

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, September 6, 2011

C. BUSINESS BEFORE THE BOARD

I. CONSENT CALENDAR

- cc. Authorization to Apply to the California Public Utilities Commission for an Order Authorizing Construction of a Grade-Separated Vehicle/Pedestrian/Bicycle Crossing Over the Tracks of the Union Pacific Railroad Company: Point Pinole Regional Shoreline (Victor/Althoff)

RECOMMENDATION

The General Manager recommends that the Board of Directors authorize an application to the California Public Utilities Commission (“CPUC”) for an order authorizing construction of a grade-separated vehicle/pedestrian/bicycle crossing over the tracks of the Union Pacific Railroad at Point Pinole Regional Shoreline.

REVENUE/COST

There is no cost associated with the application for this permit. Funding for the project is available in Project Account No. 539700. Upon construction by the Park District, the City of Richmond will accept the bridge as a public improvement and will be responsible for future operating costs.

BACKGROUND

The Atlas Road Bridge/Overcrossing is part of the Park District’s Master Plan for the Point Pinole Regional Shoreline and will become the new park entrance. Park District staff anticipates commencing construction on the overcrossing next year. In order to construct the overcrossing, an authorization from the CPUC is required. No other permits are required from regulatory agencies.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

In August 1992, the City of Richmond (“City”) adopted the Final Environmental Impact Report (“EIR”) (SCH No. 90030902) for the Point Pinole Mixed-Use Development Project. The EIR identified the extension of Atlas Road as integral to the project circulation improvements and included a vehicular bridge over the railroad right-of-way to provide regional public access to Point Pinole Regional Shoreline. The City completed the Atlas Road extension to the easterly

boundary of the Union Pacific Railroad right-of-way, but was unable to complete construction of the vehicular bridge over the railroad.

In 1996, the Park District acquired 182 acres of Pinole Point Properties located west of the Union Pacific Railroad tracks along the eastern boundary of Point Pinole Regional Shoreline. In August 1998, the Board of Directors adopted the Point Pinole Regional Shoreline Land Use Plan Amendment to incorporate this acquisition. The accompanying Negative Declaration (SCH No. 98062057) describes the Atlas Road Bridge as part of a new main park entrance. Planned public access and recreation improvements for this new regional access include a Bay Trail connector, circulation, parking, restrooms, picnic areas, a visitor/interpretive center, service yard, and security residence.

In July 2006, the Park District entered into a Cooperative Funding Agreement with the City whereby the Park District would implement the final design and construction of the Atlas Road Bridge and the City would own and operate the completed bridge. The project is scheduled to go to bid in spring of 2012. In conjunction with some preliminary site work and tree removal associated with the project, a site assessment was performed by Park District staff biologists in August 2010. Staff determined that there are no changes in the circumstances within the project area or new information requiring further review in accordance with the CEQA section 21166 and CEQA Guidelines section 15162.

ALTERNATIVES

None are recommended.

EAST BAY REGIONAL PARK DISTRICT

RESOLUTION NO.: 2011 - 9 -

September 6, 2011

**AUTHORIZATION TO APPLY TO THE CALIFORNIA PUBLIC UTILITIES COMMISSION
FOR AN ORDER AUTHORIZING CONSTRUCTION OF A GRADE-SEPARATED
VEHICLE/PEDESTRIAN/BICYCLE CROSSING OVER THE TRACKS OF THE
UNION PACIFIC RAILROAD COMPANY: POINT PINOLE REGIONAL SHORELINE**

WHEREAS, the East Bay Regional Park District desires to provide new and improved access to the Point Pinole Regional Shoreline, including the long-planned Atlas Road Railroad Overcrossing Project; and

WHEREAS, the Park District and the City of Richmond must file a joint application with the California Public Utilities Commission ("CPUC") for an order authorizing the construction of the grade-separated vehicle/pedestrian/bicycle crossing over Union Pacific Railroad Company's tracks; and

WHEREAS, the East Bay Regional Park District is responsible for construction of the Atlas Road Overcrossing pursuant to a written agreement with the City of Richmond; and

WHEREAS, the City of Richmond adopted the final Environmental Impact Report ("EIR") (SCH NO. 90030902) for the Point Pinole Mixed-Use Development Project in 1992 that included extending Atlas Road via vehicular bridge over the railroad right-of-way to provide regional public access to Point Pinole Regional Shoreline; and

WHEREAS, the Park District adopted a 1998 Land Use Plan Amendment and Negative Declaration (SCH No. 98062057) that further identified the need for a new main park entrance and bridge from Atlas Road, a Bay Trail connector and other public access and recreation improvements; and

WHEREAS, in 2010 in connection with preliminary site work, Park District staff biologists performed a site assessment and determined that there were no changes in the project area, circumstances or information requiring further review per the California Environmental Quality Act ("CEQA") Public Resources Code section 21166 and the related State CEQA Guidelines section 15162.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Regional Park District hereby finds that there have been no substantial changes to the Atlas Road Overcrossing Project described in the City of Richmond's EIR or in the Park District's 1998 Land Use Plan and Negative Declaration and that there is no new information that would result in new or substantially more severe impacts or meeting any of the standards in CEQA Guidelines section 15162, and therefore, no further environmental review is required for the project; and

BE IT FURTHER RESOLVED that the Board of Directors hereby authorizes the General Manager or his designee to, on behalf of the Park District and in its name, apply to the CPUC for an order authorizing construction of a grade-separated vehicle/pedestrian/bicycle crossing over the tracks of the Union Pacific Railroad Company at Point Pinole Regional Shoreline.

Moved by Director _____, seconded by Director _____, and approved this 6th day of September 2011, by the following vote:

FOR:

AGAINST:

ABSTAIN:

ABSENT: