



**OHMVR COMMISSION MEETING  
San Benito County Board of Supervisors Chambers**

**December 1, 2012**

**STAFF REPORT:** East Bay Regional Park District  
**STAFF:** Dan Canfield, Planning Manager  
**SUBJECT:** East Bay Regional Park District Update

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**Summary**

The Commission voted at the September 15, 2012, Commission meeting to write a letter to the East Bay Regional Park District Board of Directors. The letter was sent on October 15, 2012, from Chair Slavik to Board President Carol Severin.

**Discussion**

Superintendent Rick LeFlore provided a detailed report including background information on communications between East Bay Regional Park (EBRP) District and the OHMVR Division regarding the Alameda-Tesla parcels. The Commission voted to send a letter to EBRP District requesting that the Alameda-Tesla parcels be removed from the Master Plan.

The letter was drafted by Chair Slavik and sent to Carol Severin on October 15, 2012 (Attachment 1). On October 30, 2012, Assemblymember Joan Buchanan responded to the letter submitted by Chair Slavik (Attachment 2).

As discussed at the previous Commission meeting, the OHMVR Division submitted an additional letter, dated October 16, 2012, requesting the removal of the Alameda-Tesla parcels from the final EBRP District Master Plan (Attachment 3). To date, no response has been received from EBRP District.

**Commission Action**

To Be Determined

**Attachments**

- Attachment 1: East Bay Regional Park Master Plan, Paul Slavik
- Attachment 2: Tesla Parkland in East Bay Regional Park District Master Plan Update, Assemblymember Joan Buchanan
- Attachment 3: Letter to Robert Doyle, General Manager, East Bay Regional Park District



October 15, 2012

Ms. Carol Severin  
President, Board of Directors  
East Bay Regional Park District  
2950 Peralta Oaks Court  
Oakland, CA 94605

**RE: East Bay Regional Park Master Plan**

Dear Ms. Severin,

On behalf of the California State Parks Off-Highway Motor Vehicle Recreation (OHMVR) Commission, I am writing to express our collective concerns and disappointment regarding the inclusion of the Tesla parcel in the East Bay Regional Park District (EBRPD) 2012 Draft Master Plan and Master Plan Map. Our Commission remains deeply troubled by the ongoing appearance that the EBRPD is attempting to decide the future of an existing park within the California State Park system.

This issue was first brought to the attention of the Board of Directors in 2007 when the OHMVR Division staff addressed the Board in person and then sent a letter to Mr. Pat O'Brien, then General Manager, with a copy to John Sutter who was Board President at the time (see attached). Since your Master Plan Map was released in 2007 identifying "Tesla" as potential EBRPD parkland, it has been made very clear to your Board that the Tesla parcel is part of Carnegie State Vehicular Recreation Area (SVRA), and thus part of the California State Park system.

At our meeting on September 15, 2012, the OHMVR Commission heard from a number of individuals and organizations regarding their concerns about the seemingly ongoing insistence that the Tesla parcel of Carnegie SVRA remains a stated goal of inclusion within the EBRPD. At a time when the OHMVR Division is currently holding public meetings as part of the general plan process for Carnegie SVRA, the inclusion of our SVRA in your Draft Master Plan is confusing and misleading to the general public. We ask that you immediately clarify that any EBRPD planning efforts in the area do not include attempts to purchase, plan for, or control State Park property so as to prevent false speculation of potential ownership or management by any entity outside of California State Parks. We also respectfully request written confirmation of this clarification and your assurance that the Tesla parcel will be removed from any EBRPD acquisition planning map at the first reasonable opportunity.

The general plan process is the responsibility of the OHMVR Division with final approval of the general plan by the OHMVR Commission per state law (PRC § 5002.2 (a) and 5090.15 (c)). The Carnegie SVRA General Plan will provide an appropriate balance of

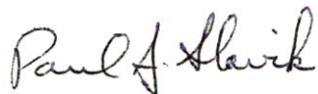
recreation opportunity to meet the growing demand for high-quality off-highway vehicle recreation and protect the area's valuable historic and cultural resources. Throughout this process, there will continue to be numerous opportunities for a wide range of stakeholders to participate. On June 11, 2012, we received the comment letter from EBRPD staff member Brian Holt in response to our Notice of Preparation. Additional information regarding the Carnegie General Plan process may be found at <http://carnegiegeneralplan.com/>.

I recognize and appreciate that updating a master plan is a large undertaking for the East Bay Regional Park Board and the Park Advisory Committee, as well as for your General Manager and staff. As stated in your plan, designing and maintaining a careful balance between the need to protect and conserve resources and the recreational use of parklands is an enormous challenge. I would also ask that you include OHV enthusiasts in your outreach efforts. OHMVR D has an extensive mailing list of those individuals.

While I understand the desire to create a broad system of interrelated open space lands and recreational opportunities for the citizens of Alameda and Contra Costa Counties, we must also keep in mind that the OHV program has an obligation as identified by the Legislature to provide high-quality recreational opportunities for the citizens of California in all 58 Counties. It is our desire to work collaboratively with your Board and staff to achieve our mutual goals. We invite you and your constituents to attend any of our OHMVR Commission meetings or write us with ideas, feedback or concerns.

Please feel free to contact Phil Jenkins, Acting Deputy Director, OHMVR Division at 916-324-5801 for any additional information that you may need. I am also available and may be reached at (310) 717-9674.

Sincerely,



Paul Slavik  
Chair, OHMVR Commission

Attached

cc: East Bay Regional Park District Board Members  
OHMVR Commissioners  
Robert Doyle, General Manager, EBRPD  
John Laird, Secretary for Natural Resources Agency  
Janelle Beland, Acting Director California State Parks  
Phil Jenkins, Acting Deputy Director, OHMVR Division  
Joan Buchanan, Assemblymember 15<sup>th</sup> District  
Loni Hancock, Senator 9<sup>th</sup> District  
Mark DeSaulnier, Senator 7<sup>th</sup> District

STATE CAPITOL  
P.O. BOX 942849  
SACRAMENTO, CA 94249-0015  
(916) 319-2015  
FAX (916) 319-2115  
DISTRICT OFFICE  
2694 BISHOP DR. SUITE 275  
SAN RAMON, CA 94583  
(925) 328-1515  
FAX (925) 328-1514

# Assembly California Legislature



**JOAN BUCHANAN**  
ASSEMBLYMEMBER, FIFTEENTH DISTRICT

**COMMITTEES**  
ACCOUNTABILITY AND  
ADMINISTRATIVE REVIEW  
BUDGET  
EDUCATION  
TRANSPORTATION  
UTILITIES AND COMMERCE  
**SUBCOMMITTEES**  
CHAIR, BUDGET SUBCOMMITTEE  
ON STATE ADMINISTRATION  
BUDGET SUBCOMMITTEE ON  
BUDGET PROCESS, OVERSIGHT  
& PROGRAM EVALUATION

October 30, 2012

Mr. Paul Slavik  
Chair  
Off-Highway Motor Vehicle Recreation Commission  
PO Box 942896  
Sacramento, CA 94296-0001

## **RE: Tesla Parkland in East Bay Regional Park District Master Plan Update**

Dear Mr. Slavik:

On behalf of my constituents within the East Bay, I am writing today in support of the East Bay Regional Park District's inclusion of the Tesla parcel as potential EBRPD parkland within the master plan update. Given its abundance of rare historical, cultural, biological and scenic resources, Tesla State Park land deserves to be protected. I have expressed my concerns, to Secretary Laird, about the potential expansion of the Carnegie State Vehicular Recreation Area into the adjoining Tesla parcel as I do not believe this is an appropriate use of this unique property.

Preservation of the Tesla parkland is clearly in line with the role and mission of the EBRPD. As the EBRPD Master Plan Updates notes, the District

"...preserves a rich heritage of natural and cultural resources and provides safe open space, parks, trails, safe and healthful recreation and environmental education."

Within the vision of the District, the plan notes that the District will:

"...Acquire and preserve significant biologic, geologic, scenic and historic resources within Alameda and Contra Costa Counties."

Finally, under the Cultural Resource Management objectives:

"The District will manage, conserve and when practical restore parkland cultural and historic resources and sites, to preserve the heritage of the people who occupied this land before the District was established."

The Tesla Parkland clearly falls within these purposes and objectives given the nature of the land's numerous endangered and protected species, target habitats and culturally significant features as well as the rich history as the seasonal hunting and gathering grounds for Native Americans.

NOV 02 2012

Dept. of Parks & Recreation



American Yokuts and Ohlone peoples as well as the first commercial coal mine in the United States.

I recognize that the Tesla parcel is currently owned by the California State Parks Off-Highway Motor Vehicle Recreation Division and that the Division is undertaking an Environmental Impact Review (EIR) of the potential Carnegie SVRA expansion. I have significant concerns with the process, particularly the OHMVR Division's repeated efforts to produce an EIR that can be certified. I do not believe that it is appropriate to utilize a more general *program* EIR process, rather than the more stringent *project* EIR process.

Furthermore, I believe that the option of preserving this land, possibly under the future management and/or ownership of the East Bay Regional Parks District must be one of the alternatives considered within the Carnegie SVRA expansion EIR process.

Please feel free to contact my office, at any time, should you have any questions or wish to discuss this matter further.

Sincerely,



Joan Buchanan  
Assemblymember, 15<sup>th</sup> District.

Cc:

East Bay Regional Park District Board Members  
Robert Doyle, General Manager, East Bay Regional Park District  
John Laird, Secretary for Natural Resources Agency  
Janelle Beland, Acting Director, California State Parks  
Phil Jenkins, Acting Deputy Director, OHMVR Division  
OHMVR Commissioners  
Loni Hancock, Senator 9th District  
Mark DeSaulnier, Senator 7th District



DEPARTMENT OF PARKS AND RECREATION • P.O. Box 942896 • Sacramento, CA 94296-0001  
Off-Highway Motor Vehicle Recreation Division  
1725 23<sup>rd</sup> Street, Suite 200  
Sacramento, California, 95816  
(916) 324-5801

Janelle Beland, Acting Director

October 16, 2012

Robert E. Doyle  
General Manager  
East Bay Regional Park District  
2950 Peralta Oaks Court  
Oakland, CA 94605-0381

Dear Mr. Doyle,

The Off-Highway Motor Vehicle Recreation (OHMVR) Division of California State Parks has reviewed the East Bay Regional Parks District (EBRPD) Draft 2012 Master Plan, which is currently undergoing public review and comment. Contained within the EBRPD Draft 2012 Master Plan is inclusion of the “Tesla” property as potential “EBRPD Parklands”. As you may know, this referenced 937 acre property was acquired by the State of California in 1998 using state OHV Trust Funds, along with the adjoining 2,541 acre “Alameda” property, to be managed by the OHMVR Division. Prior to a change in management of both the Tesla and Alameda properties, a General Plan/Environmental Impact Report process must be completed that will identify management alternatives and potential project impacts (an update of the existing Carnegie SVRA General Plan is included in this process). Planning is underway in this regard and OHMVR Division staff have reached out to EBRPD staff to identify EBRPD interests for consideration.

As comment on EBRPD’s previous 2007 Master Plan update process, OHMVR Division submitted a letter (attached) December 19, 2007 from (then) Deputy Director Daphne Greene to (then) General Manager Pat O’Brien stating in part: “The plan to be developed for the operation and management of this area (Tesla) will bring a well thought out project that provides an appropriate balance between protection of the site’s notable natural and cultural resources as well as providing recreational opportunity.” “This area will remain in operation and management by the California State Parks OHMVR Division, and is not under consideration for sale.” “As the process moves forward, we remain open to opportunities for joint interpretive programming with EBRPD staff, in particular, in conjunction with the Black Diamond Coal Mine park unit.” The OHMVR Division reaffirms this position as its related planning efforts move forward.

Mr. Robert Doyle  
October 16, 2012  
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Given OHMVR Division's obligated interest in identifying uses of the properties consistent with use of OHV Trust Fund dollars, along with the underlying OHMVR Act, further inclusion of the "Tesla" property as "potential EBRPD parklands" appears to be inappropriate and OHMVR Division requests its removal from the final EBRPD 2012 Master Plan.

Please feel free to contact me at (916) 324-5803 if you have further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Phil Jenkins", with a long horizontal flourish extending to the right.

Phil Jenkins  
Acting Deputy Director  
OHMVR Division

Attachment



Off Highway Motor Vehicle Recreation Division  
1725 23<sup>rd</sup> Street, Suite 200, 95816-7100  
Post Office Box 942896  
Sacramento, CA 94296-0001  
(916) 324-4442, FAX (916) 324-1610

December 19, 2007

Mr. Pat O'Brien  
General Manager  
East Bay Regional Parks District  
P.O. Box 5381  
Oakland, CA 94605-0381

Dear Mr. O'Brien:

I want to thank you for the opportunity for California State Parks Off-Highway Motor Vehicle Recreation (OHMVR) Division staff to address the East Bay Regional Parks District (EBRPD) board at their meeting on November 6, 2007, regarding the possible inclusion of the State Parks property referred to in the EBRPD 2007 acquisition plan as Tesla. It was clear some of the information given to the EBRPD by the public was not current and I appreciated the opportunity to give your Board of Directors an update.

As mentioned in OHMVRD staff comments, there are two properties in the Tesla area that are going through the planning process: Alameda-Tesla, and the existing Carnegie State Vehicular Recreation Area (CSVRA). California State Parks intends to continue with establishing a General Plan Amendment for Alameda-Tesla, as well as completing an Environmental Impact Report and updating the existing CSVRA General Plan. The previous planning work in this regard was placed on hold by the OHMVR Division in 2005 until necessary background work related to the health of the watershed in the area could be undertaken and completed.

Although several sources have stated that the Tesla property is not going to be opened to the public, the reality is the OHMVR Division will be moving forward with the planning process starting in the spring of 2008. The plan to be developed for the operation and management of this area will bring a well thought out project that provides an appropriate balance between protection of the site's notable natural and cultural resources as well as providing recreational opportunity. This area will remain in operation and management by the California State Parks OHMVR Division, and is not under consideration for sale. As the process moves forward, we remain open to opportunities for joint interpretive programming with EBRPD staff, in particular, in conjunction with the Black Diamond Coal Mine park unit.

Mr. Pat O'Brien  
December 19, 2007  
Page Two of Two

Again, thank you for the opportunity to discuss the Tesla Property and California State Parks' plans for its stewardship and access as part of CSVRA. Please feel free to call me at (916) 324-5801 if you have further questions.

Sincerely,



Daphne C. Greene  
Deputy Director  
Off-Highway Motor Vehicle Recreation Division  
California State Parks

cc: John Sutter, President of the Board, East Bay Regional Parks  
Ruth Coleman, Director, California State Parks  
Paul Romero, Chief Deputy Director, California State Parks  
Rick LeFlore, State Park Superintendent IV, OHMVR Division Headquarters  
Robert Williamson, Superintendent, Twin Cities District, California State Parks