



California Native Grasslands Association

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September 24, 2020

Governor Gavin Newsom
1303 10th Street, Suite 1173
Sacramento, CA 95814
Fax: (916) 558-3160
Via mail and email

RE: Re-designate Tesla Park for permanent conservation

Honorable Governor Newsom:

We call on you to re-designate the State Park-owned Alameda-Tesla Expansion Area in eastern Alameda County, also known as Tesla Park, as a non-motorized preserve. *You have the power and authority to preserve Tesla Park through administrative action so that it is permanently protected for conservation purposes with no damaging motorized recreation.*

Secretary Crowfoot and the California Natural Resource Agency (CNRS) have identified 3 policy pillars of protecting biodiversity, promoting climate change resiliency and providing access for all. Preservation of Tesla Park perfectly supports these pillars; converting Tesla to OHV recreation use does not.

The reasons to preserve Tesla are irrefutable as documented in the *Scientist Consensus Statement*.

- A Critical Linkage Habitat Corridor runs through Tesla from Mount Diablo south along the Diablo Range.
- Tesla is geographically located between biotic zones which contributes to its biodiversity.
- Tesla provides biological resiliency in a time of climate change.
- *USFWS Designated Critical Habitat for California red-legged frog and Alameda whipsnake includes Tesla.*
- Tesla is designated as a Botanical Priority Protection Area by the California Native Plant Society East Bay Chapter.

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- The Tesla land supports our state's deep-rooted native grasslands. Designating Tesla as a non-motorized preserves these and other rare and important California native plant communities.
- *Tesla's biodiversity includes:*
 - *42 special status wildlife species, including 8 Federally or State listed and Candidate species. Recently the State the Endangered Foothill yellow legged frog present in Tesla.*
 - *13 special status rare plant species, 28 locally rare plant species, 7 sensitive vegetation communities,*

A recent study out of UC Berkeley identified the target area of the Diablo Range which includes Tesla as among the top conservation priorities in the entire state in terms of protecting biodiversity and arguably the top priority.

(Kling, MM, Mishler, BD, Thornhill, AH, Baldwin, BG and Ackerly, DD. 2018. Facets of phylodiversity: evolutionary diversification, divergence and survival as conservation targets. *Philosophical Transactions of the Royal Society B: Biological Sciences* 374: 20170397. <http://dx.doi.org/10.1098/rstb.2017.0397>.)

In addition, Tesla has extensive cultural resources from Native California archeological and ceremonial sites to the historic townsite of Tesla. *In 2012 the State Office of Historic Preservation determined Tesla was eligible for listing on the National Registry of Historic Places. However, no application has been submitted because the OHMVR Division is fighting to open Tesla to damaging OHV recreation use not preserve it.*

The environmental degradation caused by OHV recreation and associated health risks are also well documented. A large body of peer reviewed studies confirm the irreparable damage to soils, vegetation and wildlife from OHV recreation. *OHV recreation will destroy the exceptional ecological integrity of Tesla's native landscape. OHV recreation and the ongoing use of heavy equipment at SVRAs generates carbon emissions and particulate air pollution which is a particular issue in the East Bay and San Joaquin Valley. Valley fever spores are endemic in the Carnegie SVRA area and OHV recreation generates dust clouds that increase the health risks. These damaging impacts and risks further support the policy change to preserve Tesla with no OHV recreation use and not expand Carnegie SVRA.*

Preservation of Tesla as a non-motorized park and preserve is not only good for natural and cultural resources, it also increases public access to nature, the third policy priority of the CNRA. Tesla's location in eastern Alameda County makes it particularly accessible for large urban communities and underserved urban youth in the East Bay area and beyond -- a specific target for nature education programs -- to experience a unique native landscape. *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 over half since 2007. 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*

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wildlife. Preservation of Tesla as a non-motorized park and preserve meets the true community need and will increase access to nature for all residents.

Preserving Tesla is also a local conservation priority. The entire Alameda-Tesla Expansion Area is located in Alameda County. Local agencies and organizations have identified the Alameda-Tesla Expansion Area for preservation because its location and rare natural and cultural features are vital to SF- East Bay Area regional conservation objectives.

There is overwhelming local support for Tesla preservation across the East Bay region, including from the County of Alameda, City of Livermore, East Bay Regional Park District and other public agencies, local officials and Legislative representatives. *There has been intense opposition from across the community to the OHV plan for decades, including from local public agencies. The Carnegie SVRA general plan and EIR is now in litigation, including a challenge by the County of Alameda.*

Setting aside its conflict with the state's own stated priorities, the Carnegie SVRA plan to open the Alameda-Tesla Expansion Area to OHV recreation takes a wrecking ball to local conservation objectives. The state should not impose destructive, discretionary OHV recreation uses on local communities who clearly prioritize natural and cultural resources preservation. Nor is it good for the Administration to advocate to convert public land with such exceptional and irreplaceable natural and cultural values to discretionary damaging OHV recreation use, undercutting state and local conservation priorities.

The OHMVR Division should identify other areas for OHV recreation that are environmentally appropriate for such use, as required by statute, and are desired by the local community. OHV recreation can be relocated. Tesla cannot.

The State Legislature confirmed its support for permanently protecting Tesla Park in 2019 when it passed AB 1086 by a two-thirds majority. Although AB 1086 included the option of local funding for a permanent conservation easement that would have allowed Tesla to remain in state ownership, your veto message identified that the land should be kept as state public land. Re-designating Tesla for conservation with no motorized recreation achieves this goal.

As Dr. Bruce Baldwin, Professor of Integrative Biology and Curator of the Jepson Herbarium at the University of California Berkeley is quoted in the Scientist Consensus Statement, saying about Tesla:

“Generations of botanists and zoologists have known this area for its unusually intact flora and fauna. Sacrificing such a resource for OHV play is ill-conceived in the extreme and would be a particularly conspicuous failure of public land stewardship.”

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An error was made 25 years ago to purchase of the Alameda-Tesla Expansion Area for OHV recreation use without environmental review. Ever since, the OHMVR Division of State Parks has been trying to fit the square peg of damaging OHV recreation use into the round hole of Tesla's irreplaceable native landscape. It will never fit.

The Carnegie SVRA expansion plan into Tesla Park is in litigation with no end in sight. The Tesla controversy is growing, not going away. The decades-long conflict is costly to the State in terms of direct costs and its credibility on conservation objectives. It is past time to correct course based on current knowledge, conditions and policy objectives.

We call on you to prevent the conversion of Tesla Park to OHV recreation use. Correct the error made a quarter century ago. Permanently re-designate Tesla Park as non-motorized preserve. Work with the local community to protect Tesla's extraordinary biodiversity, enhance climate change resiliency and actually provide access to nature for all residents.

By working with the local community, the state can best meet state priorities to protect biodiversity, provide for climate resiliency and increase access to nature.

We remain committed to working with the State to achieve the full benefits of preserving Tesla Park as a legacy for future generations and an environmental bridge to the future.

Sincerely,

Chad Aakre

Conservation Committee Chair
California Native Grassland Association

cc. Secretary Wade Crowfoot, secretary@resources.ca.gov
Friends of Tesla Park, friendsofteslapark@gmail.com

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