acquisition is exempt from CEQA requirements under both Sections 15061(b)(3), 15316, and 15325 of the State CEQA Guidelines, the transfer of ownership of the land to preserve open space.

**Public Safety:**

Police: This property does not pose a significant impact on Police services because it is an expansion of an existing park in a location that will not result in substantial increases in the need for patrol inspections or additional responses. The acquisition will have a cumulative effect upon future staffing requirements.

Fire: This 460.64 acre acquisition lies immediately next to the westernmost portion of Black Diamond Mines Regional Preserve in eastern Contra Costa County. A portion aligns with the road known as Black Diamond Trail, and the western edge of the acquisition abuts Clayton Open Space and the fully built, upscale residential development of Oakhurst Country Club. Other fully developed residential areas are .2 and 0.5 miles to the west and northwest. The area is classified as State Responsibility Area (SRA) for fire protection, and is within the State's Direct Protection Area. In actuality, mutual aid initial attack fire suppression resources would arrive first from both Contra Costa Fire Protection District stations to the south in Clayton, just across from the intersection of the Black Diamond Trail and Marsh Creek Road, and from CAL FIRE's Sunshine Station to the east. They would be on scene within 5 to 7 minutes. CAL FIRE crews, dozers and air resources would also be dispatched. EBRPD would respond with one or two engines, a watertender and overhead personnel from the closest staffed stations, either Station 1 (Tilden), Station 8 (Contra Loma), Station 3 (Ozol Property) or all of them. During the day, response time would be between 20 and 30 minutes, depending on from which station they were dispatched. The EBRPD helicopter would arrive within 15 minutes from the Hayward Air Unit.

The parcel is located within the State's "High" Fire Hazard Severity Zone. A wildland fire would be of high intensity and cause substantial damage to infrastructure improvements, such as the single family residence, the two large barns, various agricultural sheds, powerlines and fences located on the property. Depending on the wind direction, private homes and other structures would be threatened to the northwest, west and south. In a recent three year period, EBRPD responded to 4 fire incidents within Black Diamond Mines Regional Preserve. We can expect a similar pattern of fires in this new acquisition as well, especially once it is opened to full public use.

Hazardous materials responses will be the responsibility of EBRPD. However, District records indicate there have been no HazMat responses to Black Diamond mines during three recent years. This is a Low rate of occurrence, compared with other District parks and one could expect a similar low occurrence level in this new addition.

In the past three years, EBRPD fire department personnel responded to 18 medical incidents in Black Diamond Mines Regional Park. This is likely to characterize medical response activity in the new acquisition as well. This is a Low rate of medical response frequency when compared with other parks in the Region.

This acquisition would not result in substantial new demands for Fire services because it is an expansion of an existing park in a location that will not result in substantial increases in the need for additional firefighters. The acquisition will have a cumulative effect upon future staffing requirements.

**Recommendations:**

- Conduct hazard mitigation and annual defensible space clearances around the residence, barns and other structures, in compliance with State PRC 4291.

- Continue to strengthen mutual aid relationships with Contra Costa County, its protection district, as well as with the State of California's CAL FIRE to ensure adequate emergency response times.
- If grazing is removed from the parcel, determine fuels management needs and strategies.
- Maintain strategic existing ranch roads to provide emergency vehicle access and emergency evacuation routes for park residents and visitors.
- Cooperate with county and state fire agencies to ensure neighbors and the visiting public is aware of the risks, hazards, responsibilities and defensible space requirements to minimize fire losses in the wildland-urban interface.
- At public access points, provide public education about the risks, hazards, responsibilities and actions to minimize the ignitions and losses from wildland fires.

**Acquisition Criteria:** This property:

- Presents an acquisition opportunity.
- Provides opportunity to expand the regional trail network.
- Helps maintain an equitable parkland distribution of facilities and programs throughout the District.
- Possesses significant natural or created resources.
- Helps complete existing parks and protect wildlife corridors and the visual integrity where necessary in existing parks.
- Requires a minimum of development and maintenance.
- Requires immediate acquisition in order to avoid likely significant additional costs, difficulties, or lost opportunities due to the development of site for other uses.

**Recommendation for Land Bank Status:** Yes  No

- The property is not located within an area covered by an approved Land Use Plan. The property can be removed from Land Bank Status at such a time that an amendment to the Black Diamond Mines Regional Park Land Use Plan is approved.

**Site Cost Estimate:**

Acquisition Estimate:		\$ 2,763,840	TOTAL
<i>Funding Sources:</i>	<i>ECCHCP<sup>1</sup> (45%)</i>	<i>\$ 1,243,725</i>	
	<i>EBRPD (55%)</i>	<i>\$ 1,520,115</i>	
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Development Estimate:		\$ 127,000	TOTAL
	<i>Structure Demolition</i>	<i>\$ 52,000</i>	
	<i>Fencing And Road Grading</i>	<i>\$ 75,000</i>	
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Maintenance and Operational Estimate (annual):		\$ 37,878 <sup>3</sup>	
<i>Total Five-Year Projection:</i>		<i>\$ 189,392</i>	
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Weed Abatement :

\$ 2,200

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**Timing:** The option is to be exercised by September 1, 2010, with escrow to close by September 1, 2010

- <sup>1</sup> ECCCHCP = East Contra Costa County Habitat Conservation Plan
- <sup>2</sup> Asbestos would have to be removed from the house prior to demolition.
- <sup>3</sup> Estimate is based upon the annual Land Base Operating Cost Methodology.

7/14/2010  
BHolt