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Regional Park Association

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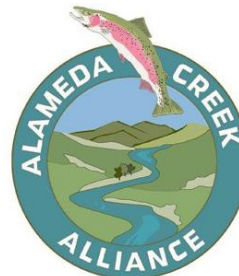
Friends of the Arroyos



ACDEMS ALAMEDA COUNTY DEMOCRATIC PARTY
P.O. Box 3937
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EAST ALAMEDA COUNTY RANCHERS



April 27, 2021

Anthony J. Portantino, Chair
Senate Appropriations Committee
State Capitol, Room 2206
Sacramento, CA 95814
916-319-2196 fax

Subject: Support SB 799 (Glazer)

Honorable Chair Portantino:

The organizations listed in this letter are writing to state our strong support for SB 799 (Glazer) designed to permanently preserve the Tesla Park land.

SB 799 directs the California Department of Parks and Recreation to permanently preserve the portion of the Carnegie State Vehicular Recreation Area known as the “Alameda-Tesla Expansion Area” (and referred to as “Tesla Park”), which encompasses approximately 3,100 acres in the County of Alameda, for conservation purposes consistent with PRC Sections 5019.71 and 5019.74, including for non-motorized recreation. To implement preservation of Tesla Park, SB 799 also provides that nine million dollars (\$9M) be transferred to the OHV Trust Fund. The local Altamont Landfill Open Space Committee (ALOSC) in Alameda County has committed to providing the funds so that no State funds are needed. The reasons to permanently preserve Tesla Park are numerous and irrefutable as outlined below. SB 799 provides the mechanism for the State to finally resolve the 20 plus year Tesla Park controversy in a way that is wise and fair and meets the urgent State’s policy priorities.

SB 799 provides for permanent protection of Tesla’s highly sensitive, biologically diverse and irreplaceable natural and cultural resources that otherwise will be irreparably damaged by off-highway vehicle recreation. Tesla Park is a biodiversity hotspot recognized by generations of scientists and confirmed by ongoing research. Tesla Park has a multitude of threatened, endangered and special status plants and wildlife, and sensitive vegetation habitats. Tesla Park is the choke point of a critical linkage habitat corridor connecting Mount Diablo and the Diablo Range.

Tesla Park is the exemplar model of a biologically diverse, culturally significant intact native landscape that the State has a duty to preserve. Scientific studies, including a long record of research by local universities, have documented the rare ecological value of the Tesla area which contains an abundance of highly sensitive natural resources and unique biodiversity. Tesla includes at least 42 threatened, endangered and special status wildlife species, designated critical habitats, 13 special status and over 20 locally rare plant species, 7 sensitive vegetation communities, unusual vegetation assemblages, and a critical linkage habitat corridor along the Diablo Range. Tesla’s unique **biodiversity** is related to its location at the intersection of biotic zones. These factors make Tesla vital for **climate resiliency** in a time of rapid climate change that threatens species and habitats. This fact was confirmed again by a 2019 UC Berkeley study identifying the area of the northern Diablo Range where Tesla is located as a top conservation priority for the entire state.

Tesla Park’s irreplaceable natural features are matched by its equally important cultural resources from exceptional Native American archeologic and sacred ceremonial sites to the

historic Tesla town site. In fact, the State Office of Historic Preservation in 2012 identified that the Tesla historic district qualified for listing on the National Registry of Historic Places, but no application was made because of the ill-conceived pursuit of OHV recreation rather than the appropriate use for this special public land as a non-motorized park and preserve.

Preservation of Tesla Park is not only good for natural and cultural resource protection, but it also increases public access to nature. Tesla's location in eastern Alameda County makes it particularly accessible for large urban communities and underserved urban youth in the East Bay -- a specific target for nature education programs -- to experience a unique native landscape. Tesla can also serve the Central Valley where a shortage of nature parks has been identified. As years of community surveys confirm, regional outdoor recreation priorities are for non-motorized recreation, nature parks and open space, not OHV recreation. In fact, OHV use at Carnegie SVRA has actually decreased by more than half over the last 15 years. And while OHV recreation users can avail themselves of non-motorized parks and open space, the converse is not true: non-motorized outdoor users will not use motorized recreation areas because of noise, dust, degraded landscapes and scarcity of wildlife. SB 799 does **not** affect the existing Carnegie SVRA riding areas. But preservation of Tesla Park (which has never been open for any public use), as a non-motorized park and preserve meets the local community need and will increase access to nature for all.

The incredible combination of factors embodied in Tesla Park – biodiversity, climate resiliency, access to nature, cultural history, research, education, and more – make preservation of Tesla Park as a non-motorized park and preserve a policy imperative at every level of government. Scientific research documents the damaging impacts of motorized recreation. Any motorized recreation in Tesla Park will irreparably damage its natural and cultural features. You cannot split the Tesla baby. OHV recreation is not compatible with non-motorized recreation or with protection of such a sensitive array of natural and cultural resources. The OHMVR Division should identify other areas for OHV recreation that are environmentally appropriate for such damaging use and are desired by the local community. OHV recreation can be relocated. Tesla Park cannot.

Permanent preservation of Tesla Park with no motorized recreation is a top conservation priority for the Alameda County/East Bay region. The overwhelming majority of the community have long identified that Tesla Park must be protected given its extraordinary natural and cultural resource values. Preservation of Tesla Park is supported by local governments, elected officials, renowned university professors and scientists, Native American leaders, ranchers, conservation and preservation groups. The Carnegie SVRA plan to open the Alameda-Tesla Expansion Area to OHV recreation takes a wrecking ball to local conservation objectives that match State conservation objectives.

Permanent preservation of Tesla Park is a vital local district measure. The entire Alameda-Tesla Expansion Area is located in Alameda County and within the districts of Assemblymember Rebecca Bauer-Kahan and Senator Steve Glazer. Public agencies across the region support Tesla preservation including from the County of Alameda, City of Livermore, East Bay Regional Park District and other public agencies, local officials and Legislative representatives. Further, in 2019 this Legislature voted by over 2/3rds to pass legislation to provide a pathway for permanent preservation of the Tesla Park land. The State should not impose destructive, discretionary OHV recreation uses on local communities who clearly prioritize natural and cultural resources preservation.

As top UC professors have stated, allowing Tesla Park to be converted to motorized recreation, would be “*one of the worst public land stewardship decisions that could be made in California in terms of biodiversity and public health.*”

In January 2021, a court ruled against State Parks and in favor of the County of Alameda’s challenge to the CEQA approval to open Tesla Park to off-highway vehicle recreation and ordered the State to set aside its EIR and General Plan. This was the third attempt by State Parks to get CEQA approval since 1999. Given this definitive court ruling against the State it is time to resolve this 20-plus year controversy and permanently preserve Tesla Park for conservation purposes in a manner that is consistent with conservation and climate change policy and is fiscally responsible.

Local governments have designated local mitigation funds from the Altamont Landfill Open Space Fund to pay State Parks Off-Highway Motor Vehicle Recreation (OHMVR) Division to permanently preserve Tesla Park. The County of Alameda, and Cities of Livermore, Pleasanton and Dublin are members of the Altamont Landfill Open Space Committee (ALOSC) which administers the fund. Since 2015 the ALOSC and local governments have been seeking State Parks cooperation to use these funds to preserve Tesla Park. The local funds can be used to pay the State for a permanent conservation easement retaining the land as State park land or through sale to a local conservation/park agency if preferred. State funds are not requested. **The Altamont Landfill Open Space Committee has the funds available to pay State Parks to preserve Tesla Park, but the State needs to act.**

Working with local government and the community to redesignate Tesla Park for conservation and non-motorized recreation is the “win-win”. It achieves State and local policy goals to protect exceptional natural resources vital for providing climate change resiliency and reducing air pollution and greenhouse gas emissions. It resolves a longstanding controversy that wastes public funds and pits local government against the State and the State against itself. It increases access to nature for the largest segment of the population while protecting nature. It returns funds to State Parks OHMVR Division for use in area appropriate for damaging OHV recreation.

Permanent preservation of Tesla Park meets State and local priorities around biodiversity, climate resiliency, access to nature and good governance. SB 799 does not require any State funds, and instead works with local governments in Alameda County to provide the \$9M to permanently preserve Tesla Park. SB 799 provides a wise and fair way to resolve this controversy once and for all.

We strongly support SB 799 and urge you and your committee to pass the bill.

Sincerely,

Lucas Frerichs
The Nature Conservancy

Rico Mastrodonato
Trust for Public Land

Brandon Dawson
Sierra Club California

Nick Jensen, PhD
California Native Plant Society

Brian Nowicki
Center for Biological Diversity

Chad Aakre
California Native Grasslands Association

Juan Altamirano
Audubon California

Pamela Fick
Defenders of Wildlife

Edward S. Clement Jr.
Save Mount Diablo

Nancy Rodrigue
Friends of Tesla Park

Kerry Kriger, PhD
Save the Frogs!

Mary Puthoff
Society of American Indians

Beth Wurzburg
East Bay California Native Plant Society

Juan Pablo Galvan Martinez
Mount Diablo Audubon Society

Tamara Reus
Friends of Open Space & Vineyards

Carin High
Citizens Committee to Complete the Refuge

William Hoppes
Ohlone Audubon Society

Amelia Wilson
Regional Parks Association

Jeff Miller
Alameda Creek Alliance

Janet Cobb
California Wildlife Foundation

Will Bolton
Livermore Heritage Guild

Zoe Siegel
Greenbelt Alliance

Marilyn Russell
Tesla Road Residents Alliance

David Lunn
Friends of the Arroyos

Rusty Rose
East Alameda County Ranchers

David Fries
San Joaquin Audubon Society

Fay Younker
Friends of Livermore

Katherine Perez
**Northern Valley Yokuts Tribe and
Nototomne Cultural Preservation**

Nina Squillante
Castro Valley Huddle/Environment Now!

Art Hull
Livermore Hill Hikers

David Tam, SPRAWLDEF-
**Sustainability, Parks, Recycling and
Wildlife Legal Defense Fund**

Laura Mercier
Tri-Valley Conservancy

Terry Sandoval, Chair
Alameda County Democratic Party

cc: Senator Steve Glazer; Assemblymember Rebecca Bauer-Kahan; Senate Pro Tempore Toni Atkins; Assembly Speaker Anthony Rendon