

X. CONSERVATION COMMITTEE

Chair: Jim Hanson (jimhmail@sonic.net)

Committee Members:

Michele Hammond
Bobby Evans
Jaymee Marty
Christopher Gardner

DATE OF LAST MEETING – last Board meeting

SUMMARY OF ACTIVITIES AND ACCOMPLISHMENTS -
NEXT STEPS - ISSUES/CHALLENGES - ACTION ITEMS IN-
PROGRESS/PENDING - ACTION ITEMS COMPLETED -
ASSISTANCE/RESOURCES NEEDED FROM BOARD-
Attached.

Action DOCUMENTS ATTACHED – **Letter from Pt. Molate Alliance for review and approval**

CONSERVATION REPORT – October 2018

Summary and Action:

Yes on FF East Bay Regional Parks District - Chapter members notified of support for FF through Listserve. Some members have requested yard signs.

Action: Endorse Measure FF (note: one Board member is an EBRPD employee and cannot vote on this item).

Save Sand Creek, Antioch - In process

Save TESLA as a Park, Livermore - Hearing on CEQA suit set for March 15, 2019 in Sac. Superior Court.

Richmond Planning and achieving Point Molate Alliance goals - Planning Commission and Council to review “concept plans” for Pt. Molate; public’s support for zoning the south valley and bluffs as a public outdoor resource left out of City’s planning documents.

Action: Endorse environmental letter- attached Sibley/McCosker Parks Land Use Plan Amendment/DEIR - The Board decided to delay consideration of these items until Nov. 20.

1. Yes on FF Regional Parks Measure

Measure FF on the November 6 ballot asks voters in Oakland, Berkeley, Richmond, Alameda, San Pablo, El Cerrito, Albany, Emeryville, and Piedmont to fund improvements in the East Bay Regional Parks over the next twenty years.

Measure FF would continue a \$12 dollar annual parcel tax, replacing Measure CC, which is due to expire. This amounts to \$3.3 million annually to help fund wildfire protection, public access, trails, visitor use facilities, and natural resources stewardship in nineteen heavily used regional parks from Oakland to San Pablo. The measure requires a 2/3 vote to pass, so every vote counts.

Under this measure trail repairs would be completed in hillside parks, creek banks would be stabilized to improve water quality, and natural systems in shoreline parks would be reconstructed or enhanced to adapt to sea level rise. Interpretive centers and visitor facilities would be improved at several parks. Reducing fire hazards and managing sustainable vegetation under the approved Wildfire Hazard Reduction and Resource Management Plan would be a top priority. Consistent with the District’s wildfire plan, \$1.4 million is included for management of natural vegetation to improve forest health. **Measure FF would also help fund removal of French broom and other invasive plants at Richmond’s Miller/Knox Park, enhancement of native grassland prairie at Pt. Pinole, and management of threatened pallid manzanita populations at Huckleberry and Sobrante Ridge Preserves.** (For a list of projects by park or city, search online under “EBRPD Measure FF.”)

Native plant diversity is central to the natural beauty that draws thousands of people every week to the regional parks.

2. Save Sand Creek Initiative Adopted by Antioch City Council

Update: In process

More detailed info:

On August 28th, a voter initiative to save Sand Creek, “Let Antioch Voters Decide”, was adopted by the Antioch City Council on a 3-1 vote. The month before, the Council also adopted a competing, but similar, measure by the Richland Communities, a Newport Beach-based real estate investment company.

Several square miles of gently rolling hills bisected by ephemeral Sand Creek make up the portion of the City’s “Sand Creek Focus Area” west of Deer Creek Road. The

“Let Antioch Voters Decide” initiative dedicates 1,850 acres

west of Deer Valley Road for rural residential, agricultural and open space. The Richland initiative also allows a large portion west of Deer Valley Road to be zoned for rural residential, agricultural and open space (1,244 acres), but also sets aside approximately 608 acres in the western section of the Sand Creek Focus Area for "The Ranch," a development of 1,177 homes. Prior to passage of the initiatives, the Antioch General Plan would have allowed up to 4,000 homes to be built in the area. ("Antioch: Dueling Open Space Initiatives Go Before Council," *East Bay Times*, Judith Prieve, 7-11-18). Similarities and differences between the two competing initiatives will now be worked out by the two parties.

Antioch residents working with Save Mount Diablo, the Sierra Club, Greenbelt Alliance, and CNPS received signatures for "Let Antioch Voters Decide" from over 5,000 residents at shopping centers, events, and door-to-door in neighborhoods. EBCNPS Conservation Analyst Karen Whitestone described the area's native plants at resident forums and City meetings earlier in the year, and Chapter members answered the call from Lesley Hunt to volunteer for signature gathering over the spring and early summer.

This area has remarkable naturalized grassland sections and a unique substrate with likely rare forbs that have not been adequately surveyed.

3. Save TESLA as a Park - Livermore

Update: Hearing on CEQA suit set for March 15, 2019 in Sac. Superior Court.

More detailed info:

Legislation to preserve Livermore's TESLA progresses, but stopped in key Assembly committee

Thank you to the many Chapter members who wrote to key State Assembly and Senate committee members to ask that they advance Senate Bill 1316 this year. State CNPS supported the bill and Chapter President Beth Wurzburg attended Sacramento committee meetings. The report below of the year's legislative progress and ongoing work comes from Friends of TESLA Park.

"SB 1316 (Glazer) - Alameda-Tesla Expansion Area passed the Senate and made it through two Assembly Committees, but was not released from "suspense" by the final committee, the Assembly Appropriations Committee, in late August. Therefore, SB 1316 is considered dead for this session. In the final stages California State Parks OHMVR Division communicated their opposition to the bill. We do not yet know exactly what happened in the internal workings of the Assembly Appropriations Committee, but it appears the opposition by State Parks and presumably the Administration stalled the bill and prevented it from being released to be voted on by the full Assembly.

"Although SB 1316 did not make it through the Legislature this session, we remain committed to permanently protecting Tesla. We will continue to advocate for a change in state policy and work to open new opportunities in the new year. Hopefully, the election will bring a new administration that is more supportive of preservation of rare and irreplaceable natural and cultural resources, particularly when specifically identified by local agencies. We will need your help to try again.

"In the meantime, the litigation challenging the OHMVR plan to expand Carnegie SVRA and open Tesla to damaging OHV recreation continues, so we move forward on all fronts. (lead: Beth)

This area has remarkable native grassland sections, especially *Poa secunda*

4. *Richmond Planning and achieving Point Molate Alliance goals*

Update: Planning Commission and Council to review "concept plans" for Pt. Molate; public's support for zoning the south valley and bluffs as a public outdoor resource left out of City's planning documents.

More detailed info:

Chapter board members have voted to support the key goals of the Pt. Molate Alliance. The Alliance is made up of organizations and Richmond residents working to make environmental, economic, and equity gains central to the vision and zoning for Point Molate. A 270 acre former WWII navy fuel depot on the Richmond shoreline, this city-owned land is now being considered for housing development following a closed door settlement agreement between the City Council and Upstream development's Jim Levine and the Ukiah Guideville tribe.

The goals of the Point Molate Alliance are as follows:

- Stop the secret deals. Conduct a truly meaningful, open public planning process with broad and significant community input.
- Restore Winehaven Village as a vibrant commercial, educational, and historic destination that can provide jobs for Richmond residents.
- Respect the environment and preserve the shoreline and our public lands in the South Valley and Bluffs as a magnificent, accessible public park that includes many recreational opportunities.

- Move housing Downtown where it is needed and where essential public transportation and infrastructure already exists.

The Alliance goals were published to coincide with three City-sponsored "visioning" workshops over the summer to guide land use zoning of Pt. Molate. The community planning process was recommended to the Council by Councilmembers Melvin Willis and Ben Choi. At the second City-sponsored community planning workshop in July most participants reported back that Winehaven should be primarily repurposed for various commercial and educational uses, and some housing in Winehaven's north valley was suggested by a few. What stood out is that seven of the ten assembled groups of participants wanted the remarkable natural beauty of the south valley and the bluffs held for outdoor recreational and cultural activities for all. (At this time it is not clear if the City's consultant and Planning staff will be taking the workshop majority's recommendations to the Planning Commission and City Council since, as relayed by one City staff member, the public's preferences don't adequately line up with the settlement agreement requirement to fit in a minimum of 670 or more housing units at Pt. Molate).

Although not officially recorded in public session, it's understood that Mayor Butt and Councilmembers Myrick, Recinos, and Choi voted for the settlement agreement. Since then, and setting aside numerous comments that putting housing next to the nearby Chevron Refinery is unwise, consultants hired by the City report that building intensive shoreline housing at Point Molate would require \$100-130 million just to install basic infrastructure. These reports raise further concerns that the City's current agreement with Upstream would support high-end shoreline development for a wealthy few. It is unknown what effect this new information will have on this Council or on candidates vying for council and mayorseats. As with most Bay Area cities, there is insufficient housing for both moderate and limited income families

Point Molate is part of the East Bay CNPS Chapter's Richmond shoreline "Botanical Priority Protection Area" where, especially in the south valley section, ridge top native coastal prairie and coastal scrub connects to riparian willows that filter the winter storms flowing to the rare and sensitive eel grass beds in the Bay shallows. This summer's community planning workshops brought young and adult residents to Pt. Molate, many for the first time. The beauty of Pt. Molate's south valley and bluffs continues to inspire residents and visitors to say that special places, especially publicly owned ones, deserve to be enjoyed by all.

Side note: Although Richmond Mayor Tom Butt had called a suit over City violations of open government laws "nonsense" ("Battle over fate of Pt. Molate Continues,"

Richmond Confidential, 9-11-18), the City failed in its attempt to dismiss the lawsuit in federal court. The Brown Act lawsuit was brought by SPRAWLDEF, Citizen's for East Shore State Parks, and joined by four Richmond residents (including the present writer), saying a vote on any settlement had to be conducted in the open with public input, and that selection of Pt. Molate land uses had to follow the public process for planning and zoning decisions under State law. (Jim)

Area has remarkable native grassland sections.

5. Sibley/McCosker Parks Land Use Plan Amendment/DEIR

Update: Members of the STEP Alliance appeared before the EBRPD Board on Tues. 10/2 to express concern that the Sibley/McCosker LUPA and DEIR : 1) insufficiently document potential biological impacts of building new trails narrow trails in violation of the District's Ordinance 38 guidelines on mixed use trail width. The Board decided to delay consideration of these items until Nov. 20.

This area has remarkable native grassland sections.

Jim recently accompanied Michele Hammond on a hike with Friends of San Leandro Creek where we pointed out the native bunchgrasses with the Sibley Preserve.

6. Big Tejon Ranch Centennial Project, Los Angeles

Massive project within grasslands and forblands in Tejon Ranch that was approved by Los Angeles Regional Planning Project and will go to the L.A. Board of Supervisors. State CNPS Conservation Analysis for Southern California taking the lead. They and the Center for Biological Diversity are opposing the project. However, it was essentially approved in a negotiated settlement with several other large environmental organizations many years ago. Emily spoke with the Conservation Analysis briefly at a CNPS Conservation meeting in Lee Vining recently. There will be some more information, as available, presented at the meeting.

JimHanson

LETTER from Pt. Molate Alliance requesting support – Recommended with general policy statement understood that repurposing of Pt. Molate should result in an environmental, economic, and equity gain for the people of Richmond.

Proposed: Richmond & Global Leadership Letter on Point Molate

As citizens of Richmond California, the San Francisco Bay Area and the world we call on the city leadership of Richmond to respect the will of the people to protect and restore Point Molate for all.

Point Molate is 422 acres of spectacular bay facing green space with a beach and submerged eel grass meadows located just north of the Richmond Bridge to Marin. This spectacular headland contains Native Ohlone sacred sites, a Chinese fishing camp, a historic wine port and village (with a Rhineland style brick castle) that was the center of California's wine industry in the early 20th century. It was also a working Navy oil depot of strategic importance during World War II as well as home to America's last whaling station that closed in 1971.

It has been called "the most beautiful part of San Francisco bay no one's ever heard of" and "an ecological jewel" with its nesting ospreys, deer, turkey, forested uplands and rare and endemic species including the Molate blue fescue, and the Pipevine swallowtail butterfly. Its southern watershed is one of the last places in California where native California grasslands connect to submerged aquatic eel grass beds that act as a nursery and sanctuary for bay fish and wildlife including herrings, seals and sharks.

After the Navy sold it to the city for a dollar in 2003 the city council agreed to sell it off as the site of a Mega-Casino, planned as the largest west of Las Vegas. As a low-income community of color it was assumed that any promise of jobs would win popular support for this development scheme, but in 2010 the citizens of Richmond rejected the Casino plan in a referendum by 58% to 42% and the city withdrew its support.

Since that time the Casino developer has been suing the city (and losing most court judgments) until in 2016 a judge offered the city and developer the opportunity to reach an accord. The new mayor, a long time supporter of the Casino and advocate for privatizing and doing housing construction at Point Molate, reached a closed-door "settlement" to build at least 670 housing units on the site, including on the southern watershed. With its "million dollar" views of the bay and Mount Tamalpais and projected build out costs, these are expected to be very expensive homes. The city has now been sued for trying to use the settlement as a way to avoid the

public processes required for zoning and planning under California's Brown Act.

The same federal judge recently forced the city to withdraw a motion to dismiss the suit and it is now scheduled for trial in February 2019. Still the Mayor and a majority of the council – in the face of widespread community opposition and without having publically voted for the settlement – did vote to begin taking developer bids to start construction on Point Molate that will also require \$100-150 million in otherwise unneeded infrastructure upgrades.

Point Molate, while a natural treasure, is also isolated with extremely limited access (a single narrow road) in case of an emergency. Just over its property line is a century-old Chevron refinery whose last major accident in 2012 sent thousands of local residents to area hospitals (one of which has since closed).

At the Global Climate Action Summit recently held in San Francisco world-famous primatologist Jane Goodall stated that the forgotten solution to climate change is to protect nature. At Point Richmond the options are a park for all or a billion dollar housing development for the few who can afford it.

These are among the reasons we call on the city of Richmond to respond to the diverse voices of its citizens in the following ways.

1. Conduct a truly meaningful and open public planning process with broad and significant community input before moving forward.
2. Restore Winehaven Village as a vibrant commercial, educational, and historic destination that can provide jobs for Richmond residents.
3. Respect the environment and preserve the shoreline, bluffs and uplands as a magnificent, accessible public park that includes a range of recreational and educational opportunities for our youth and for this and future generations
4. Move housing downtown, where it is needed and where essential Public Transportation and infrastructure exists for both high-end and affordable housing. Do not privatize and gentrify a world-class resource that belongs to all of the people.

In Support of Point Molate and democratic planning

David Helvarg
Executive Director
Blue Frontier Campaign

99 More NAMES AND AFFILIATIONS