

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2022 - 09 - 219

September 6, 2022

AUTHORIZATION TO APPROVE A LAND USE PLAN  
CHECKLIST AMENDMENT AND NOTICE OF EXEMPTION  
FOR THE ROBERTSON PROPERTY:  
PLEASANTON RIDGE REGIONAL PARK

WHEREAS, the East Bay Regional Park District (Park District) purchased in 2012 the approximately 1,368± acre Robertson property adjacent to Pleasanton Ridge Regional Park; and

WHEREAS, the estimated cost to open the Robertson property to public access is \$50,000 and approximately \$50,000 is currently budgeted for this work; and

WHEREAS, the annual operating and maintenance costs associated with the property will be incorporated into future operating budget as part of the Park District's budgeting process; and

WHEREAS, on March 21, 2000, the Board of Directors approved a modified Land Use Plan Amendment process which is referred to as the "Checklist Amendment" and the Robertson property has been reviewed in accordance with that process and found to be consistent; and

WHEREAS, the Board Executive Committee and the Park Advisory Committee have reviewed and recommend approval of the proposed Checklist Amendment and Notice of Exemption;

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby approves the amendment of the *2012 Pleasanton Ridge Regional Park Land Use Plan* in the manner described herein and attached Checklist Amendment to incorporate the Robertson property within the park unit and to open it the public when it can be made safe for public use; and

BE IT FURTHER RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby approves the Notice of Exemption, as the appropriate level of California Environmental Quality Act (CEQA) review; and

BE IT FURTHER RESOLVED, that the Board of Directors of the East Bay Regional Park District hereby authorizes use of existing funds to complete the maintenance described in the written Board material and attached Checklist Amendment; and

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

Moved by Director Wieskamp, seconded by Director Lane, and adopted this 6<sup>th</sup> day of September, 2022 by the following vote:

FOR: Colin Coffey, Ellen Corbett, Elizabeth Echols, Beverly Lane, Dee Rosario, Ayn Wieskamp.

AGAINST: None.

ABSTAIN: None.

ABSENT: Dennis Waespi.



Colin Coffey  
Board President

**CERTIFICATION**

I, Yolande Barial Knight, 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 No. 2022-09-217 adopted by the Board of Directors at a regular meeting held on September 6, 2022



# Robertson Land Use Plan Checklist Amendment

**Appending the Subject Property to the  
2012 Pleasanton Ridge Regional Park Land Use Plan**  
(Amendment Checklist Process Adopted 2000, Resolution No. 2000-3-54)



Acquisition, Stewardship, and Development  
East Bay Regional Park District  
2950 Peralta Oaks Court  
Oakland, California 94605

East Bay   
Regional Park District



# Robertson Land Use Plan Checklist Amendment

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## **I. INTRODUCTION—PROJECT BACKGROUND**

### **A. Project Status**

The project area is comprised of 1,367.8 acres of real property purchased from the Robertson Ranch on December 21, 2012. This land bank property includes four Alameda County Assessor's Parcel Numbers: (APNs) 085A-4700-002-35; 085A-4850-001; 085A-5000-002-03; and 096-0120-001.

This Land Use Plan Checklist Amendment (Checklist Amendment) provides a formal planning review consistent with the process adopted by the Board of Directors in 2002, for addressing the incorporation of the Robertson property into Pleasanton Ridge Regional Park. As such, it is meant to supplement the prior planning studies with the intent of opening the parcels that are currently in land bank status to the public while ensuring the protection of site resources. The Checklist Amendment focuses on actions relating to public access on the Robertson property. Refer to *Attachment B – Board Policy Resolutions* for a list of the Checklist Amendment criteria.

The Checklist Amendment also identifies recreational trail access on existing service roads throughout the Robertson property. There will be no new construction involved in the opening of these service roads to public access with the exception of the installation of basic signage, gates, and fencing.

### **B. Site Description**

#### **B-1 Location**

The property is located at 37000 Palomares Road, in the unincorporated Sunol area of Alameda County. The property has extensive frontage, but very limited access along Palomares Road. From Palomares Road, the property extends easterly to Sunol Ridge where the property adjoins Pleasanton Ridge Regional Park. The property is located approximately 1.5 miles west of the unincorporated community of Sunol. It is approximately 5.5 miles south of the Dublin Interstate–580 freeway access and approximately 2 miles north of Niles Canyon Road. Most of this site is found on the United States Geological Survey (USGS) Niles, California Quadrangle 7.5-Minute Series, while the northernmost portion is located in the Dublin Quadrangle. Refer to *Attachment A – Maps and Figures* for the site location and features.

#### **B-2 Robertson Property Access**

Public access to the Robertson property would be provided from the Tyler Ranch Staging Area through the former Tyler Ranch property along the Sunol Ridge Trail. The Tyler Ranch Staging Area is located at the southwest terminus of Foothill

Road and the new staging area is expected to open in summer of 2022. Foothill Road is a two-way, two-lane road, and the speed limit is 35 miles per hour.

Additionally, there are two service road entries from Palomares Road that are not proposed for public access. The primary service road entry is a paved road located approximately 2.1 miles north of Niles Canyon Road that provides access off Palomares Road to Park District staff, owners, and guests of the inholdings located at the summit of Sunol Ridge.

A secondary service road to the property from Palomares Road is located approximately one mile north of the paved service road described above. This access is a 60-foot-wide fee title strip that connects Palomares Road to the Robertson property via a bridge. This access is currently overgrown with vegetation and the existing bridge is not structurally sound. This secondary service road is not used by Park District staff and is not proposed for recreational use.

As part of this Checklist Amendment's recreational trail plan, the only proposed public access to the Robertson property will be from the Tyler Ranch Staging Area through the Tyler Ranch property.

### **B-3 Adjacent Land Uses**

Pleasanton Ridge Regional Park lies directly east of the subject property. Private ranching and rural residential properties abut the northern, western, and southern boundaries of the subject property.

There are antenna communications facilities located on two in-holding parcels at Sunol Peak. The in-holdings are owned by the County of Alameda and American Tower. These in-holdings total less than an acre. Access to these in-holdings is provided via a paved roadway extending from Palomares Road that was developed by the County of Alameda within a 40-foot-wide easement.

### **B-4 Robertson Property Land Uses**

Pre-acquisition uses of the property have generally been limited to livestock grazing. The property is currently grazed by cattle. Current grazing practices include a year-round cow/calf operation with approximately 60 cows/calves depending on annual forage conditions and rainfall events. The Park District grazing license targets a residual dry matter (RDM) of 1,000 pounds of RDM at the end of the growing season in September when monitoring of RDM occurs. Park District operations and stewardship staff conducts an annual meeting with the grazing tenant to go over projects, residual dry matter (RDM) values, and goals and grazing management for the upcoming forage season. Since 2018, numerous rangeland improvement projects have been completed on the Robertson property, including pond restoration, the installation of new livestock watering facilities, and fencing.



As of the appraisal valuation date of February 23, 2012, the zoning designation for the subject property was A–Agricultural District and the General Plan designation was AL (Agricultural Lands) with a 100-acre minimum parcel size. At the time of purchase, the property was a Williamson Act property. The Park District requested a non-renewal of the Act, and the request was granted by the Alameda County Board of Supervisors on March 26, 2013. The non-renewal period began on January 1, 2014, and the contract will end on December 31, 2024.

The Robertson property is currently unimproved except for: 1) perimeter fences and gates, water troughs and spring boxes that support grazing on the site; 2) an approximately two-mile paved access road from Palomares Road to Sunol Peak; and 3) approximately 20 miles of unpaved service roads, originally built as service roads for the historic ranching operation. The existing network of service roads would provide a critical connection between the northern and southern access along Sunol Ridge and opportunities for expanding Pleasanton Ridge Regional Park’s network of multi-use trails.

## **B-5 Site Characteristics**

**B-5a Environmental Setting.** The Robertson property contains mixed oak woodlands, perennial and seasonally wet riparian corridors, chaparral, grassland, creeks, rock outcrops, ponds, seeps and springs. Grasslands dominate the crest and upper slopes of Sunol Ridge, while coastal scrub, oak woodland, and oak-bay riparian areas flank the mid to lower slopes of the ridge and drainages. A number of small rock outcrops and stock ponds are found within the grassland areas.

This property provides critical habitat for Alameda whipsnake, California tiger salamander (CTS), and California red-legged frog (CRLF). Other species supported by the property’s rich habitat can include mountain lion, bobcat, deer, golden eagle, and other raptors. Based on recent Park District analysis, the property contains historical and recently occupied Golden Eagle nests, native grassland habitat, special status plant species and plant communities of special concern.

The site lies within the Alameda Creek Watershed and Pleasanton Ridge Watershed. Several unnamed seasonal tributaries comprising approximately 3.45 miles of riparian corridor drain off Sunol Ridge in a westerly direction. In addition to the streams identified on USGS maps, several smaller, ephemeral drainages are present. The drainages contribute to the Stonybrook Creek, with some flowing to the east-northeast and eventually into Sinbad Creek, that confluences with Alameda Creek near Sunol and ultimately flows into the San Francisco Bay. Three ponds are dispersed throughout the property.

The property is situated on the western flank of northwest-trending Sunol Ridge. The topography of the property is steeply sloped with gradients of 45 to 60 percent. Elevations range from approximately 500 feet at Palomares Road to 2,200 feet at Sunol Peak.

**B-5b - Site Infrastructure.** There are no structures on the property, with the exception of grazing infrastructure including storage tanks, troughs and one corral and associated below ground water lines that serve the livestock water system. The water system is fed by a spring located in the northwestern portion of the property. There is also a water line easement recorded against the Robertson property in April 2016 with a neighboring privately-owned property. The grantee has use of the spring, waterline down the hill, and a holding tank. The water line easement is located on the Palomares Road side of the property and runs from a spring down the hill to a private property located on Palomares Road (Kiely property). The grantee also has the right to relocate the water line (if agreed to by the District) and enter the property to maintain the waterline and spring (notifying the Park Supervisor first) in perpetuity.

The property is located well outside of any urban services boundary and cannot be served by municipal utilities. There are no developed wells on the property; however, there are a number of springs, including two large springs in the northwest part of the property, and five man-made ponds located in various parts of the property that serve grazing and wildlife habitat needs.

Electrical service has been extended from the southwest property line northerly to Sunol Peak, a distance of about 4,630 feet, to two in-holding parcels owned by the County of Alameda and American Tower. These in-holdings total less than an acre and are developed as communication facilities. To facilitate access to the communication facilities, the County of Alameda developed a paved roadway from Palomares Road to the Sunol Peak in-holdings within a 40-foot-wide easement. As such, the property owner enjoys the continuing benefit of a paved asphalt road maintained by others, at no expense to the property owner. This road continues easterly as an unpaved service road to the east property line.

**B-5c - Biological Resources.** Vegetation on the subject property is a mix of grassland, forest/woodland, and coastal scrub.

### **Plant Communities**

**Grassland.** Grasslands are found on ridgetops and slopes throughout the property. The most common grassland type on the Robertson is an *Avena* spp.-*Bromus* spp. Alliance.

**Diablan Sage Scrub.** Diablan sage scrub is generally found on the south, southwest, and southeast-facing slopes. Typical species include California sagebrush, sticky monkeyflower, chamise (*Adenostoma fasciculatum*), deerweed (*Lotus scoparius*), bush lupine (*Lupinus* sp.), poison oak (*Toxicodendron diversilobum*) and coyote brush (*Baccharis pilularis*). Portion of the Diablan sage scrub can also share characteristics with chaparral communities.

**Coast Live Oak Woodland and Forest.** These two communities are differentiated by tree density, with the forest having a greater tree density than woodland. Characteristic species for coast live oak forest include madrone (*Arbutus menziesii*), poison oak, and California bay (*Umbellularia californica*). Characteristic species for coast live woodland include buckeye (*Aesculus californica*), coast sanicle (*Sanicula laciniata*), toyon (*Heteromeles arbutifolia*), California coffeeberry (*Rhamnus californica*), blue elderberry (*Sambucus Mexicana*), poison oak, pacific pea (*Lathyrus vestitus*), California sagebrush, madrone, bay, gooseberry (*Ribes spp.*), rip-gut brome (*Bromus diandrus*), chickweed (*Stellaria media*), bedstraw (*Galium aparine*) bull thistle (*Cirsium vulgare*), and hedge parsley (*Torilis nodosa*). The denser forest is generally observed further down in the canyons and on more north-facing slopes, whereas sparser woodland is generally found on drier slopes and intermixed with the grassland and chaparral scrub communities.

## **Plant Communities and Associated Wildlife.**

### **Special Status Species**

Special-status plant and wildlife species are defined as those species listed as endangered, threatened, or proposed for listing under Federal Endangered Species Act (ESA), as amended (Code of Federal Regulations [CFR], Title 50, Section 17), and/or species protected under the Migratory Bird Treaty Act (MBTA) (16 U.S. Code [USC] 703-712); the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668d; June 8, 1940) as amended; California Endangered Species Act (CESA) (California Code of Regulations Title 14, Section 670.5); California Fish and Game Code (Sections 1901, 2062, 2067, 3511, 4700, 5050 and 5515); and/or Native Plant Protection Act of 1977. Special-status species also include locally rare species defined by CEQA guidelines 15125(c) and 15380, which may include species that are designated as sensitive, declining, rare, locally endemic or as having limited or restricted distribution by various federal, state and local agencies, organizations and watchlists. Their status is based on their rarity and endangerment throughout all or portions of their range. Plant species on the California Native Plant Society (CNPS) Rare Plant Rank (CRPR) Lists 1, 2, 3 and 4 are also considered special status plants for consideration under CESA. CDFW also lists Sensitive Natural Communities as special status plant communities.

**Special-status Plant Taxa.** The Robertson property contains suitable habitat for five special status plant taxa with all taxa having a moderate potential for occurrence; Congdon's tarplant (*Centromadia parryi* ssp. *congdonii*), Santa Clara red ribbons (*Clarkia concinna* ssp. *automixa*), Serpentine bedstraw (*Galium andrewsii* ssp. *gatense*), Bristly leptosiphon (*Leptosiphon acicularis*), Gairdner's yampah (*Perideridia gairdneri* ssp. *gairdneri*).

**Special-status Wildlife Species.** Based on a review of the California Natural Diversity Database (CNDDDB), a state-maintained inventory of rare plants and

animals, and results from Wetlands Research Associates (2004), EBRPD (2008 and 2012), incidental observations and surveys conducted by EBRPD biologists and others, there are thirty-four (34) special status species of invertebrates and vertebrates rated as possible<sup>1</sup> for occurrence on the Robertson property. In addition, the following seventeen (17) species have been documented as present<sup>2</sup> for the Robertson property: California red-legged frog (*Rana draytonii*), California tiger salamander (*Ambystoma californiense*), western pond turtle (*Emys marmorata*), Alameda whipsnake (*Masticophis lateralis euryxanthus*), white-tailed kite (*Elanus leucurus*), golden eagle (*Aquila chrysaetos*), northern harrier (*Circus cyaneus*), sharp-shinned hawk (*Accipiter striatus*), Cooper's hawk (*Accipiter cooperii*), Swainson's hawk (*Buteo swainsonii*), prairie falcon (*Falco mexicanus*), western burrowing owl (*Athena cunicularia hypugaea*), loggerhead shrike (*Lanius ludovicianus*), California horned lark (*Eremophila alpestris actia*), grasshopper sparrow (*Ammodramus savannarum*), pallid bat (*Antrozous pallidus*), and San Francisco dusky-footed woodrat (*Neotoma fuscipes annectens*).

Most of the species observed on the site are ones typical of regional oak woodland, grassland, and scrub habitats. These vegetation communities have a high habitat value for special status species in the region, particularly because of the lack of urbanized areas surrounding the property and the absence of significant barriers to species dispersal. Though the drainages on site are mostly ephemeral, five stock ponds provide suitable breeding habitat for special status amphibian species such as California red-legged frog, California tiger salamander, and Western pond turtle. Abundant small mammal burrows for amphibians are also available in the upland areas. Extensive scrub/chaparral patches provide excellent Alameda whipsnake habitat in close proximity to documented occupied habitat areas. Raptor nesting sites are available in the woodland areas and grassland hilltops and slopes provide foraging opportunities.

The subject property is located within USFWS's designated critical habitat for the California red-legged frog proposed critical Habitat Unit 15 (East Bay Diablo Range). The stock ponds on the property provide suitable breeding habitat and cover for the California red-legged frog. The nearby uplands surrounding the stock ponds contain a mix of grazed grasslands and oak woodlands with small mammal burrows. Ephemeral and intermittent drainages throughout the site provide movement and dispersal corridors for this species. The subject property is within a Recovery Unit (Unit 16) for California red-legged frog.

The Robertson property lies just outside the proposed Critical Habitat Unit 3 (Alameda Creek Unit) for the Central California population of California tiger salamander. Nevertheless, the Robertson property contains the primary essential

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<sup>1</sup> Possible indicates the presence of suitable habitat or key habitat elements that potentially support a specific species or taxa.

<sup>2</sup> Present indicates the target species was observed directly during field investigations on the property or on neighboring Pleasanton Ridge Regional Park

constituent elements (PCEs) described for this species by the USFWS: aquatic and breeding habitats, upland areas with small mammal burrows for salamander estivation, and dispersal corridors free of barriers between upland and aquatic sites.

The Robertson property is located within USFWS's designated critical habitat for the Alameda whipsnake (Recovery Unit #3). This state and federally threatened species is only known from Contra Costa and Alameda Counties. The Robertson property provides PCEs for this species including scrub, chaparral, grassland, and woodland habitat mosaics. This reptile typically occupies south-facing slopes and ravines, with rock outcrops, deep crevices or abundant rodent burrows, where shrubs form a vegetative mosaic with oak trees and grasses.

**Table I - Special Status Wildlife Species Present on the Robertson Property**

<b>Common Name</b>	<b>Species Name</b>	<b>Listing Status*</b>
<b>Federal/State Listed, Proposed, Candidate and/or Fully Protected Species</b>		
California tiger salamander Central California DPS	<i>Ambystoma californiense</i>	FT, ST
California red-legged frog	<i>Rana draytonii</i>	FT, CSC
Alameda whipsnake	<i>Masticophis lateralis euryxanthus</i>	FT, ST
White-tailed kite	<i>Elanus leucurus</i>	FP
Golden eagle	<i>Aquila chrysaetos</i>	BCC, FP
Swainson's hawk	<i>Buteo swainsoni</i>	ST
<b>Sensitive and Locally Rare Species</b>		
Western pond turtle	<i>Actinemys marmorata</i>	CSC
Cooper's hawk	<i>Accipiter cooperii</i>	WL
Sharp-shinned hawk	<i>Accipiter striatus</i>	WL
Western burrowing owl	<i>Athene cunicularia hypugaea</i>	CSC
Prairie falcon (nesting)	<i>Falco mexicanus</i>	BCC, WL
Northern harrier	<i>Circus hudsonius</i>	CSC
California horned lark	<i>Eremophila alpestris actia</i>	WL
Loggerhead shrike (nesting)	<i>Lanius ludovicianus</i>	BCC, CSC
Grasshopper sparrow (nesting)	<i>Ammodramus savannarum</i>	CSC
Pallid bat	<i>Antrozous pallidus</i>	CSC
San Francisco dusky-footed woodrat	<i>Neotoma fuscipes annectens</i>	CSC
* Federal and State listing codes: FE Federally listed as Endangered FT Federally listed as Threatened BCC Federal Bird of Conservation Concern SE State listed as Endangered ST State listed as Threatened		

CSC California Species of Special Concern FP Fully Protected WL Watch List
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**B-5d - Cultural Resources**

No cultural resource studies have been performed on the property to date.

## II. PURPOSE AND GOALS

### A. Purpose

The purpose of this Checklist Amendment is to incorporate the Robertson property into the Pleasanton Ridge Regional Park and open portions of the Robertson property's existing service roads to public access. The proposed Checklist Amendment contains a recreational trails plan (refer to *Attachment A – Maps and Figures*) that will allow for public access on the Robertson property and connections through the Tyler Ranch property and the Tyler Ranch Staging Area.

### B. Checklist Amendment Goals

Each of the following Checklist Amendment goals is consistent with the goals of the 2012 Pleasanton Ridge Regional Park Land Use Plan.

#### Public Access:

- To expand public recreational trail access throughout the parklands comprising Pleasanton Ridge Regional Park.
- To provide recreation programs oriented to the trail system that address visitor experiential expectations.

#### Resource Protection:

- To protect 1,367.8 acres of undeveloped open space contiguous with the Pleasanton Ridge Regional Park thereby adding to the biological, cultural and watershed values of this park.

#### Maintenance and Operations:

- To manage these parklands and facilities for park visitor safety, balancing visitor enjoyment with natural and cultural resource protection.

## III. PROJECT DESCRIPTION

### A. Proposed Public Access and Trail Features

Public access through the Robertson property would originate at the Tyler Ranch Staging Area in Pleasanton Ridge Regional Park located approximately 1.54 miles from the Robertson property boundary.

The trail system would consist of 12.7± miles of recreational access on existing service roads on the property. This includes the following:

- 1) one paved access road, approximately 1.7 miles, that extends from Palomares Road along the western property boundary to Sunol Peak;

- 2) the Sunol Ridge Trail that will provide the primary connection from the Tyler Ranch Staging Area to the project area; and
- 3) approximately 11 miles of unpaved, service-road-width trails that will be opened to recreation access.

The entire Robertson trail system would be designated to accommodate hikers, bicyclists, dogs, and equestrians, in accordance with the provisions of the 2013 East Bay Regional Park District Master Plan. Consistent with Park District Ordinance 38, dogs would be required to remain on leash within the first two hundred feet beyond the Tyler Ranch Staging Area.

In addition to allowing for public access on existing service roads, portions of the of the Robertson property may be closed or limited to public access due to natural resource concerns and to protect sensitive species that could occur in pond habitat. These areas would be designated as Special Resource Protection Areas (SRPA) and would be located in the area containing pond habitat that has potential for protected species. The Checklist Amendment has identified one SRPA on the Robertson property which would not allow public access on the service road through the SRPA. Additionally, off-trail use and off-leash dogs would be prohibited. The SRPA would also allow for regular monitoring and adaptive management as part of the best management practices. Adaptive management may include the further restriction of use, including temporarily or permanently closing the SRPA to vehicles, and/or any other action deemed necessary to protect the affected resource or use condition. Additional best management practices would include educational outreach to recreational trail users and signage identifying the area as a Special Resource Protection Area and indicating that 1) off-trail use is prohibited, 2) off-leash dogs are prohibited, 3) human/canine entry into ponds are prohibited, and 4) there are penalties for unauthorized activities. The SRPA is identified in *Attachment A – Maps and Figures*.

The following best management practices have been incorporated into the project and would be undertaken prior to, and during, any future ground disturbing or vegetation maintenance activities to protect sensitive biological resources:

- Prior to the pruning or removal of mature trees during bird nesting season, February 1 through July 31, the Park District would conduct site-specific, pre-construction tree surveys to determine the presence of nests of legally-protected bird species. If any trees to be removed contain active nests, the Park District would consult with the CDFW and the USFWS to determine under what conditions these trees can be legally removed. Such surveys would not be required outside of bird nesting season.
- If active special-status bird nests or other protected species are identified in public use areas, to avoid disturbance, the Park District would seasonally restrict public access to areas during the breeding season; close trails, in accordance with Ordinance 38 (District Visitor Use Regulations); or



develop appropriate buffers around successful nest locations, to avoid disturbance to breeding or migrating wildlife.

- The Park District would enact seasonal closure zones to restrict park activity and public access around breeding or migrating amphibians and other sensitive wildlife.
- For maintenance projects adjacent to or crossing waterbodies, the Park District would implement best management practices for control of erosion, sediment, and pollutants, including: re-planting exposed areas; using dikes, basins, ditches, clean straw, erosion control fabric, and other temporary measures; installing catchments for source pollutants; and including a sufficient vegetated buffer between parking areas and wetlands.

Additionally, the following best management practices are part of the project and would be undertaken prior to, and during, any proposed ground disturbing activities to protect any potential, unknown cultural resources:

- In the event that prehistoric, archaeological or paleontological artifacts or remains are encountered during routine maintenance of the property, any associated earth-disturbing activities would be halted within at least 50 feet and artifacts would be protected in place (in accordance with District Board Resolution No. 1989-4-124 and state and federal law) until the find is evaluated by an archaeologist or trained cultural resource professional and appropriate mitigation, such as curation, preservation in place, if necessary, is implemented.
- In the event of accidental discovery of human remains, the County Coroner would be notified, and, if the remains are determined to be of Native American origin, the Native American Heritage Commission (NAHC) would be notified to identify the Most Likely Descendant (MLD), in accordance with State and federal law. The disposition of the remains would be coordinated between the Park District, the County Coroner, NAHC, MLD, and the archaeological consultant.
- The Park District would continue to map all known cultural resource sites and record them in the *Cultural Resources Site Atlas*.

## **B. Recreational Use Proposal**

Proposed park improvements would consist of:

- Grooming, signage, and opening the existing service-road-width trails for public trail use. Signage would consist of standard Park District signage at

locations to be determined by Park Operations staff. “Private Property” signage may be placed at appropriate locations along the park boundary at the discretion of the park staff.

- Naming the trails that comprise the Robertson trail system consistent with the Park District Naming Policy [see Attachment B – Board Policy Resolution, Resolution No. 2004-04-73 (4/20/04), and Attachment C – Trail Name Recommendation Supporting Documentation].
- Providing standard Park District pipe vehicular combination lock access gate(s) and fencing, as appropriate, to define the park boundary and control livestock.
- Providing four public access, pass-through, self-closing gates; two at trail junctions where Tyler and Robertson parcels join, one along the Mule Deer Trail, and one at the Robertson Ranch Trail and Mule Deer Trail junction.

While opening the site to the public would not require any new construction on the Robertson property, routine maintenance activities will consist of a combination of hand and mechanized equipment to maintain the existing trail system including: clearing vegetation extending onto the trail surface; completing minor grading and compaction required to maintain the trail surface; replacing culverts as needed; and installing fences, gates, and signs. Maintenance access to the site would be from Foothill and Palomares Roads.

### **C. Maintenance and Security**

As described above, emergency and maintenance vehicle access (EVMA) to the subject property is available from Palomares and Foothill Roads via the existing service roads. Interior access to the site is available from an all-weather, two-mile long paved road extending from Palomares Road to the summit of Sunol Ridge. Seasonal access is available along the Sunol Ridge Trail. Public access would be limited to access from Tyler Ranch Staging Area. Access to this staging area would be controlled by gates that would be operated and locked by staff coinciding with park hours.

Staffing for the Robertson property would be provided by Pleasanton Ridge Regional Park staff and would include routine patrol and maintenance activities, including initial response and reporting of incidents. The grassland areas of the property would be maintained to the Park District’s fire suppression and environmental standards. The exact methods (for example, mowing and grazing) would be determined on an annual basis and based on current land conditions.

Park District police officers regularly patrol Pleasanton Ridge Regional Park and other parklands in the immediate area. These officers are deployed from the Park District’s Public Safety Headquarters in Castro Valley. In addition, the park is patrolled by helicopter as part of the routine park management program.

## **D. Land Use Agreements and Plan Consistency**

### **Current Agreements**

Grazing Lease. The property currently is grazed under a two-year lease.

In-holding Access. The property currently has two in-holding parcels owned by Alameda County and American Tower. Access to these properties is provided via a paved roadway extending from Palomares Road that was developed by Alameda County.

Appurtenant Easement. Ron Brochu is the grantee who can use the spring, waterline down the hill, and a holding tank. Mr. Brochu has the right to use the spring and relocate the water line (if agreed to by the Park District) as well as enter the property to maintain the waterline and spring (he must notify the Park Supervisor first) in perpetuity.

Use Restrictions. The Park District shall refrain from developing or otherwise using any other property it owns or controls near the property in a manner that interferes with or inconveniences the use, management, operation, or maintenance of the property or detracts from the acquisition purposes.

### **Plan Consistency**

#### **2012 Pleasanton Ridge Land Use Plan**

Public access recommendations as stated in *Section 4.4.1.2—Proposed Staging Areas and Trailheads* of the 2012 LUP included recommendations regarding the Tyler Ranch Staging Area and future opportunities to complete the Sunol Ridge Trail. These recommendations require trail connection through Robertson to close a significant gap in the Sunol Ridge thereby implementing the following 2012 Land Use Plan recommendations:

*“This site, which is proposed for the Tyler Ranch Staging Area will include....access to Sunol Ridge Trail... that will connect to Sunol Ridge;”*

*[and]*

*“...develop[ment of] a superior trail alignment between Kilkare Canyon and Canyon Oak and/or between Kilkare Canyon and summit of Sunol Ridge.*

*This multi-use trail system will: incorporate existing trails into the system where appropriate to minimize: resource habitat disturbance, soil displacement, and permitting requirements associated with new construction....”*

#### **City of Pleasanton General Plan Goals and Policies**

The City of Pleasanton General Plan, zoning ordinances, and codes as well as applicable measures seek to preserve the scenic views, open space, and rural

character of the Pleasanton Ridglands (Land Use Element Section 2-8). These values are consistent with the Park District's goals for the Robertson property.

#### **IV. AMENDMENT CHECKLIST**

##### **A. California Environmental Quality Act (CEQA)**

###### **1. Checklist Criteria**

An Environmental Impact Report (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 would be continued and resources would not be adversely affected.

###### **2. Consistency with Checklist Criteria**

An Initial Study/Mitigated Negative Declaration (IS/MND) for the Pleasanton Ridge Regional Park Land Use Plan (LUP) was adopted by the Board on July 17, 2012 (Resolution No.: 2012-07-183; SCH No.: 2012062006) concurrent with the adoption of the Pleasanton Ridge Regional Park LUP. The Robertson property was not specifically addressed in the 2012 LUP, as the property was in private ownership. The 2012 IS/MND identified a number of impacts associated with human activity on trails and proposed specific mitigation to reduce the impact to an insignificant level. The IS/MND also proposed mitigation for many of the same activities that are proposed for the Robertson property here. Some of these have been incorporated into this document. Therefore, a separate Categorical Exemption for the Robertson property was filed on September 7, 2022 addressing the public access improvements proposed in this Checklist Amendment. The Categorical Exemption identifies the proposed project improvements and documents compliancy with CEQA under Section 21084 of the Public Resources Code.

The Park District has reviewed the proposed project improvements and determined the project to be categorically exempt from CEQA under the following sections of the California Administrative Code: 15301, 15303, 15304, 15311, and 15333 of the CEQA Guidelines as described below.

- Section 15301. Existing Facilities. Class I consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects that might fall within Class I. The key consideration

is whether the proposed project involves negligible or no expansion of an existing use. Examples include but are not limited to:

(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (including road grading for the purpose of public safety).

...

(i) Maintenance of ... wildlife habitat areas ... stream flows, springs and waterholes, and stream channels (clearing of debris) to protect fish and wildlife resources.

The project would include the operation, maintenance, and minor alteration of existing trails. The project would also include the maintenance of the special resource protection area to protect sensitive species that could occur in the pond habitat within the sensitive resource protection area.

- Section 15303. New Construction or Conversion of Small Structures. Class 3 consists of construction and location of limited numbers of new, small facilities or structures, including, but not limited to: (e) accessory (appurtenant) structures including... fences.

The project would include the installation of new livestock fencing.

- Section 15304. Minor Alterations to Land. Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not to:

(a) Grading on land with a slope of less than 10 percent, except that grading shall not be exempt in a waterway, in any wetland, in an officially designated (by federal, state, or local government action) scenic area, or in officially mapped areas of severe geologic hazard such as an Alquist Priolo Earthquake Fault Zone or within an official Seismic Hazard Zone, as delineated by the State Geologist.

The project would include minor grading and compaction to maintain trail surfaces.

- Section 15311. Accessory Structures. Class 11 consists of construction, or placement of minor structures accessory to (appurtenant to) existing commercial, industrial, or institutional facilities, including but not limited to: (a) on-premises signs.

The project would include the placement of trail signs, wayfinding signs, and safety warning signs.

- Section 15333. Small Habitat Restoration Projects. Class 33 consists of projects not to exceed five acres in size to assure the maintenance, restoration, enhancement, or protection of habitat for fish, plants, or wildlife provided that:

- (a) There would be no significant adverse impact on endangered, rare, nor threatened species nor their habitat pursuant to Section 15065,

- (b) There are no hazardous materials at nor around the proposed project site that might be disturbed or removed, and

...

- (d) Examples of small restoration projects include:

- (6) Culvert replacement conducted in accordance with published guidelines of the CDFW or National Oceanic and Atmospheric Administration (NOAA), the primary purpose of which is to improve habitat or reduce sedimentation.

The project would include a special resource protection area designated to provide additional protection to sensitive species that may occur in the pond habitat within the sensitive resource protection area.

## **B. Land Use Plan (LUP)**

### **I. Checklist Criteria**

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

### **2. Consistency with Checklist Criteria**

The Tyler Ranch Staging Area, property and trails were included in the 2012 Pleasanton Ridge LUP. Public access to the Robertson property is via Tyler Ranch.

The physical conditions at Pleasanton Ridge Regional Park are well documented in the July 17, 2012 LUP and Initial Study/Mitigated Negative Declaration (IS/MND) (Resolution No. 2012-07-183). Moreover, the Categorical Exemption that was filed on September 7, 2022 will clearly identify the proposed project elements and their consistency with CEQA under the following sections of the California Administrative Code: Sections 15301—Existing Facilities, 15303—New Construction or Conversion of Small

Structures, 15304—Minor Alterations to Land, 15311—Accessory Structures, and 15333—Small Habitat Restoration Projects.

This Checklist Amendment provides a formal planning review focused on additional conditions, particularly with regard to public access and the protection of biological, cultural, and watershed resources on the parcels identified as Alameda County Assessor’s Parcel Numbers (APNs) 085A-4700-002-35; 085A-4850-001; 085A-5000-002-03; and 096-0120-001. This Checklist Amendment is intended to supplement the prior planning studies. Completion of this Checklist Amendment would provide a formal planning review consistent with the process adopted by the Board of Directors in 2002.

## **C. Development**

### **1. Checklist Criteria**

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

### **2. Consistency with Checklist Criteria**

The actions proposed in the Checklist Amendment meet the intent of the recommendations proposed in the 2012 LUP and described herein in more detail.

Public access. Public access recommendations as stated in *Section 4.4.1.2—Proposed Staging Areas and Trailheads* of the 2012 LUP included the following regarding the Tyler Ranch staging area that will require trail connection through Robertson in order to implement the recommendation:

- “Access to Sunol Ridge Trail, a narrow, natural surface, multi-use trail and partially paved service-road-width trail that will connect to Sunol Ridge”

Therefore, development of access through Robertson as described in this Checklist Amendment is consistent with the potential, future actions described in the 2012 LUP. As stated in the excerpt below from the Robertson Ranch acquisition evaluation:

*“The property provides significant recreational opportunities to expand the trail network included in the recently adopted Pleasanton Ridge Regional Park Land Use Plan. Of particular note is the ability to close a significant gap in the Sunol Ridge Trail”*

Resource Management. The program focus for managing biological resources within Pleasanton Ridge Regional Park as stated in *Chapter 4 Section 4.2—Biological Resources Management Programs* of the 2012 LUP is to develop:

*“..biological resource management programs ... to benefit overall biodiversity of the Alameda Creek Watershed with a focus on critical breeding and foraging habitat for federal and state listed species.”*

No additional CEQA review is required for the actions proposed in this Checklist Amendment because all planned activities on the Robertson property are categorically exempt. A Categorical Exemption was filed on September 7, 2022 to address the specific actions described in this Checklist Amendment, including the opening of existing service roads to public access. No comments were received as a result of this filing. Thus, through filing the September 7, 2022 Categorical Exemption, the Checklist Amendment is consistent with these checklist criteria.

## **D. Land Use**

### **I. Checklist Criteria**

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

### **2. Consistency with Checklist Criteria**

#### **Land Use**

The property described in this Checklist Amendment is contiguous with the existing Pleasanton Ridge parkland boundaries. Trail use would be limited to existing trails. Access to the site would be from the Tyler Ranch Staging Area via the existing Sunol Ridge Trail. As described above, this access point and trail routes were considered as a potential future public access in the 2012 LUP. No uses other than passive public trail use and pre-acquisition grazing and habitat conservation uses are being considered as part of this Checklist Amendment.

As such, the proposed land uses are consistent with this checklist criteria.

## **E. Minimal Cost**

### **I. Checklist Criteria**

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



## **2. Consistency with Checklist Criteria and Requirements to Meet Checklist Criteria**

Appropriate operations and public safety costs associated with the opening of the Tyler Ranch Staging Area and land bank property have been accounted for in the operating budget. The additional costs associated with opening Robertson to public access are minimal as agreed by the Unit Manager, the Chief of Maintenance and Skilled Trades, and the appropriate Public Safety personnel.

Based on this financial assessment, current project costs for the proposed actions in the Checklist Amendment meet these checklist criteria.

## **ATTACHMENTS**

### Attachment A – Maps and Figures

- Location Map
- Public Access Map

### Attachment B – Board Policy Resolutions

- Checklist Amendment Process Adopted 2002, Resolution No. 2000-3-54
- EBRPD Naming Policy, Resolution No. 2004-04-73 (4/20/04)

### Attachment C – Trail Naming Recommendations

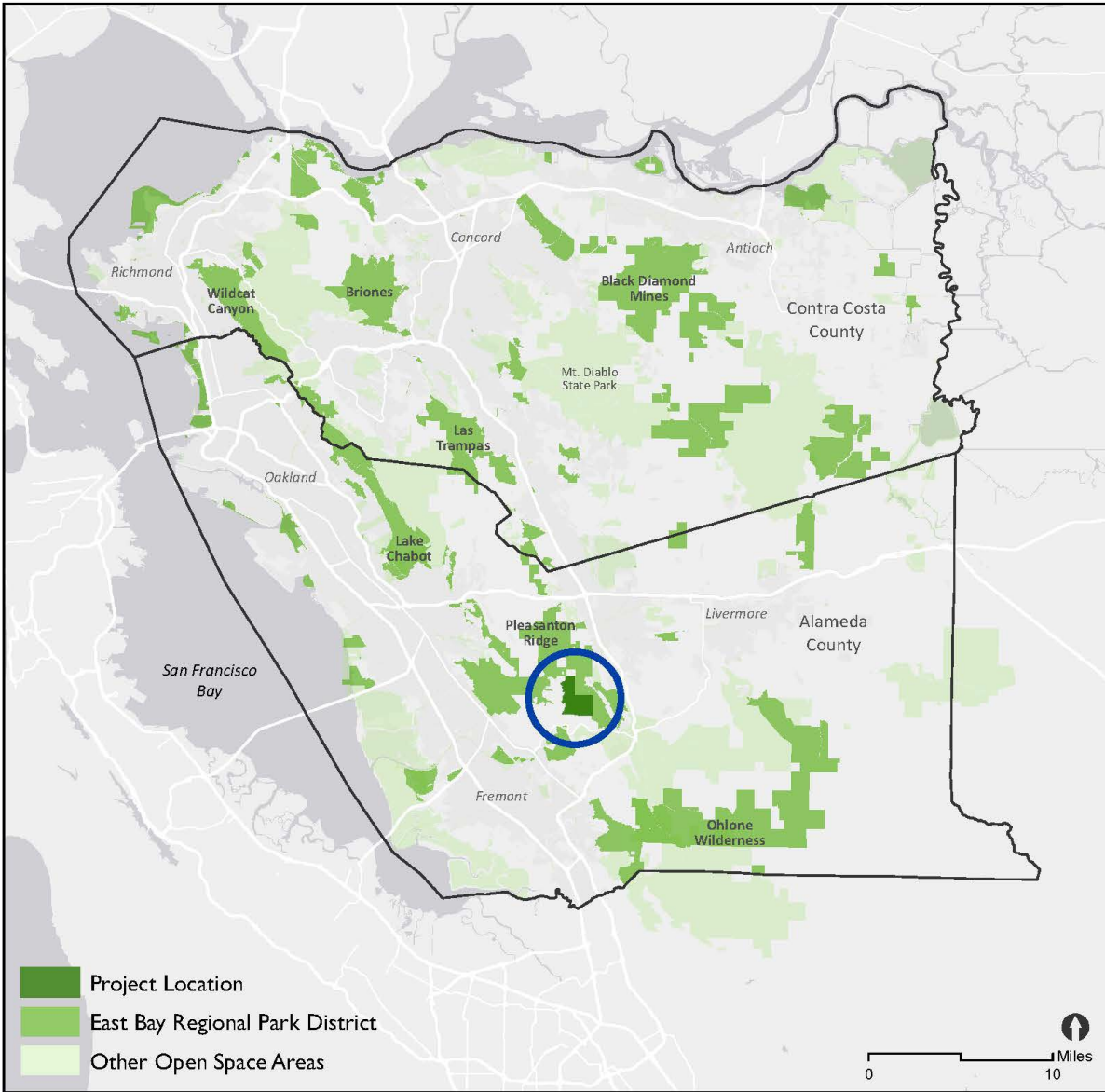
- Trail Name Recommendation Supporting Documentation

## **REFERENCES**

Wetlands Research Associates. *Biological Site Assessment, Draft, Sunol Ridge Property, James D. Robertson Estate Trust, Alameda County, California. 2004.*

# Attachment A—Maps and Figures

 East Bay Regional Park District	<b>Robertson Landbank Property</b> Pleasanton Ridge Regional Park <b>Project Location</b>	<b>PUBLIC DRAFT</b>  Checklist Amendment <small>5/27/2022</small>
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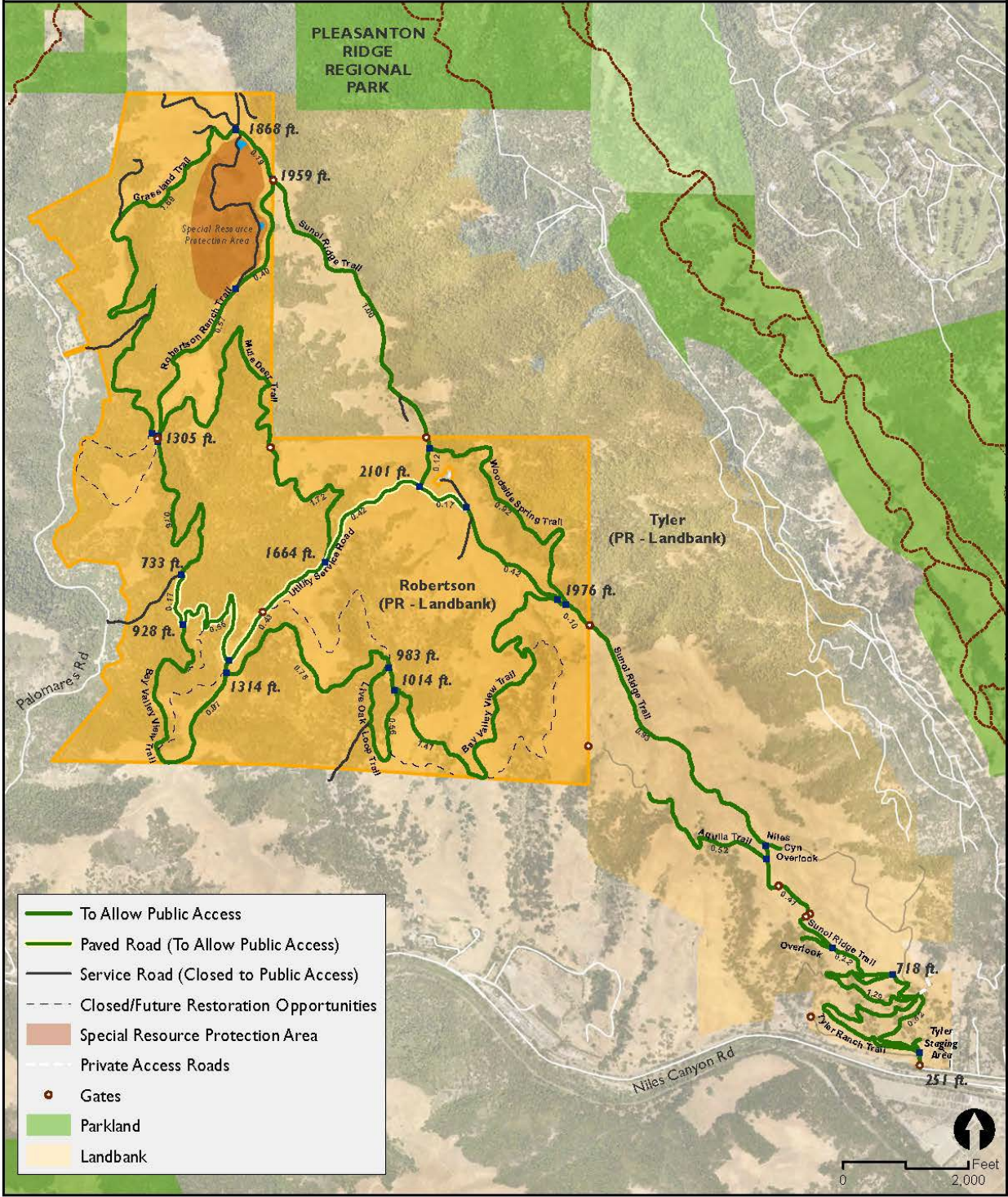
# Robertson Landbank Property

## Pleasanton Ridge Regional Park

### Public Access Plan

**PUBLIC  
DRAFT**

Checklist  
Amendment  
7/21/2022



## **Attachment C – Trail Naming Recommendations**

The Robertson Land Use Plan Checklist Amendment to the 2012 Pleasanton Ridge Regional Park Land Use Plan proposes naming the previously unnamed, approximately 13 miles of trails on the Robertson property. The purpose of this request is to provide names for eight trails within the former Robertson property to improve visitors’ park experiences by providing clearer wayfinding information and to directly relate the trail name to the trail experience. Refer to the *Public Access Plan* map on page 24 for the location of these proposed trail name changes and the table below for the proposed trail names for each segment.

<b>TRAIL #</b>	<b>PROPOSED NAME</b>	<b>DESCRIPTION AND LENGTH</b>
<b>1</b>	Tyler Ranch Trail	1.3-mile connector trail from Tyler Ranch staging area (new construction not part of this project).
<b>2</b>	Sunol Ridge Trail	4.25-mile (1.1 mile within the Robertson property) ridge trail.
<b>3</b>	Aquila Trail	.52-mile segment of the future Aquila Loop Trail (new construction not part of this project).
<b>4</b>	Bay Valley View Trail	3.33-mile trail extending east to west on the southern portion of the Robertson property.
<b>5</b>	Live Oak Loop Trail	.56-mile loop trail connected to the Bay Valley View Trail.
<b>6</b>	Woodside Spring Trail	.92-mile trail traversing oak woodland habitat on the eastern portion of the Robertson property.
<b>7</b>	Utility Service Road	1.58-mile paved road connecting Palomares Road to communication towers on top of Sunol Peak.
<b>8</b>	Robertson Ranch Trail	.97-mile trail connecting to Sunol Ridge Trail.
<b>9</b>	Grassland Trail	2.49-mile trail extending north to south of the property.
<b>10</b>	Mule Deer Trail	1.72-mile trail connecting the Robertson Ranch Trail to the Utility Service Road.

The name *Tyler Ranch Trail* identifies a 1.3 mile newly constructed trail that is already determined and proposed as part of the Tyler Ranch Staging Area project.

The name *Sunol Ridge Trail* identifies an existing 4.25-mile trail (1.1 mile within the Robertson property). This name was selected because it fills a critical gap in the Sunol Ridge Trail identified in the 2012 Pleasanton Ridge LUP.

The *Aquila Trail* identifies a short spur from the Sunol Ridge Trail. The name is part of the Tyler Ranch trail network Aquila Loop Trail (future project).

The name *Bay Valley View Trail* applies to an existing 3.33-mile trail. It offers sweeping, panoramic views of both the Tri-Valley area and the San Francisco Bay when traveled from north to south.

The name *Live Oak Loop Trail* applies to a .56-mile The name refers to the predominance of Coast Live Oaks in this area that define the experience and character of this area.

The name *Woodside Spring Trail* applies to a .92-mile trail on the eastern portion of the property. The name refers the trail characteristics and surrounding environment as the trail dips into the wooded side of the Sunol Ridge.

The name *Utility Service Road* is for an existing paved road trail that travels to the highest point of the park and is also a utility road. The name was selected since the purpose of the road is for the maintenance of the communication utilities at the top of the peak. This trail extends from the western park boundary to the communications towers.

The name *Robertson Ranch Trail* applies to an existing .92-mile trail connecting to the Sunol Ridge Trail. The purpose of using this name is to remember the previous use of the property as the Robertson Ranch.

The name *Grassland Trail* provides a name to an existing 2.49-mile trail. The name was selected because this area of the park is characterized by grassland.

The name *Mule Deer Trail* identifies an existing 1.72-mile trail connecting the Robertson Ranch Trail to the Utility Service Road. The name was selected because this mammal can typically be found in the area.

Consistency with East Bay Park District Naming Policy and Guidelines [Resolution No. 2004-04-73 (Adopted On 4/20/04)]. Adopting these trail names is consistent with the East Bay Park District Naming and Policy and Guidelines (Refer to Attachment B for a copy of the policy).

The proposal for these trail names and the background information was a collaborative effort by Park District staff, including the Planning, Trails, Interpretive and Recreation Services, and Park Operations staff. The proposed names have also been reviewed for consistency with the naming policy. These trail names are consistent with the policy criteria as: 1) all of the trail names relate to natural or historic features; and 2) all of the trail names have been checked against the Park District list of names and none has been previously used at another park.

Revenue/Cost. Installation of the trail name sign-posts and signs and updates to the park brochure will be completed with existing Public Safety and Park Operations (Operations and Maintenance) budget funds.

Actions to Result from this Naming Recommendation. Upon Board adoption of this naming recommendation, the following actions will result from this park facility naming:

- Planning and GIS Staff will add these names to the Park District list of names to avoid future name redundancy.
- GIS Staff will update the park database to reflect these changes.
- The Pleasanton Ridge Park Supervisor will install signs on the trails with the assigned name.
- Public Affairs will include this update in the next printing of the Pleasanton Ridge Regional Park brochure.