

AGENDA
REGULAR MEETING
BOARD OF DIRECTORS

EAST BAY REGIONAL PARK DISTRICT

Tuesday, April 21, 2009

C. BUSINESS BEFORE THE BOARD

8. BOARD COMMITTEE REPORTS

c. Natural and Cultural Resources Committee (2/18/09) (Sutter)

Committee Members: John Sutter (Chair), Beverly Lane, Whitney Dotson

EBRPD Staff: Mike Anderson, Brian Wiese, Gayle Still, Steve Bobzien, Raphael Breines, Everett James, Jessica Sheppard, Traci Parent, Terry Noonan, Jack Kenny, Rick Parmer, Jim Thompson

Public: John Cant, Jakki Kehl

A meeting of the Board Natural and Cultural Resources Committee was held on Wednesday, February 18, 2009 at District Headquarters, 2950 Peralta Oaks Court, Oakland, CA. Director Beverly Lane called the meeting to order at 12:58 p.m. The following is a summary of the items discussed:

I. Cultural Artifact Accessioning (Parmer/Parent)

Interpretive and Recreation Services Manager Rick Parmer discussed the state of current historical and cultural artifact curatorial practices within the District, including the storage of existing resources held by the District. Preliminary cultural resource monitoring and identification training for some District field staff has been conducted by Jeff Fentress, consulting archaeologist, over the past three years. Fire-safe and secure storage units have been acquired for most Visitor Center sites for the cataloging and storage of select artifacts, photos, and documents within their interpretive sectors. An artifact photograph and accessioning manual has been compiled for use by each visitor site. Artifacts and documents are stored in several sites within the district at this time.

Director Beverly Lane expressed her concern for items not stored or inventoried at Tilden. Supervising Naturalist Traci Parent advised that Naturalist James Wilson is working on this situation. Mr. Parmer said there are unaccessioned items in the basement at the Trudeau Center that are being inventoried and managed by Brenda Montano of Public Affairs, with help from retired Operations Assistant General Manager Jerry Kent. Mr. Parmer suggested that a fire safe and climate controlled central repository with a point person to organize would be ideal, but there are budget constraints. Committee Chair John Sutter recommended someone

with curatorial experience is needed. Director Lane agreed and suggested Jerry Kent as a volunteer. Director Lane advised that staff should be reminded to save historical documents, especially originals.

2. Brushy Peak Loop Trail, Cultural Resource Management (Wiese/Parmer)

Assistant General Manager Mike Anderson presented the Committee with a follow up on the construction of the Brushy Peak Loop trail in September of last year, and issues relating to public access and the management and protection of cultural resources at Brushy Peak related to the trail.

The Land Use Plan (LUP) for Brushy Peak Regional Preserve was approved by the Board in 2002. Preparation of the LUP included both archival records checks and on-site cultural resource surveys. The California Historical Resources Information System (CHRIS) database at the Northwest Information Center at Sonoma State University was contacted for a record check of cultural sites. The Center was also asked to check if Brushy Peak appeared on its Sacred Lands file, and responded that it did not. On-site surveys were conducted by archeologist Miley Holman and Associates, which mapped significant known cultural resources within the park. The planning process included notification of an extensive list of Native Americans for whom Brushy Peak might have cultural significance.

The LUP designated two Special Protection Features: one included the rock outcrops area on LARPD land to the east of Brushy Peak, which is closed to the public; the other included the peak itself, as well as the lower peak located to the southwest. The LUP also included the alignment of a new narrow, multi-use loop trail connecting two existing ranch roads, running through the special protection feature between the upper and lower peak, and turning visitors around at the northern boundary of the park property, below Brushy Peak. The plan also indicated a new footpath extending north of the fence line on LARPD property to take hikers to the peak.

Staff proposed development of these two trail segments at a Board Operations Committee meeting in July, 2008. Members of the Native American community attended this meeting and objected to development of the trail, as well as the footpath to the summit of Brushy Peak. The Operations Committee responded by eliminating the footpath from the project pending support for the footpath by LARPD, as the land owner. Native American representatives subsequently consulted with LARPD, which decided not to build the foot path.

The Brushy Peak loop trail, on EBRPD property, was constructed in September 2008, per the approved LUP and the Operations Committee's confirmation and instruction to staff. The northerly section of the loop trail passes through a field of rock outcrops, some of which contain bedrock mortars, formerly used by Native Americans to grind acorns from the surrounding oak trees. An informal survey by park staff following trail construction found minor damage to one of the bedrock mortars adjacent to the trail tread, which may have occurred during trail construction.

Archaeologist Jeff Fentress was hired to evaluate any damage and recommend ways to protect the damaged rock, as well as other nearby bedrock mortars, from impacts by future trail use.

Two options suggested to mitigate the damage were: 1) relocate the trail further up the hill or 2) to place boulders and native soil to protect the mortars. Staff is recommending to cover the mortars with soil, which can be done quickly and is preferable to relocating the trail closer to the sacred site further up the hill.

Regional Trails Manager Jim Townsend reported that he accompanied Jeff Fentress to the site and is prepared to place the soil and boulder materials once given the go ahead. AGM Mike Anderson said that all future projects will be vetted through an archeologist. Currently, the District uses a Cultural Atlas, a geo-based record of all known cultural sites on East Bay Regional parklands to screen any park development projects for sensitive cultural resources.

Chair Sutter and Director Lane agreed that the trail at this location provides a valuable opportunity to interpret the Native American cultural history of the park lands, and that some signage about the mortars would add to the interpretive value of the site, even though it will be difficult to come up with wording everyone will agree on. Mr. Parmer advised that there are enough sites that some would be appropriate for interpretation and others protected. Director Lane requested that Native Americans be conferred with in the process. Director Dotson suggested a Native American Archeologist and that the process for protecting natural and cultural resources be evaluated for its effectiveness. Chair Sutter recommended following a procedure of archeological review on a trial basis for a year or so and then to re-evaluate. AGM Mike Anderson agreed to give a report on this issue to the Committee next year.

3. Public Comment

Jakki Kehl brought up the CEQA accessioning requirements. She stated that there were boulders at Brushy Peak that were removed, stored and then displayed in the parking area. She advised that it is a misdemeanor to store or display cultural artifacts that have not been accessioned, and without consultation with a group that has interest in it. Ms. Kehl stated that some cultural items should not be seen by everyone and requested any reports of damage.

Jakki Kehl requested that the District register the Brushy Peak site with the State of California. Her concern is that damage has occurred and that damage will be done in the future, especially with trail use. She said that a mortar was broken, apparently during construction, and another mortar rock used for the creek bed. Her preference would be to close the trail. Since the permit says work can only be done August through September, she proposed at least temporarily closing the trail. Ecological Services Coordinator Steve Bobzien said that if it's in the road or trail footprint, the mortars can be covered with soil now if protected species are not present.

Board Member Lane re-affirmed that the trail would not be closed or relocated; but expressed her concern that District staff needs to do a better job of protecting cultural resources in the future.

Chairperson John Sutter adjourned the meeting at 2:30 p.m.