



EAST CONTRA  
COSTA COUNTY  
HABITAT  
CONSERVANCY

City of Brentwood

City of Clayton

City of Oakley

City of Pittsburg

Contra Costa County

# GOVERNING BOARD

## REGULAR MEETING

Thursday, May 10, 2012

City of Pittsburg  
City Hall, Council Chambers, Third Floor  
65 Civic Avenue, Pittsburg, CA 94565

## AGENDA

### 10:00 a.m. Closed Session

#### CS1) Conference with Real Property Negotiators

Property: APN 020-171-001 and 020-172-004, 8831 Byron Highway, Brentwood, CA

Agency Negotiators: John Kopchik and Abigail Fateman

Negotiating Parties: Conservancy and Ronald Nunn Family LP

Under negotiation: Price and payment terms

#### CS2) Conference with Legal Counsel – Anticipated Litigation

Significant exposure to litigation pursuant to Gov. Code, § 54956.9(b):  
One potential case.

### 10:30 a.m. Open Session

**Conservancy Regular Meeting will not begin before 10:30am**

- 1) **Introductions.**
- 2) **Report on any actions taken in Closed Session.**
- 3) **Public Comment** on items that are not on the agenda (public comment on items on the agenda will be taken with each agenda item).
- 4) **Consider APPROVING the Meeting Record from the East Contra Costa County Habitat Conservancy (“Conservancy”) Governing Board Meeting of January 11, 2012.**
- 5) **Consider the following Governing Board administrative matters:**
  - a) ACKNOWLEDGE and welcome new Conservancy Board Member.
  - b) DETERMINE Governing Board meeting time and locations in 2012.

- 6) Consider **ACCEPTING** update on legislative platform activity.
- 7) Consider **APPOINTING** one Conservancy Board Member as the primary representative and one as the alternate to the East County Water Management Association Governing Board.
- 8) Consider **REVIEWING** applications and **SELECTING** an individual to fill a vacancy on the Public Advisory Committee.
- 9) Consider **REVIEWING** and **APPROVING** the East Contra Costa County Habitat Conservation Plan/Natural Community Conservation Plan 2011 Annual Report and the East Contra Costa County Habitat Conservancy Year in Review summary document.
- 10) Consider **ACCEPTING** update on the issuance of U.S. Army Corps of Engineer's Regional General Permit (RGP) related to the HCP/NCCP and issuance of U.S. Fish and Wildlife Service Biological Opinion on the RGP. **AUTHORIZE** the Executive Director to sign a letter to the U.S. Army Corps of Engineers committing to maintaining certain of the Conservancy's previously restored wetlands in order to facilitate immediate use of the RGP by project proponents.
- 11) Consider **ACCEPTING** update from staff on adjustment of HCP/NCCP mitigation fees, comment letters received by participating cities during their consideration of the Conservancy Board's July 22, 2011 recommendation regarding adjustment of fees, and response from Conservancy staff, Economic and Planning Systems and Conservancy's Counsel (Resources Law Group) to these comment letters.
- 12) Consider **AUTHORIZING** staff to execute a Participating Special Entity Agreement with Contra Costa Transportation Authority transferring the rights and unfulfilled obligations of the State Route 4 Bypass Authority to Contra Costa Transportation Authority for development of Phase 2 Segment 2 of the State Route 4 Bypass Project. **AUTHORIZE** staff to terminate existing agreement with State Route 4 Bypass Authority once the new agreement with the Contra Costa Transportation Authority takes effect.
- 13) Consider **AUTHORIZING** staff to execute a First and Second Amendment to the Participating Special Entity Agreement with San Francisco Bay Area Rapid Transit District. **AUTHORIZE** staff to file a Notice of Determination for the Board action with the County Clerk.
- 14) Consider **AUTHORIZING** staff to execute a Second Amendment to the Participating Special Entity Agreement with the California Department of Transportation for the State Route 4 Median Buffer and Shoulder Widening Project.
- 15) Consider **AUTHORIZING** staff to execute a Participating Special Entity Agreement with ConocoPhillips Pipeline Company for take coverage of the Vasco Road Line 200 Pipeline Emergency Release Project. **AUTHORIZE** staff to file a Notice of Exemption with the County Clerk for the project.

**16) Consider the following actions related to Park and Recreation Facilities under the HCP/NCCP:**

- a) DETERMINE that the East Bay Regional Park District may use take coverage authorized to it through the HCP/NCCP and the associated state and federal permits to cover the Round Valley Pedestrian Bridge Project. AUTHORIZE staff to file a Notice of Determination for this Board action with the County Clerk.**
  
- b) DIRECT staff to examine needs and opportunities for simplifying and expediting the process for Conservancy review of small projects and making various determinations required of the HCP/NCCP Implementing Entity. REFER this matter to the Public Advisory Committee (PAC) for additional review and recommendation; and DIRECT staff to report back to the Governing Board.**

**17) Adjourn (to next regular meeting).**

If you have questions about this agenda or desire additional meeting materials, you may contact Maureen Parkes of the Contra Costa County Department of Conservation and Development at 925-674-7831.

*The Conservancy will provide reasonable accommodation for persons with disabilities planning to participate in this meeting who contact staff at least 24 hours before the meeting.*