

RE: INCLUDE TESLA PARK IN NATURAL RESOURCES BUDGET TRAILER BILL



Society of American Indians



Regional Park Association

TESLA ROAD RESIDENTS ALLIANCE



FRIENDS OF OPEN SPACE AND VINEYARDS



Friends of the Arroyos



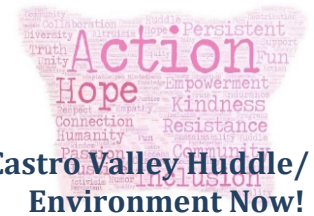
Ohlone Audubon Society



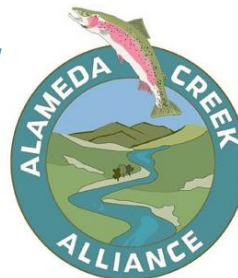
Arroyo Mocho • Arroyo Las Positas • Arroyo del Valle • Arroyo de la Laguna
Altamont Creek • Arroyo Seco • Cayateno Creek • Corral Hollow Creek • Cottonwood Creek
Kottinger Creek • Tassajara Creek • Dry Creek • Mission Creek • Sycamore Creek • Vallecitos Creek



Northern Valley Yokuts Tribe/
NOTOTOMNE CULTURAL PRESERVATION



San Joaquin Audubon Society



EAST ALAMEDA COUNTY RANCHERS



RE: INCLUDE TESLA PARK IN NATURAL RESOURCES BUDGET TRAILER BILL

July 5, 2021

The Honorable Toni Atkins
Pro Tem California State Senate
State Capitol, Sacramento, CA

The Honorable Anthony Rendon
Speaker, California Assembly
State Capitol, Sacramento, CA

The Honorable Nancy Skinner
Chair, Senate Budget Committee
State Capitol, Sacramento, CA

The Honorable Philip Ting,
Chair, Assembly Budget Committee
State Capitol, Sacramento, CA

The Honorable Bob Wieckowski
Chair, Senate Subcommittee Natural Resources
State Capitol, Sacramento, CA

The Honorable Richard Bloom
Chair, Assembly Subcommittee Natural
Resources
State Capitol, Sacramento, CA

The Honorable Henry Stern
Chair, Senate Natural Resources and Water
Committee

RE: INCLUDE TESLA PARK IN NATURAL RESOURCES BUDGET TRAILER BILL

Dear Legislative Leaders:

The organizations listed in this letter request that you ensure that the attached Tesla Park trailer bill language is included in the final Natural Resources Budget Trailer Bill passed and sent to the Governor.

The Tesla Park trailer language will: 1) preserve Tesla Park for conservation purposes, including for nonmotorized public recreation; and 2) provide that \$9 million will be transferred to the OHMVR Division. Local mitigation funds are available to pay State Parks OHMVR Division the \$9 million to preserve Tesla Park, but the State must act now.

The reasons to permanently preserve the approximate 3,100-acre Tesla Park land (Alameda-Tesla expansion area) in eastern Alameda County as a non-motorized nature and cultural preserve are numerous and irrefutable. OHV recreation can be located in other places where its damaging impacts will be less. The Tesla Park land cannot be moved, replaced or sacrificed.

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.”

The Tesla Park trailer language provides for permanent protection of Tesla Park’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.

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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 change 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 by State Parks 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. Establishing Tesla Park as a preserve 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.

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. The State should not impose destructive, discretionary OHV recreation uses on local governments and communities who clearly prioritize natural and cultural resources preservation.

Permanent preservation of Tesla Park is a vital local district measure supported by the Legislature. The entire Tesla Park area is located in Alameda County and within the districts of Assemblymember Rebecca Bauer-Kahan and Senator Steve Glazer. Public agencies across the region

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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, this Legislature has overwhelmingly supported legislation to permanently preserve the Tesla Park since 2019.

Tesla preservation directly matches State conservation goals and allows Tesla to remain state park land if desired; whereas allowing Tesla to be converted to damaging OHV recreation undercuts the State objectives and credibility. Preservation of Tesla Park meets every state conservation objective. It preserves floral and faunal biodiversity; protects threatened, endangered and special status species and sensitive vegetation habitats; provides for climate change resiliency; protects the intact ecosystem level landscape; protects critical linkage habitats corridors; protects the northern Diablo Range ecosystem; preserves Native American and other historic cultural landscapes; and increases access to nature without destroying nature.

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. There is literally no plan to protect Tesla's sensitive irreplaceable resources and a credible plan that includes OHV motorized recreation can never be established. This was the third attempt by State Parks to get CEQA approval since 1999. Given this definitive court ruling against the State calling the violation of law 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.

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 recreational use and are desired by the local community. OHV recreation can be relocated. Tesla Park cannot.

Importantly 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 local funds to preserve Tesla Park. The local funds can be used to pay the \$9M to the State for a permanent conservation easement retaining the land as state park land or through sale to a local conservation/park agency as determined by the State. **The Altamont Landfill Open Space Committee has the funds available to pay State Parks to preserve Tesla Park, but given the demands for these funds, the State needs to act now.**

Working with local government and the community to redesignate Tesla Park for conservation and non-motorized recreation is the “win-win”. It achieves critical State and local policy goals to protect exceptional natural resources and biodiversity vital for providing climate change resiliency and

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reducing air pollution and greenhouse gas emissions. It resolves a longstanding controversy that wastes public funds and pits the State against its own stated conservation goals and local government. 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. It is a wise and fair solution.

Please stand firm against any opposition and ensure that the Tesla Park trailer bill language is in the final Natural Resources Trailer Bill passed by the Legislature and sent to the Governor.

Sincerely,

Rico Mastrodonato
Trust for Public Land

Nick Jensen, PhD
California Native Plant Society

Juan Altamirano
Audubon California

Chad Aakre
California Native Grasslands Association

Pamela Fick
Defenders of Wildlife

Edward S. Clement Jr.
Save Mount Diablo

Nancy Rodrigue
Friends of Tesla Park

Mary Puthoff
Society of American Indians

Kerry Kriger, PhD
Save the Frogs!

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

Brandon Dawson
Sierra Club California

Zoe Siegel
Greenbelt Alliance

Marilyn Russell
Tesla Road Residents Alliance

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

Rusty Rose
East Alameda County Ranchers

David Fries
San Joaquin Audubon Society

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Fay Younker

Friends of Livermore

Glenn Phillips

Golden Gate Audubon Society

Brian Nowicki

Center for Biological Diversity

David Lunn

Friends of the Arroyos

Art Hull

Livermore Hill Hikers

Nina Squillante

Castro Valley Huddle/Environment Now!

Tri-Valley Conservancy

David Tam, SPRAWLDEF-

**Sustainability, Parks, Recycling and
Wildlife Legal Defense Fund**

Terry Sandoval, Chair

Alameda County Democratic Party

cc: Assembly Member Rebecca Bauer-Kahan
Senator Steve Glazer
Bay Area Caucus