

**MINUTES**  
**ALAMEDA COUNTY PARKS, RECREATION AND HISTORICAL**  
**COMMISSION**

**Thursday, August 5, 2010**  
**East Bay Regional Park District,**  
**2950 Peralta Oaks Court, Oakland, CA**  
**(Approved October 7, 2010)**

**I. Call to Order – Roll Call**

The meeting was called to order at 3:35 p.m. by Commissioner Minard, Chair.

Commissioners Present:

Al Minard  
Tony Koep  
James Loughran  
David Sadoff  
MaryAnn McMillan  
Maryalice Faltings  
Harry Francis  
Ellen Wyrick-Parkinson

Commissioners Excused:

David Tam  
Samuel Kang  
Stephen Sanger  
Audree Jones-Taylor

Commissioner Absent:

Marie Cronin  
Pilar Lorenzana-Campo

Staff Present:

Angela Robinson-Piñon  
Cindy Horvath, Transportation Planner  
Andrew Young, Planner  
Nilma Singh

Guests:

Larry Lepore, HARD  
Ron Kiaana, Caltrans  
Bryan Walker, Caltrans  
Mary Smith, Caltrans

**II. CALL TO ORDER - ROLL CALL**

**III. APPROVAL OF MINUTES** – The Chair and Commissioner Sadoff made typo corrections on pages 1 and 2. *Commissioner Sadoff made the motion to approve the corrected July 12<sup>th</sup> Minutes and Commissioner McMillan seconded. Motion carried unanimously.*

**IV. OPEN PUBLIC FORUM** - Any member of the public may address the Commission on a matter not on the regular agenda. No discussion or action may be taken on these items. *None.*

**V. CHAIR and STAFF REPORT(S):** *These items include information and discussion by the Commission:*

**A. CHAIR REPORT** – The Chair reported that with the support of Public Works Agency and Board of Supervisors, the Niles Canyon Railroad was accepted by the California Historic Resource Commission into the National Register.

**B. STAFF REPORT** – Ms. Robinson- Piñon introduced the new Commissioner Faltings and distributed copies of an announcement for the Highway-84 Bridge replacement project.

**VI. OLD BUSINESS** – *All old business will include information, discussion and/or action by the Commission.*

**A. 22243 & 22247 N. Sixth Street-** *The Commission will discuss a proposed project involving a demolition and a site of archeological sensitivity.*

Ms. Robinson-Piñon presented the staff report. Mr. Young stated that the Initial Study is almost complete and noted receipt of the letter from the California Historical Resources Information System (CHRIS), Northwest Information Center (NWIC). The requirement that that the site be investigated for potential archaeological remains prior to grading will be part of the grading permit as the procedures in the CEQA guidelines provide standardized procedures for potential archeological discoveries--pre-grading of site and if there is evidence of the possibility of archaeological or cultural resources, further steps will be taken. A discussion followed regarding the process, the presence of an archeologist, and mitigations. *Commissioner Wyrick-Parkinson made a motion that an archeologist be on site at all times until grading is completed. Commissioner Sadoff suggested that the following motion language: The Commission recommends that as a condition of any permit approval, a qualified archeological professional be on site during all ground disturbing activities.* Commissioner Francis noted that there is likely to be some archeological finds due to the proximity to Interstate-238 and the creek. *He seconded and the motion which carried unanimously.*

**B. Meek Estate -** *The Commission will hear an update on the proposed plan for the West Terrace of the Meek Estate.*

Mr. Lepore provided a brief history and presented revised plans. The District Board approved the Master Plan on July 27<sup>th</sup> and the next step is to get specs and bids. In response to the Commission, Mr. Lepore further explained that the tank house had been converted to a restroom in 1962 but had been abandoned; some specimen trees and most plants would be low and ornamental; the trellis/ pergola will be much lower and not as massive. He responded to the Commission's concerns about graffiti by saying that there is not much graffiti as there is an on-site caretaker. Mr. Lepore also stated that the revised plans have the unanimous support from the Cherryland community. Commissioner Sadoff stated his appreciation for the revised project by noting that this is a far superior plan, less massive with more landscaping. *Commissioner Faltings made the motion that the Commission endorse the Plan and Commissioner Francis seconded. Motion carried unanimously.*

**VII. NEW BUSINESS** – *All new business will include information, discussion and/or action by the Commission.*

**A. Niles Canyon Safety Improvement Project-** *The Commission will discuss the Draft Environmental Impact Report/Environmental Assessment that has been prepared by Caltrans.*

Ms. Robinson- Piñon presented the staff report.

Ron Kiaaina, Project Manager, with a PowerPoint presentation, discussed the following: project description (adding shoulders but not additional lanes); existing conditions; traffic volumes (numbers); exclusion of bridges, accident rates and distribution; the need for this project, and project goals. In response to Commissioner McMillan, he confirmed that the utility poles proposed for removal are not the original poles but PGE poles.

Bryan Walker, Caltrans Landscape Architecture Group, listed and discussed the visual impacts. Federal Highway Administration Visual Impact Analysis methodology was used to

provide an objective process for evaluating impacts based on existing visual qualities, character, scope and physical change, sensitivity to the change. He further discussed the substantial adverse visual impacts which were based on the number of retaining walls. Other impacts would be shoulder widening, roadway realignment and the removal of 440 trees. Commissioner Sadoff asked if the retaining walls will mimic the existing topography. Mr. Walker replied that these details will be worked out during the project development project. He further described the three main viewer groups--Niles Canyon Railway, Altamont Commuter Train and the motorists/tourists/bicyclists; mitigation measures to reduce visual impacts; installation of safety guard rails on one side due to safety reasons; re-vegetation with native plants; and different sizes, location of retaining walls. Commissioner McMillan requested clarification on tree replacement plan and Commissioner Wyrick-Parkinson urged replanting and recycling of the removed trees. Mr. Walker said trees would be replaced for aesthetics and for habitats. He also expressed a desire to work with Commissioner Wyrick-Parkinson. Commissioner Koep asked if statistics were available regarding accidents on this strip. Mr. Kiaaina replied no but could look into it.

Mary Smith, from Caltrans Cultural Resources, stated that in 2007, Caltrans established an APE (Area of Potential Effect) and conducted cultural resource study with a finding of 'no adverse affect/impact of any historical properties'. Staff archeologist had determined that the project area has a low level of sensitivity for archeology resources. And in reference to historical architecture, four resources (eucalyptus trees, Silver Springs under-pass in Sunol, plant nursery in Sunol and a mixed tree row) in APE area were evaluated which did not meet the National Register criteria. Ms. Smith also listed the six previously identified historical properties in the project APE. In response to Commissioner Sadoff, she confirmed that the brick factory area is outside the project area.

The project has now been modified and will require acquisition of a strip of right-of-way from Union Pacific, owners of the Western Pacific Union and Union Pacific Railroads, which is a historical property and also a strip owned by the County but leased by Pacific Locomotive Association who operates the Niles Canyon Railroad, which is also historical. As such, the finding has been modified to 'adverse affect'. Although he liked the center rumble strip, the Chair thought that with the additional side targets, there would be more accidents and the project be moved as "No Project" as it is not historically sensitive; is too big and unnecessary; traffic will decrease with the widening of I-680; will destroy the scenic highway, road and hills; and will funnel onto narrow bridges. It does need a bicycle lane adjacent to the road (no more than 5 feet wide) and signs. In response to Commissioner McMillan, Mr. Walker said that estimate cost is \$35 million for construction and purchase of the right-of-way, funded 100% out of the State Highway Operation and Protection Program. And Mr. Kiaaina further outlined the project schedule and other projects planned for the Niles Canyon.

Commissioner Sadoff requested clarification on "visually transparent barriers" on page 1-5, Section 1.3.1.1 and a discussion ensued regarding different types of barriers, parking, speed suppression measures and, location and standard width of bike lanes. Commissioner Sadoff added that he did not have any problems with the project as there will be a balance of safety and sensitivity with historic and scenic resources, the texture of the walls and the mimicking the topography. However, he would like to see on the Paloma Way portion of the project, an earnest effort to replace the walnut trees on the other side of the road. Commissioner Wyrick-Parkinson added that she was not against the project but thought that speed and traffic will increase and will take away the scenic and antique character. In response to Commissioner Faltings felt that Niles Canyon is an "irreplaceable jewel" and through improvement lose its character and the row of eucalyptus trees. However, safety improvements should include a

balance, perhaps inclusion of some traffic calming measures and agreed with no caps on retaining walls. Commissioner McMillan asked if this project will affect the Scenic Highway designation. Ms. Horvath replied that all projects in the scenic corridor are reviewed under the Corridor Protection Program. The Scenic Highway Protection Plan incorporates all developing guidelines and policies, and governs the scenic corridor.

Ms. Robinson- Piñon announced that the comment period for the EIR ends on August 23<sup>rd</sup>. *Commissioner Sadoff made a motion that staff review the tape to ensure that all comments are reflected in the draft minutes and that those minutes be submitted prior to the deadline. Commissioner Loughran seconded and the motion carried unanimously.*

**VIII. COMMISSIONER REPORTS** – Commissioners will report on areas of concern and/or informational items concerning parks, recreation and historical preservation issues within the supervisory districts they serve. *Commissioner Faltings announced the up-coming Ice Cream Social sponsored by LARPD on Sunday, August 8<sup>th</sup>, noon-4pm.*

**IX. ADMINISTRATIVE**

**A. Agenda Items for future meetings**

1. Report of Commissioners' attendance and guidelines.

**X. ADJOURNMENT:** There being no other business, meeting was adjourned at 5:35 pm.