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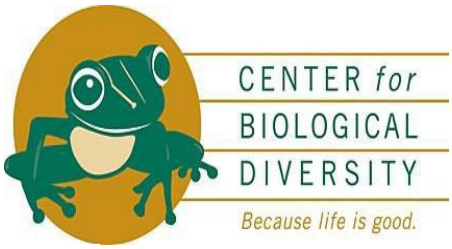
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HERITAGE
GUILD

October 31, 2025

SENT VIA EMAIL ONLY

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RE: Joint Comment Letter on State Parks Proposed Concept Plans for the Alameda-Tesla Property ("Tesla") Classification, Naming, General Plan/EIR Project

This **Joint Comment Letter submitted on behalf of the 28 organizations listed below** is to provide comments on the two Concept Plans for the Alameda-Tesla Property Classification, Naming, General Plan ("GP") and Environmental Impact Report ("EIR") Project presented by California State Parks ("State Parks") in two workshops held on September 20 and September 30, 2025.

The 28 local, regional and statewide organizations submitting this joint comment letter are:

Alameda Creek Alliance
California Native Grasslands Association
California Native Plant Society
California Oaks
California Wildlife Foundation
Center for Biological Diversity
Citizens Committee to Complete the Refuge
Defenders of Wildlife
East Bay Chapter, California Native Plant Society
Friends of Livermore
Friends of Open Space & Vineyards
Friends of Tesla Park
Golden Gate Bird Alliance
Greenbelt Alliance
Livermore Heritage Guild
Livermore HillHikers
Mount Diablo Bird Alliance
North San Joaquin Valley, California Native Plant Society
Ohlone Audubon Society
Regional Parks Association
San Joaquin Audubon Society
Save Mount Diablo
SAVE THE FROGS!
Sierra Club California
SPRAWLDEF
Tesla Road Residents Alliance
Tri-Valley Conservancy
Trust for Public Lands

The **Attachments** page to this comment letter at page 36 includes a list of Attachments in a Dropbox folder. The Dropbox link to all referenced Attachments is:
https://www.dropbox.com/scl/fo/qnym8sxaq1h9il6mu9een/ALn0pHrmfIiSin7GEYePxmE?rlkey=9d70u18ce8mxlg547j3hjarrx&dl=0

Following the Attachments page is an **Addendum** which further describes ***the Tesla Biological Assessment, Scientist Consensus Statement on Tesla*** and the ***Technical Memorandum*** documenting Tesla's biological resources. The Attachments, and Addendum are incorporated into and made an integral part of these comments. It is intended that they will be specifically addressed by State Parks in the revision of the concept plan for Tesla.

1. IT IS MISLEADING TO STATE THE TWO CONCEPT PLANS CAN BE A STATE PARK, STATE CULTURAL RESERVE, OR STATE NATURAL RESERVE. A NATURAL RESERVE CONCEPT PLAN CONSISTENT WITH LAW MUST BE PROVIDED.

A. State Parks must provide a Natural Reserve Concept Plan consistent with Public Resources Code Section 5019.65(a)

Public Resources Code (PRC) Section 5019.65(a) does not allow the high-intensity recreational uses and associated facilities development that are included on both concept plans presented by State Parks. Even if camping were eliminated, the remaining high-intensity uses are another reason why both concept plans cannot meet the requirements for a State Natural Reserve.

PRC Section 5019.65(a) provides:

> State reserves consist of areas embracing outstanding natural or scenic characteristics or areas containing outstanding cultural resources of statewide significance. State reserve units may be established in the terrestrial or nonmarine aquatic (lake or stream) environments of the state and shall be further classified as one of the following types:
>
> (a) State natural reserves, consisting of areas selected and *managed for the purpose of preserving their native ecological associations, unique faunal or floral characteristics, geological features, and scenic qualities in a condition of undisturbed integrity. Resource manipulation shall be restricted to the minimum required to negate the deleterious influence of man. Improvements undertaken shall be for the purpose of making the areas available, on a day use basis, for public enjoyment and education in a manner consistent with the preservation of their natural features.* Living and nonliving resources contained within state natural reserves shall not be disturbed or removed for other than scientific or management purposes. [Emphasis added]

Tesla fulfills the PRC requirements of a State Natural Reserve. The 3,100 acres that are the subject of 2021 California Senate Bill 155 have well-documented **"outstanding natural or scenic characteristics or areas containing outstanding cultural resources of statewide significance"**, as documented in the science-based peer-reviewed ***Tesla Biological Assessment*** [1], among other sources. This document has been submitted multiple times to State Parks since July 2024, most recently with a September 1, 2025 update. Tesla's entire 3,100-acre landscape includes numerous special-status

[1] The full title for the Tesla Biological Assessment is: *"Reserve Classification of California State Parks Alameda-Tesla Property, Alameda County, California based on an Assessment of Biological Resources and the Effects of Recreational Activities on those Resources"* version 9/1/2025. The Assessment, which is based on all available public information, provides the most comprehensive, extensively sourced report on the extraordinary biological resources that cover all of Tesla's 3,100 acres. The Assessment is periodically updated to ensure current accurate information. It was peer reviewed by top experts in their fields and has been endorsed by over 40 academics and scientists in the *Scientist Consensus Statement on Tesla*. Both documents are included in the Attachments and discussed further in this comment letter and in the Addendum.

species, their habitats, protection zones, and required ranges, as well as their biological functions, which underpin and overlay the landscape.

In addition to its outstanding biological resources, Tesla has significant paleontological and stratigraphic features associated with the 'Tesla Formation,' which was the site of the first commercial coal mining operation in California (home to the historic Tesla Mine and Town site) and the location where ancient plant fossils of Eocene age have been found.

Given Tesla's rare and irreplaceable natural resources, it should be **"managed for the purpose of preserving [its] native ecological associations, unique faunal or floral characteristics, geological features, and scenic qualities in a condition of undisturbed integrity."**

B. Neither Concept Plan can be "Tweaked" into a Reserve Classification.

At the workshops, State Parks presented two concept plans for the Alameda-Tesla Property ("Tesla") that are **essentially the same plan with relatively minor differences**. State Parks stated that either of the two concept plans could be classified as a "State Park," "State Cultural Reserve," or "State Natural Reserve" with "minor tweaking." **This statement is false and misleading**. Neither concept plan is compatible with a State Natural Reserve.

Contrary to Natural Reserve requirements, the two concept plans provide for extensive resource manipulation deep into the heart of Tesla's lightly-touched and highly sensitive landscape in order to expand vehicular and bicycle/e-bike access of all kinds into the core and throughout most of Tesla, and to build campgrounds and other facilities. As presented, State Parks' concept plans are **not "restricted to the minimum resource[ ] manipulation required to negate the deleterious influence of man."** Instead, the concept plans would **significantly increase** resource manipulation to build and maintain these facilities in order to allow intensive uses, while promising that future undefined and unfunded "adaptive management" can control and restore damage.

"The living and nonliving resources [in Tesla] should not be disturbed or removed other than for scientific and management purposes." State Parks cannot credibly argue that expansive road improvements, introduction of public (personal, private) vehicular use, bikes and e-bikes throughout Tesla, and the associated facilities development are merely **"[i]mprovements undertaken [ ] for the purpose of making the areas available, on a day use basis, for public enjoyment and education in a manner consistent with the preservation of their natural features**." Expansive road improvements and introduction of high-intensity uses are not required to make the area available to the public for enjoyment and education. In fact, such extensive development and intensive use directly conflicts with the requirements to manage a Reserve for preservation.

State Parks' own classification framework presented on its website at **https://alamedateslaplan.com/elementor-8/** documents that Reserves have low-intensity uses and limited new development. Major road improvements and the addition of high-intensity uses such as vehicular travel, camping and bikes/e-biking does not meet this standard or the statute.

State Parks' focus in the concept plans is on high-intensity recreation uses that are not present on the land today and which would be pushed into the core of Tesla, with new facilities developed to support high-intensity uses. The management zones included in the two concept plans facilitate higher intensity recreation use and facilities development. The concept plans are inconsistent with scientific evidence regarding the overlapping layers of sensitive, legally-protected biological resources that blanket the entire natural landscape as well as the corresponding Tribal Cultural Landscape. The concept plans downplay the impacts that the proposed high-intensity uses will have on those resources. Neither concept plan ensures effective and lasting protection for the extraordinary natural, cultural and historic resources of statewide significance that exist within Tesla's 3,100 acres. (See Section 5. of this comment letter for a detailed review of the concept plans and survey responses.)

The two concepts plans presented could only be classified as a "State Park" under Public Resources Code (PRC) Section 5019.53 – NOT as a State Cultural or Natural Reserve under PRC Section 5019.65. The inclusion or exclusion of camping is only one disqualifying factor. Given the intensity of uses and facilities development proposed under both concept plans, neither could credibly be classified as a Reserve consistent with the State Reserve statute.

State Parks must actually provide a concept plan for a Natural Reserve that complies with the requirements of PRC Section 5019.65(a).

2. STATE PARKS CANNOT DISREGARD THE OVERWHELMING PUBLIC SUPPORT FOR ESTABLISHING TESLA AS A NATURAL RESERVE. THE TWO CONCEPT PLANS PRESENTED FAIL TO RESPOND TO THE OVERWHELMING PUBLIC SUPPORT FOR A RESERVE.

A. State Parks has received consistent, indeed overwhelming public support for Tesla to be classified as a Natural Reserve

Since State Parks started the Tesla planning process following the enactment of Senate Bill 155 in 2021, it has received voluminous input from the public, including from the organizations joining this comment letter. Indeed, State Parks staff explicitly recognized the significant public interest in this new park unit when it announced at the September 2024 State Park and Recreation Commission meeting that it was collapsing into a single process the original two-part process of Classifying/Naming followed by preparation of a draft General Plan for the Alameda-Tesla Property.

Based on written comments received from September 14, 2023 to February 11, 2025, and tabulated in a report prepared by State Parks obtained through a Public Records Act Request, **almost 99% of all written comments received (636 of 645) support a Tesla Reserve**. Only 9 comments supported classifications other than a Reserve, or uses not consistent with a Reserve.[2]

[2] Forty (40) comments that addressed administrative issues (i.e., technical issues accessing virtual meetings, information availability, comments from government agencies, administrative scheduling), and which did not provide a statement of support or opposition for a Reserve, or statement of support for a different classification, were excluded.

The outcome of the Visioning Survey and Visioning Workshops in late 2023, the Stakeholder meetings in early 2024, and the Scoping Meeting on January 28, 2025, all showed overwhelming support for Tesla to be classified as a State Reserve with only low-intensity recreation permitted. In the online Visioning Survey, 61% of respondents identified hiking/walking/running as the uses they preferred. At the in-person Visioning Workshops, hiking, walking, and running were the most frequently selected as the preferred activities to enjoy at the future state park unit. In the virtual Scoping meeting 15 of the 18 people who commented, or 83%, spoke in favor of Tesla being established as a Reserve.

Similarly, public input at the September 20, 2025 in-person workshop showed overwhelming rejection of State Parks concept plans and declarations of purpose and vision. Attendees reiterated the need for Tesla to be established as a Reserve that actually complies with the statutory requirements. Photographs taken at the end of the workshop of the sticker boards logging attendees' preferences show that about 80% rejected the concept plans as presented.

State Parks has made misleading references about Central Valley demand as a justification for high-intensity recreation in Tesla, providing no evidence supporting the vague references. We concur that more natural public lands are needed in the Central Valley as presented in the 2009 DPR "Central Valley Vision Implementation" report, and indeed in all locations throughout the state. But that does not mean that all such parks and open spaces must maximize intensive recreation and development, or that residents of the Central Valley do not value full preservation of outstanding natural and cultural resources or do not support Tesla being classified as a Natural Reserve. In fact, State Parks has received extensive input from Central Valley residents supporting establishment of Tesla as a Natural Reserve in addition to residents throughout the region.

State Parks cannot disregard or trivialize the public input it has received in support of establishing Tesla as a Natural Reserve. State Parks cannot ignore the consistent long-term public input from every sector in support of a Natural Reserve. State Parks cannot ignore the scientific facts, the expertise of leading academics and scientists, the input from Indigenous Tribes, and the calls from the public all saying the same thing – establish Tesla as a Reserve.

3. TESLA HAS OUTSTANDING NATURAL AND CULTURAL RESOURCES OF STATEWIDE SIGNIFICANCE THAT MUST BE PROTECTED AS A NATURAL RESERVE.

A. State Parks Provided No Resource Assessment to Support its Concept Plans.

The justification provided by State Parks to support its concept plans is inadequate, at best. State Parks provided no relevant evidence or rationale to support its assessment and assignment of management zones, including management zones for *"Sensitive Resources,*" "*Limited Access,*" and "*Focused Access*."

The "sensitive resource" zone map at slide 35 and "Topography" slope map at slide 36 are not an assessment of biological or cultural resources, and the results do not align with the biological resource

data, including that shown on page 11 below. They are provided to support the high-intensity recreation and facilities development into Tesla's core that is in the concept plans.

Because even development of concept plans requires thorough resource and impacts assessment, the Friends of Tesla Park coalition provided State Parks in July 2024, and updated in September 2025, the comprehensive, extensively sourced, peer reviewed ***Tesla Biological Assessment*** validated by over 40 leading academics and scientists in the ***Scientist Consensus Statement on Tesla*** (See Footnote 1, Attachments and Addendum). **The *Tesla Biological Assessment* and the *Scientist Consensus Statement on Tesla* establish beyond question that <u>all</u> 3,100 acres of Tesla must be considered a "Sensitive Resources" management zone.**

The ***Tesla Biological Assessment*** provides the most thorough and comprehensive compilation and inventory of natural resource data available to date about Tesla's 3,100-acre site and its environs. It is a multi-dimensional assessment of life histories, ecological inter-relationships, and overlapping layers of plant and wildlife use within the relatively intact ecosystem that encompasses Tesla's 3,100 acres. It has been updated two times since July 2024, the most recent dated September 1, 2025, in order to ensure that currently available data are reflected in the document.

The ***Tesla Biological Assessment*** details all publicly available data about special-status plants and animals, sensitive habitats, and ecosystem benefits. The ***Tesla Biological Assessment*** also documents numerous independent assessments and plans that have identified areas of highest biodiversity, climate resilience, and connectivity in the region and across the state, including the California Department of Fish and Wildlife's Areas of Conservation Emphasis (ACE) spatial data set. These independent studies identify Tesla as (1) an intact ecosystem and landscape complex with exceptional biodiversity of rare species and genetic traits, (2) of vital ecological importance regionally and statewide, and (3) with "outstanding [ ] resources of statewide significance." (PRC Section 5019.65(a))

In addition, the ***Tesla Biological Assessment*** evaluates the body of research regarding the impacts of recreational activities and development on natural resources. This step, which has not been previously completed by State Parks, is an essential element because, as described in the scientific literature cited, natural and cultural resources can be significantly and adversely impacted by recreational users, by the provision of recreation services, and by facilities development and maintenance for recreational purposes. Recreational uses and facilities can have profound direct impacts on species composition and diversity at the individual, population and community levels. Recreation uses can have adverse impacts on the chemical and physical environment which in turn can result in changes to the hydrologic regime, sediment transport, water quality and chemistry, ambient noise, odors, and nighttime lighting. Recreation uses cause anthropogenic (human caused) disturbance affecting predation, resource acquisition, brooding and other behaviors.

With this comprehensive assessment and inventory, the information and analysis provided in the report documents that **<u>all</u> of Tesla's 3,100 acres are covered in interconnected and overlapping layers of "Sensitive Resources."** There are no locations within this landscape that can be carved-out in a way that will not adversely impact protected special-status species, their habitats, and their essential biological functions. The extensive and irrefutable scientific information cited cannot in any manner support the expansive areas labeled "Limited Access" and "Focused Access" where higher-intensity

recreation uses and associated facilities development would be located without resulting in significant and irreparable damage to the resources.

A visual representation of this fact is presented in Figure 2 from the ***Tesla Biological Assessment***, which is copied below. This map plots **only 37% of the 100** special-status plants and animals identified in Tesla. When considering the locations where species were identified, the essential habitat for species, the ranges for species, the research and agency recommended protection zones for listed and candidate species, and the designated critical habitat for federally threatened species survival **ALL** of Tesla is covered in interconnected layers of sensitive natural resources that must be protected. There are no gaps, and certainly no large areas, where higher-intensity uses can be located as presented in the concept plans without causing harm to sensitive species. And even if such gaps existed, which they do not, locating higher-intensity uses interspersed throughout this landscape would result in fragmentation and disruption of the natural landscape and its habitats.].

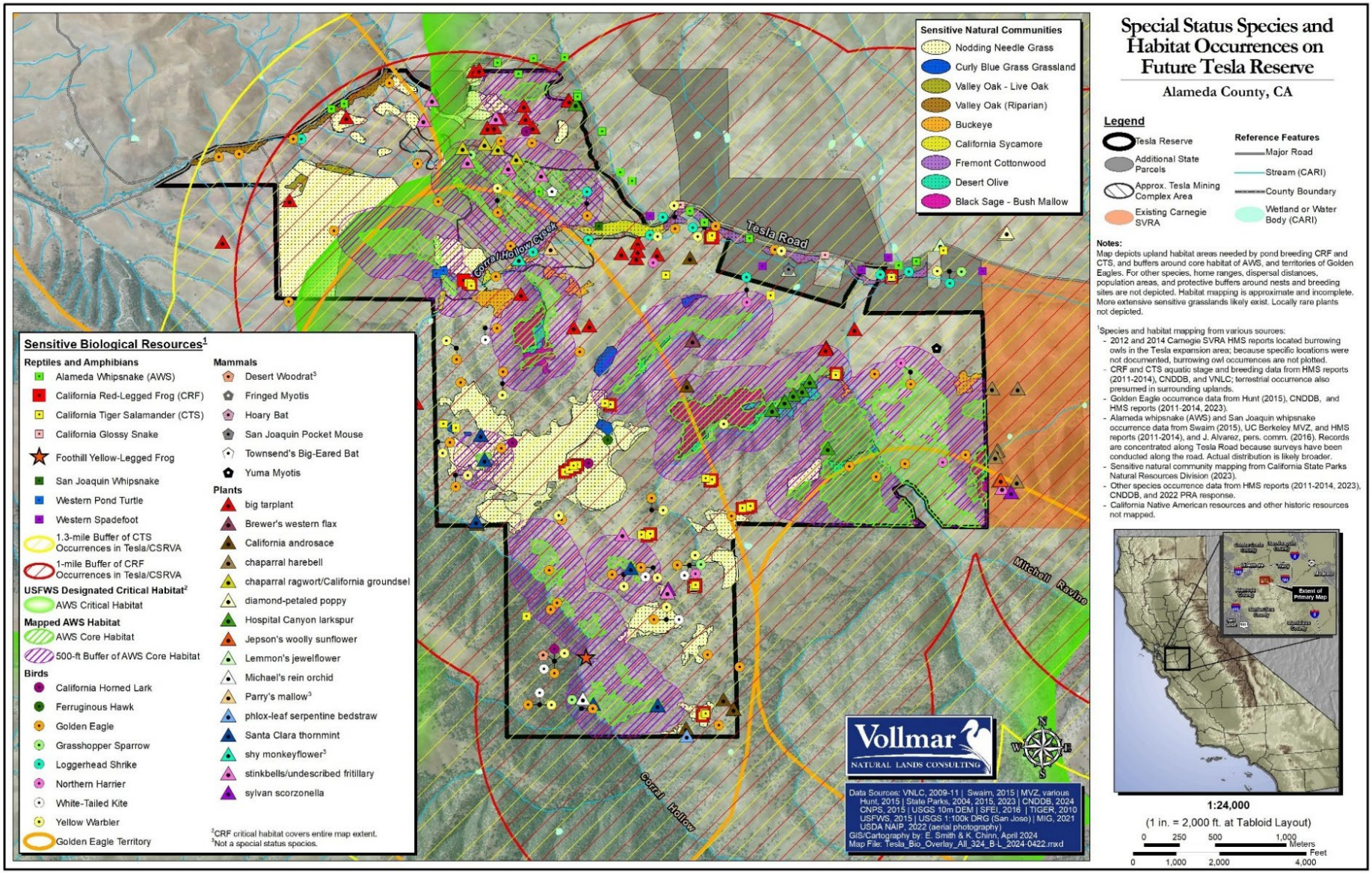
Another example of the failure to designate management zones based on scientific evidence is the location of Focused Access zones. Focused Access zones are placed on the ridgetops and in other areas where intensive uses, including camping, vehicular use, biking/e-biking and associated facilities development and maintenance would be placed. We know from the ***Tesla Biological Assessment,*** which is based on information from State Parks and other publicly available data, that the ridgetops, as one example, are highly sensitive areas containing breeding ponds and essential upland habitat for state and federally threatened California Red-legged Frog and California Tiger Salamander, foraging areas for golden eagles, and range for tule elk, to name just four of the numerous impacted special-status species. Without question, this entire ridgetop area must be designated as a "Sensitive Resources" area, not even considering the impacts to the Tribal Cultural Landscape.

Placing the highest intensity uses in this area is unsupportable by any measure of scientific evidence. No rationale has been provided for placing these uses in locations that would result in impacts to state and federally listed species, critical habitat, agency recommended buffer zones, etc. The only conclusion that can be drawn is that high-intensity recreation is considered more important than protecting sensitive species. The fact that an Environmental Impact Report has not yet been prepared is no excuse for not having concept plans based on known facts. The public is being led to believe that this area can support intensive recreational activities without causing harm to protected species. It cannot.

There are examples of other units in the State Park System that had to be reclassified to a higher level of protection after damage to natural resources occurred, such as Armstrong Redwoods State Natural Reserve (previously State Park). It is vital that with the extraordinary natural and cultural resources present within the 3,100 acres of Tesla, that we get it right the first time. **All** credible scientific evidence documents that **all** of Tesla, at the outset, must be considered a "Sensitive Resources" zone with no new development, no vehicular traffic, no biking of any type, and no associated facilities development within the 3,100 acres.

We appreciate that the State Parks and Recreation Department has Natural Resources staff who work throughout the State Parks System, and in the Diablo Range District; however, the breadth and depth of expertise represented by those who prepared, peer reviewed, and affirmed the ***Tesla Biological***

Assessment in the ***Scientist Consensus Statement on Tesla*** is unmatched. It does not serve the public, or the Department, to undervalue this extensive collective scientific expertise, and discount evidence in its possession**.** Further, this report should not attempt to be mischaracterized or disparaged as "citizen science" as was recently done by a motorized recreation lobbyist. Rather, this contribution is and should be viewed as an invaluable gift to the public, whom the Department serves, expanding the knowledge about Tesla's indisputable ecological value, and providing a model for future State Parks' biological assessments.


Special Status Species and Habitat Occurrences on Future Tesla Reserve
Alameda County, CA
Sensitive Natural Communities
Nodding Needle Grass
Curly Blue Grass Grassland
Valley Oak - Live Oak
Valley Oak (Riparian)
Buckeye
California Sycamore
Fremont Cottonwood
Desert Olive
Black Sage - Bush Mallow
Legend
Tesla Reserve
Additional State Parcels
Approx. Tesla Mining Complex Area
Existing Carnegie SVRA
Reference Features
Major Road
Stream (CARI)
County Boundary
Wetland or Water Body (CARI)
Notes:
Map depicts upland habitat areas needed by pond breeding CRF and CTS, and buffers around core habitat of AWS, and territories of Golden Eagles. For other species, home ranges, dispersal distances, population areas, and protective buffers around nests and breeding sites are not depicted. Habitat mapping is approximate and incomplete. More extensive sensitive grasslands likely exist. Locally rare plants not depicted.
[1]Species and habitat mapping from various sources:
- 2012 and 2014 Carnegie SVRA HMS reports located burrowing owls in the Tesla expansion area; because specific locations were not documented, burrowing owl occurrences are not plotted.
- CRF and CTS aquatic stage and breeding data from HMS reports (2011-2014), CNDDB, and VNLC; terrestrial occurrence also presumed in surrounding uplands.
- Golden Eagle occurrence data from Hunt (2015), CNDDB, and HMS reports (2011-2014, 2023).
- Alameda whipsnake (AWS) and San Joaquin whipsnake occurrence data from Swaim (2015), UC Berkeley MVZ, and HMS reports (2011-2014), and J. Alvarez, pers. comm. (2016). Records are concentrated along Tesla Road because surveys have been conducted along the road. Actual distribution is likely broader.
- Sensitive natural community mapping from California State Parks Natural Resources Division (2023).
- Other species occurrence data from HMS reports (2011-2014, 2023), CNDDB, and 2022 PRA response.
- California Native American resources and other historic resources not mapped.
Sensitive Biological Resources[1]
Reptiles and Amphibians
Alameda Whipsnake (AWS)
California Red-Legged Frog (CRF)
California Tiger Salamander (CTS)
California Glossy Snake
Foothill Yellow-Legged Frog
San Joaquin Whipsnake
Western Pond Turtle
Western Spadefoot
1.3-mile Buffer of CTS Occurrences in Tesla/CSRVA
1-mile Buffer of CRF Occurrences in Tesla/CSRVA
USFWS Designated Critical Habitat[2]
AWS Critical Habitat
Mapped AWS Habitat
AWS Core Habitat
500-ft Buffer of AWS Core Habitat
Birds
California Horned Lark
Ferruginous Hawk
Golden Eagle
Grasshopper Sparrow
Loggerhead Shrike
Northern Harrier
White-Tailed Kite
Yellow Warbler
Golden Eagle Territory
Mammals
Desert Woodrat[3]
Fringed Myotis
Hoary Bat
San Joaquin Pocket Mouse
Townsend's Big-Eared Bat
Yuma Myotis
Plants
big tarplant
Brewer's western flax
California androsace
chaparral harebell
chaparral ragwort/California groundsel
diamond-petaled poppy
Hospital Canyon larkspur
Jepson's woolly sunflower
Lemmon's jewelflower
Michael's rein orchid
Parry's mallow[3]
phlox-leaf serpentine bedstraw
Santa Clara thornmint
shy monkeyflower[3]
stinkbells/undescribed fritillary
sylvan scorzonella
[2]CRF critical habitat covers entire map extent.
[3]Not a special status species.
Tesla Road
Corral Hollow Creek
Mitchell Ravine
Corral Hollow
Vollmar
NATURAL LANDS CONSULTING
Data Sources: VNLC, 2009-11 | Swaim, 2015 | MVZ, various Hunt, 2015 | State Parks, 2004, 2015, 2023 | CNDDB, 2024 CNPS, 2015 | USGS 10m DEM | SFEI, 2016 | TIGER, 2010 USFWS, 2015 | USGS 1:100k DRG (San Jose) | MIG, 2021 USDA NAIP, 2022 (aerial photography)
GIS/Cartography by: E. Smith & K. Chinn, April 2024
Map File: Tesla_Bio_Overlay_All_324_B-L_2024-0422.mxd
Extent of Primary Map
1:24,000
(1 in. = 2,000 ft. at Tabloid Layout)
0 250 500 1,000 Meters
0 1,000 2,000 4,000 Feet

B. The Concept Plans Do Not Comply with PRC Section 5002.1 on Classification.

Classification is the foundational decision upon which planning is based and the GP and EIR are prepared. Even if not formally confirmed until the approval of the final GP/EIR, a preliminary classification decision still must be made to direct planning for the unit because it determines the types and intensity of allowed uses as a matter of statute and policy. It is ultimately the essential foundational zoning decision. This fact is acknowledged by State Parks in the concept plans they have presented.

PRC Section 5002.1 states:

> Prior to the classification or reclassification of a unit of the state park system into any of the categories specified in Article 1.7 (commencing with Section 5019.50) of this chapter, the department shall prepare an inventory of the unit's scenic, natural, and cultural features, including, but not limited to, ecological, archaeological, historical, and geological features. The inventory shall be submitted by the department to the State Park and Recreation Commission for its consideration when classifying or reclassifying a unit.

Nothing in this section, other than the name of the decision-making body, mentions "recreation." State Parks has turned around the statute that bases classification upon an **"inventory of the unit's scenic, natural, and cultural features, including, but not limited to, ecological, archaeological, historical, and geological features"** to include a desired list of recreation uses and then let recreation uses drive classification. By statute, recreation uses are not part of this process.

State Parks must not ignore the full scope of all available data in preparing an inventory assessment, including as documented in the ***Tesla Biological Assessment***, and rely on limited lists that do not include all available public information, or disregard the life cycles, ranges, protection zones affirmed by research and regulatory agencies, critical habitats and corridors, and information about impacts from recreational uses. Using all available data leads to the determination that Tesla not only meets, but exceeds the requirements for classification as a Reserve based on its natural resources alone.

There are equally compelling requirements to protect cultural resources. These include the Tesla historic district resources in the 300+ acre Other State Parks Property which are ignored in the concept plans, and the entire 3,100-acre Tribal Cultural Landscape as identified by Indigenous leaders.

C. State Parks Confounds Resource Assessment with Desired Recreation Uses and Development

It appears that desired recreational uses and facilities development are driving the concept plans, rather than resource assessments. This is backwards from the statute which provides for a range of uses from low-intensity to high-intensity based upon the resource inventory assessment, and not the desired uses which would damage those resources. Unfortunately, State Parks is following a planning framework similar to the one used in the failed 2016 Carnegie SVRA/Tesla GP/EIR. That framework also used slope analysis and zones (visitor experience areas rather than management zones) that were disconnected from the biological resource evidence in order to establish desired recreation uses.

Based on all available data and information, and associated resource inventory assessment, it is unquestioned that a Natural Reserve classification is warranted for Tesla based on its documented resources that exceed the requirements of the Natural Reserve statute. Based on all available data and information it is also without question that the natural and cultural resources within Tesla would be significantly harmed by the high-intensity recreation uses and facilities development contained in the concept plans.

Yet, contrary to the evidence, statute, and State Parks mission statement "…to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation" State Parks resists identifying low-intensity recreation as "high-quality outdoor recreation." Instead, in the concept plans and the designations of management zones, State Parks maximizes high-intensity uses, ignoring the scientific data, historical resource documentation, and consultative direction from Indigenous tribes. The cart, however, should not drive the horse.

When considering the full scope of scenic, natural, cultural, ecological, archaeological, historical, and geological resources in Tesla as required by PRC 5002.1, Natural Reserve classification pursuant to PRC Section 5019.65(a) must be applied.

D. State Parks Improperly Uses a "Dual-Mandate" and "Balance" as Justification for More and Higher-Intensity Recreation.

State Parks has presented that the Department has a "dual-mandate" to "balance" recreation with resource protection, in spite of: 1) Indigenous leaders identifying that a Reserve is the best available option to protect the entire Tribal Cultural Landscape which is as a whole, the Tribal Cultural Resource requiring protection, 2) scientific experts identifying that a Reserve is the best available statutory option to protect irreplaceable biodiversity and ecological values of statewide significance, and 3) overwhelming public support for a Reserve. We do not believe there is such a "dual-mandate" in the statute, particularly one that overrides resource protection requirements of PRC Sections 5002.1 and 5019.65(a).

As stated above, PRC Section 5002.1 regarding classification does not mention recreation as a basis for classification, citing an inventory of scenic, natural, and cultural resources.

State Parks mission "to provide for the health, inspiration, and education of the people of California by helping to preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources, and creating opportunities for high-quality outdoor recreation" does not override the resource protection requirements of the classification statute, which provide for varying intensities of public access, subject to scenic, natural and cultural resource protection and preservation.

The "access for all" policy also does not negate the resource protection requirements of the statute, and it cannot be misapplied to mean access for all uses, or even most uses, in all places, as was tried and failed in the 2016 Carnegie SVRA/Tesla GP/EIR process. Rather it means access for all to the uses that are appropriate to "preserve the state's extraordinary biological diversity," and while "protecting the most valued natural and cultural resources." Walking, hiking and interpretive trails are "high-quality

outdoor recreation." These are examples of low-intensity "high-quality outdoor recreation" that can be appropriately located within the 3,100 acres of Tesla, while still managing Tesla for the purpose of preserving its extraordinary natural and cultural landscape.

We agree that public access is an important element of park planning, but such access must be compatible with and subordinate to resource protection. For Tesla this is especially true given other immediately adjacent existing State Park land available for high-intensity uses, including the already impacted 300+-acres of "Other State Park Property" and the existing Carnegie SVRA, where high-intensity uses already are located and include a campground and growing e-bike/vehicle use.

Similar to "dual mandate," State Parks uses "balance" of recreation uses (and "equity" and "parity") as reasons to disfavor the application of the Reserve classification statute to Tesla, implying that it has to balance uses within each unit. This is not supported by the statute, nor is it sound planning.

In addition to the statutory requirements, "Balance" must be evaluated not just within a single unit, but across a region, to fulfill the State's goal of preserving biodiversity. State Parks should strive to provide a "regional balance" across the system. Each unit does not and should not mimic every other unit. Instead, the region as a whole should demonstrate balance between biodiversity protection, cultural resource protection, and varying opportunities for high-quality outdoor recreation.

The need to conduct regional planning in the immediate area of the Corral Hollow Canyon and in the broader area of the Tri-Valley and Central Valley was identified in our Notice of Preparation comments submitted on 2/13/25, and long before in prior letters and meetings. The focus for the 3,100 acres of Tesla should be the protection of biodiversity and cultural resources, while providing opportunities for low-intensity uses.

These two elements are not balanced in the region, particularly in the Corral Hollow Canyon, with the significant impact on both biological resources and cultural sites at the Carnegie SVRA, right next door to Tesla. Protecting Tesla to the highest degree possible is in part needed given the environmental damage that has occurred at Carnegie SVRA. Tesla is a refuge for wildlife driven out of Carnegie SVRA by the high-intensity recreation there, as happened with tule elk and golden eagles, and Tesla is a sanctuary for other special-status and common species. For the human population, Tesla should be a place for quiet appreciation of natural and cultural resources.

Further, in the region, and within the Diablo Range District where Tesla is located, there are no Natural Reserves. But within the Diablo Range District and into the Central Valley there are several units classified as "State Parks", "SRA", and "SVRA". Immediately adjacent to Tesla is Carnegie SVRA which has high intensity uses, including camping and biking/e-biking. In addition there are 300+ acres which State Parks has owned for nearly 25 years and which has been off-limits to the public. And this does not include the 23 other local and regional parks in the Diablo Range District area that provide active recreation.

State Parks should actually apply regional planning to ensure a meaningful, on-the-ground balance of different outdoor recreational and cultural experiences with the most appropriate and efficient use of State Park land. This would ensure that high-intensity uses are located in areas with existing impacts

such as at Carnegie SVRA and the "Other State Parks Property." And it would ensure that only low-intensity uses, which are compatible with resource protection, are provided in areas of extraordinary and sensitive resources of statewide significance, such as the 3,100 acres of Tesla.

E. Reserve classification under PRC Section 5019.65 was established by the Legislature for a reason.

The Reserve classification at PRC Section 5019.65 was established by the Legislature to protect natural and cultural resources of statewide significance. It has not been rescinded. State Parks must not tacitly disregard it as though it does not exist.

Reserve classification clearly and most certainly should apply to Tesla's 3,100 acres. It is not appropriate to misapply the desire for more recreational access as reason to disregard the applicability of a statute established to protect resources of statewide significance such as Tesla. The 3,100 acres of Tesla is a prime example of why the Reserve classification was established by the Legislature.

The question must be asked about the apparent bias that State Parks shows against Reserves. Out of 283 units of the State Parks system currently listed on the State Parks and Recreation Department website (https://www.parks.ca.gov/Find-a-Park), only 16 are Natural Reserves. There are no Cultural Reserves. In the last 40+ years, State Parks has designated only one new property as a Reserve, and most Reserves were established well over 50 years ago. Certainly, as more is learned about rare species, sensitive habitats, ecosystem interrelationships, and threats, including from development, habitat destruction, and climate change, and as California Native American tribes, cultures and history deservedly require greater recognition, we should expect to see more Reserves.

It is possible, or even likely, there are other locations in the State, and within the State Parks System that have significant natural and cultural resources that warrant classification as a Reserve. But that does not change the fact that it is undeniable that the outstanding natural and cultural resources within the 3,100-acres of Tesla are of statewide significance requiring protection as a Natural Reserve pursuant to PRC 5019.65(a).

F. 2021 Legislation Prohibition of Off-Highway Vehicle Recreation in Tesla is not Limited to Non-Street Legal Combustion Engine Registered OHVs.

In addition to allowing high-intensity recreation uses and facilities development into Tesla which is not allowed under the Reserve statute for natural and cultural resource protection purposes, the concept plans also allow off-highway vehicle recreation which is inconsistent with the 2021 SB 155 legislation. State Parks improperly limits the restrictions of SB 155 to non-street legal combustion engine registered OHVs (gas powered motorcycles, ATVs, and UTVs). However, the legislation is not limited to this narrow subcategory of vehicles used for off-highway vehicle recreation.

The legislation makes clear that Tesla cannot be classified as a SVRA or considered as expansion for off-highway vehicle recreation or motorized access to non-motorized recreation. A SVRA however, such as Carnegie SVRA, allows all types of street legal vehicles in addition to non-street legal vehicles to engage in off-highway vehicle recreation within the SVRA. Cars, trucks, 4x4s, AWD vehicles,

SUVs, dual use motorcycles, e-motorcycles, e- mountain bikes are some of the types of vehicles allowed into Carnegie SVRA and other SVRAs for off-highway vehicle recreation.

Specifically, PRC Section 5090.42 of the 2021 legislation does not allow Tesla to be classified as a SVRA or used for off-highway vehicle recreation. Section 5090.42's intent is clear when read as a whole. Section (b)(1) prohibits classification as a SVRA. Section (c)(1) allocates funds for the "…acquisition and development of properties to expand off-highway vehicle recreation and where quality recreational opportunities for off-highway motor vehicles may be provided. The obvious intent of Section (b)(1) and Section (c)(2) when read together is to provide for acquisition and development of property other than Tesla, which is already acquired, for off-highway vehicle recreation, even if classified as a State Park, State Recreation Area, or any other classification. Section (c)(2) makes the prohibition of motorized recreation at Tesla explicit. It states the Department may consider property under conditions for "off highway vehicle recreation, and potential opportunities of motorized access to nonmotorized recreation." Section (c)(2) then explicitly states "The department shall not consider the Alameda-Tesla Expansion Area in this process." Section 5090.42, therefore, not only explicitly prohibits Tesla from classification as a SVRA but also from consideration for "…off highway vehicle recreation, and potential opportunities of motorized access to nonmotorized recreation" regardless of classification. "Consideration" of Tesla for off-highway recreation or motorized access to nonmotorized recreation in the classification process and as provided in the concept plans is a violation of the statute, and the concept plans as presented would be contrary to the law.

Just as the SB 155 legislation specifically identified planning for the 3,100 acres of Tesla, so too does the legislation specifically prohibit any type of off-highway vehicle recreation or motorized access to non-motorized recreation.

4. CONCEPT PLANS IMPROPERLY KEEP 300+ ACRES OF ADJACENT STATE PARKS LAND THAT SHOULD BE USED FOR HIGH-INTENSITY USES OFF-LIMITS TO THE PUBLIC.

Both concept plans improperly exclude approximately 300 acres of "Other State Parks Property" from public use, except for the potential for 2 nominal uses under Concept#2. The excuses provided by State Parks are not rational, logical or supportable. Keeping this land from public use is an abuse of public funds. The land can and should be made available for public use as described in the Tesla Reserve Concept Plan and in repeated comments by the public.

A. The 2021 Legislation identified protecting Tesla's 3,100 acres, not the adjacent 300+ acres of "Other State Parks Property" north and south along Tesla Road at the expense of Tesla.

Around 2000, State Parks purchased approximately 12 rural residential ranchettes as part of the intended expansion of Carnegie SVRA into Tesla. These ranchettes comprise about 300+ acres referred to here as the "Other State Parks Property." Located north and south of Tesla Road, these 300+ acres were not acknowledged as State Parks land in the 2016 Carnegie/Tesla GP/EIR, and for 25 years the land has remained a no-man's land for State Parks "administrative purposes," unavailable to the public and unconstrained by a General Plan or any plan.

Currently, a large house on one ranchette has been converted to the Diablo Range District headquarters with other facilities added. Another house burned down in the 2015 Tesla Fire, the debris of which remains on site. And a third house is in disrepair. The approximately nine remaining residences are maintained by State Parks and used as housing for State Parks employees. Slide 37 shows the existing development infrastructure which is available to support visitor services.

In addition to the nine residential buildings, this 300+ acres of "Other State Parks Property" is already impacted with areas of development that include the residences and outbuildings, paved and unpaved roads, bridges across Corral Hollow Creek, electrical power access, septic systems, wells providing water, and telephone service. The property is readily accessible from Tesla Road for general access, maintenance and emergency services. These already impacted State Parks lands that are adjacent to Tesla and Carnegie SVRA are ideally situated to provide high-intensity uses that are not appropriate for Tesla's sensitive resources, such as high-intensity recreation and visitor-related facilities (e.g., parking, restrooms, picnic areas, visitor center, cultural center, campgrounds, hiking, biking and equestrian trails). However, State Parks continues to take the position that most of these 300+ acres remain an expansive Administrative Area not available for public uses.

In a perverse switch, the concept plans first identify the planning area as 3,400 acres - combining Tesla's 3,100 acres with the 300+ acres of "Other State Parks Property." Then the concept plans designate most of this 300+ acres off-limits to the public as an "Administrative Area." Finally, the concept plans push all of the new visitor-related facilities, camping, and high-intensity recreation uses and associated development into the heart of Tesla's sensitive resources area rather than in the already impacted and accessible 300+ acres. The inappropriateness of this plan from resource protection, management and operations, cost, and safety perspectives is astonishing.

The position to combine Tesla's 3,100 acres with the 300+ acres of "Other State Parks Property" making Tesla the place for high-intensity uses and development, while leaving the 300+ acres for State Parks and staff uses is not consistent with the 2021 SB 155 legislation. SB 155 specifically identifies Tesla as "approximately the 3,100 Alameda-Tesla Expansion Area." The 2016 Carnegie SVRA/Tesla GP/EIR, which was overturned by the courts, also identified the approximate 3,100 acres of Tesla as the "Alameda-Tesla Expansion Area."

While it is necessary for State Parks to finally be accountable for the 300+ acres of "Other State Parks Property" through a public planning process, it is not appropriate to keep most of the 300+ acres sequestered from public use, while putting high-intensity uses and visitor-related facilities into the largely unimpacted Tesla site, especially given the 2021 legislation.

B. State Parks Reasons for Not Locating Public Uses and Facilities in the 300+ Acres are Not Supportable.

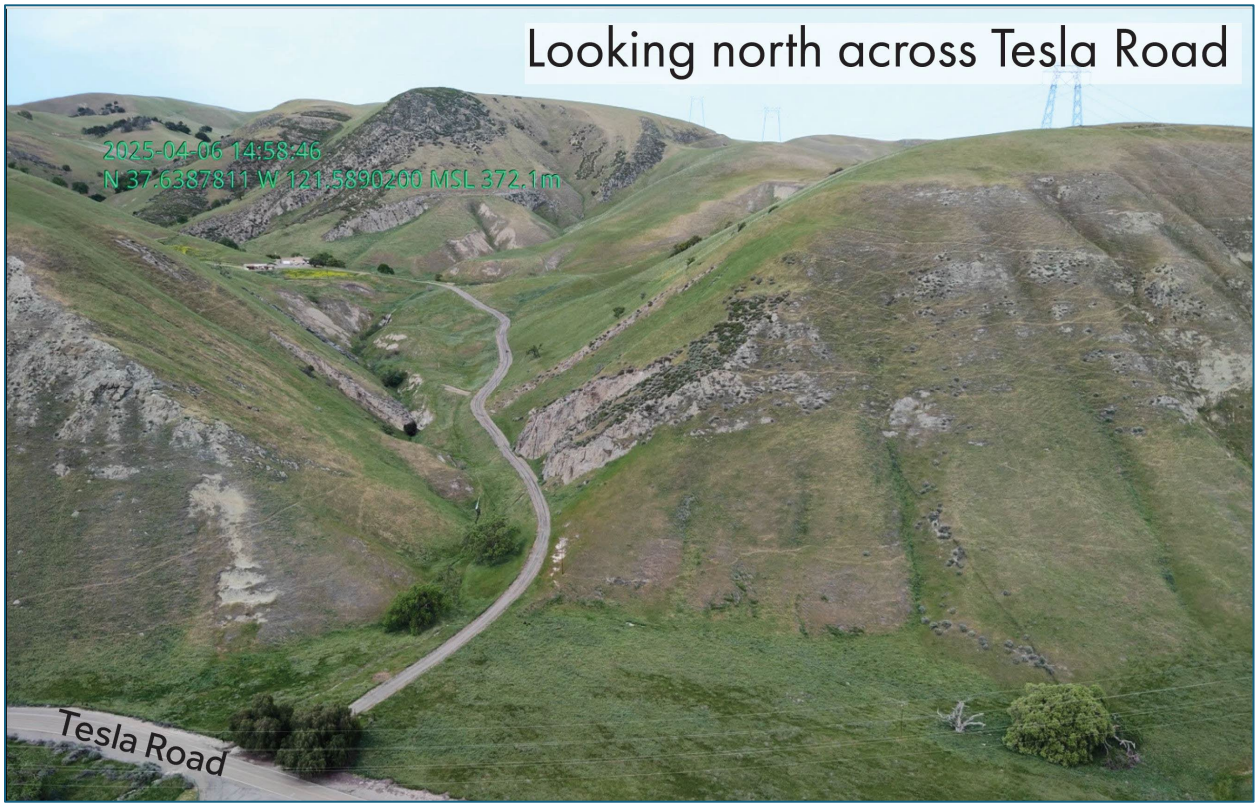
In the September 30, 2025 virtual workshop State Parks tried to justify why the concept plans do not include placing high-intensity uses on the already impacted, readily accessible, less costly to develop and safer 300+ acres. The reasons are not supportable as discussed below.

i. <u>The 300"+ acre area of "Other State Parks Property" is not too steep for public use.</u>

State Parks stated the 300+ acres was too steep for public use. State Parks' own photograph presented in the September 30 virtual workshop shows that the 111.57 acre parcel (APN 99A-2170-2-2) on the north side of Tesla Road is an ideal location for a campground, visitor programs and recreation uses. It has a large flat area that is over 650 yards from Tesla Road that is not visible from Tesla Road. It is accessible year-round with paved road access. This area is surrounded by a large bowl that can accommodate hiking, equestrian trails and biking. It is connected to the 119.15 acre parcel to the east (APN 99A-2200-1-34) which can be used to expand such trails, and which also has a residence and shed. At the 111+ acre parcel, there is an employee residence that has power, septic, water, and telephone service at the site, and other outside buildings. An employee can readily monitor and enforce camping and use rules. The accessibility and existing infrastructure make it an ideal place for a campground, visitor programs, and recreation, and it is a site that is far less costly to develop and maintain than locating these services into the Tesla wildlands.

Further, Concept#2 (dispersed) identifies that this area could be used for Night Sky Programs and a Native Garden. If this area can be used for these purposes, then it can be used for some or all of the other uses and facilities described above. There is more than enough land that is not "too steep" for these uses.

Following is the State Parks photograph of this area clearly showing it is appropriate for such recreational uses and visitor facilities.



(Slide 46 in 9/30 virtual workshop presentation)

In addition to these appropriate and accessible parcels on the north side of Tesla Road, there are several equally appropriate and accessible parcels along the south side of Tesla Road. Not including the District office parcel, these parcels include seven employee residences. The parcels total nearly 100 acres, and range in size from 5.42 acres to 49.3 acres. All of these parcels are already impacted and include access along paved roads and to bridges across Corral Hollow Creek, and have full utility services.

All of these parcels north and south of Tesla Road have accessible areas for recreation and visitor facilities, including areas that are not "too steep." All of these parcels provide ready access for maintenance and first responders from Tesla Road. Dispersed or Clustered camping can be located on or across any of these parcels with access by vehicle, and access to infrastructure services. Walking, biking and equestrian use on existing roads or new paths can be added.

A Visitor Center/Museum and Native American Cultural Center can be located on the parcels nearest the District office parcel which has a large bridge across Corral Hollow Creek ensuring year-round access. Converting 2 of the 3 residences in this area to these visitor facilities would provide a wonderful visitor experience, and the most cost-effective and visitor-appropriate use of the land given location and contours. But even if existing residences are not converted, this is the location where these visitor facilities should be placed with future construction. As part of the interpretive experience of the area, the Tesla Historic District, identified by the State Parks Office of Historic Preservation in 2012, is not even mentioned in the concept plans, but needs to be added and located along Corral Hollow Creek extending east from the Reserve boundary. Walking paths with interpretive elements can be implemented as a guide along the route.

Use of this 300+ acres of "Other State Parks Property" is the most appropriate and efficient course of action because it is already impacted, accessible from Tesla Road, has existing infrastructure that can be used, and thereby ensures the most cost-effective location for such high-intensity uses and facilities.

While the unacceptable damaging impacts to the sensitive natural and cultural resources in Tesla's 3,100 acres are sufficient reason to not locate any high-intensity uses or facilities into the ridgetops and core of Tesla, there are numerous other reasons why use of the 300+ acres is more appropriate and cost-effective. Tesla is much more remote, costly to develop and unsafe. Tesla is steeper with deeper canyons and ravines as Slide 36 shows. There is no power, septic, water or other infrastructure in Tesla's core, including its ridgetops, ridgelines, and canyons. There is not even reliable cell coverage in most locations. Vehicular access for all types of vehicles, including bikes/e-bikes, would require major road improvements of about 2 miles just to get to the ridgetops, and then more road improvements for vehicular travel and trails into areas of planned facilities. The current ranch road to the ridgetops and west side of the Corral Hollow Creek canyon is not passible year-round and it would require major construction to make it so. In the dry season the fire-risk is extreme. With only one long steep access road in and out, the remote location is a public safety risk for people, and the 3,100 acres would be at risk from human-caused fires by vehicles and/or camping activity. Construction of a costly bridge across Corral Hollow Creek at the current ranch road crossing, requiring a CDFW Stream Bed Alteration permit, would be needed to prevent damage to the riparian areas of the creek, and to allow access to the single access road, including during periods of floods. An Incidental Take Permit would be required because the development proposed in the concept plans will result in "take" of state and/or

federally listed species. The cost of development, maintenance and required monitoring and enforcement into the remote 3,100 acres would be prohibitive.

ii. Utility easements do not prevent public use of the 300+ acre area.

Existing utility easements do not cover the entire 300+ acres of "Other State Parks Property", and do not prohibit all uses. Construction of permanent facilities under the utility lines is not needed given the large amount of available acreage and existing structures. Hiking, equestrian trails, biking, parking, and vehicular travel can pass across easement areas and use roads as they already do in Carnegie SVRA and in some areas of the 300+ acres of "Other State Parks Property." Under Concept #2, the Native Garden is an example of a visitor service located within the utility easement showing that such easements are not a barrier to all uses.

iii. Crossing Tesla Road can be made safe.

State Parks stated that locating recreation or visitor services on both sides of the road would be a safety risk for people crossing the road. Visitors accessing facilities on the north and south side of Tesla Road and potentially crossing Tesla Road is a planning factor, but it is one that can be addressed as shown in other locations within the State Parks System and locally.

Examples of other units of the State Parks System that have units or facilities on opposite sides of a public road or highway (with no underpass) include Richardson Grove State Park, Van Damme State Park, and Jedediah Smith Redwoods State Park where signage is used to alert and slow traffic. In the immediate area of the Diablo Range District office entrance and the north parcel entrance across Tesla Road, speed bumps/humps can be added to either side of the entrances. Multiple speed humps are already used to slow traffic a few miles west on the Livermore side of Tesla Road. Reduced speed signs, flashing lights, LED speed monitors, and if needed marked and lighted crosswalks can also be added. Such signage and flashing LED speed lights, and a turn lane have been added on either side of the entrance to LLNL Site 300 a few miles east toward Tracy on Corral Hollow Road. Other traffic calming and safety methods are available and can be implemented to address such issues.

iv. All 300+ acres of "Other State Parks Property" is not needed for Administrative uses.

There is no question that State Parks needs some acreage for offices, maintenance yard and workshop area, and storage buildings. But State Parks does not need 300+ acres for such uses. There is already an existing large residence converted to District offices on the 39.21 acre parcel (APN 99A 2170-2-11) with storage areas and a large multi-use utility/meeting/storage building. On the 119+ acre parcel (99A 2200-1-34), there is already a large shed that is used for materials storage. In the immediately adjacent Carnegie SVRA, there is a large maintenance yard with multiple vehicles of all types, construction materials, multiple pieces of heavy equipment, and other equipment that are used on Tesla and the 300+ acres of "Other State Parks Property." There are offices at the entrance to Carnegie SVRA and across Corral Hollow Road from the SVRA entrance, and expansion of the administrative buildings and maintenance yard is planned in the 2024 Carnegie SVRA General Plan.

Unlike State Parks located in the southern desert or Bodi which are long distances from residential areas in cities or towns, Tracy and Livermore are nearby, only about 15 minutes driving time from the District office. Residences currently used as individual employee housing can be converted to visitor-related facilities and administrative uses. If routine 24-hour staffing is actually required, which is not presently the case, a more efficient concentrated employee housing facility can be constructed or one residence converted for such use. Even if there was some as yet unknown need to reserve some of the existing residences for individual employee housing, each residence does not need surrounding open space that averages more than 34 acres and ranges from 5 acres to 119 acres around it (not including the District office parcel). A standard 1/5 acre residential lot can be established around each residence freeing-up the remainder of the public land for other public uses.

Therefore, the full 300+ acres of "Other State Parks Property" is not needed as an Administrative Area for administrative purposes under any imaginable scenario. Preventing public access and use for recreation and visitor facilities in this area is an abuse of public funds. The vast majority of the 300+ acres of "Other State Parks Property" can and should be made available for public uses, both because it is public land for the benefit of the public, and because it is far more appropriate to use these already impacted accessible lands for high-intensity uses rather than damage the natural and cultural resources of Tesla which would require costly development to add high-intensity uses and facilities deep into its interior.

5. SPECIFIC COMMENTS REGARDING THE ONLINE SURVEY: THE 2 CONCEPT PLANS AND DRAFT PURPOSE AND VISION DECLARATIONS ARE NOT CONSISTENT WITH RESOURCE PROTECTION REQUIRED FOR A RESERVE AND MUST BE REJECTED.

State Parks provided an online survey, October 1, 2025 following the in-person and virtual workshops presenting the two concept plans and the draft declaration of purpose and vision statement. As described in this comment letter, the signees of this comment letter do **not** support the Declaration of Purpose, the Vision Statement, or either of the two proposed Concept Plans. Neither Concept Plan is a plan for a Natural Reserve which has been identified as the preferred classification by the vast majority of public input. Neither concept plan provides the required protection for Tesla's outstanding resources of statewide significance.

Following is our collective response to the survey questions, which is consistent with the responses at the in-person workshop. No public comment was allowed in the virtual "workshop" and the questions were selected for prepared responses. Our responses below should be included in survey results and comments on the concept plans.

A. All 28 Organizations represented in this Comment Letter STRONGLY DISAGREE with the Draft Declaration of Purpose.

We **Strongly Disagree** with the Draft Declaration of Purpose. The draft Declaration of Purpose presented at the workshops does **not** include any language describing that Tesla should be classified as a State Natural Reserve, which is necessary to ensure effective and lasting protection of the entire natural and cultural landscape. The draft statement is vague, ambiguous, allows high-intensity uses, and

could allow additional high-intensity uses and development over time through a Programmatic General Plan.

The Declaration of Purpose needs to clearly state that natural and cultural resource protection is the primary purpose of the new State Natural Reserve.

Following is the Declaration of Purpose that should be adopted for Tesla. A copy is included in the Attachments to this comment letter.

> **Declaration of Purpose for *Hismet Warep State Natural Reserve***
>
> The approximate 3,100 acres of the State Parks' Alameda-Tesla property ("Tesla") will be established as a State Natural Reserve pursuant to Public Resources Code (PRC) 5019.65 named the *Hismet Warep State Natural Reserve*.
>
> The purpose of the *Hismet Warep State Natural Reserve* is to protect and preserve forever all Tribal Cultural Resources, and the highly sensitive and rare natural resources and ecological values of statewide significance that cover the entire landscape.
>
> The *Hismet Warep State Natural Reserve*'*s* irreplaceable natural resources within the Northern Diablo Range include high ridge tops, deep canyons, vital waterways, critical linkage habitat corridor, dozens of protected special-status species, sensitive vegetation communities, designated critical habitats, exceptional biodiversity, climate change refugia, geological elements, and expansive scenic qualities. The Reserve includes important historic resources, including those associated with the historic Tesla town and mine site. The *Hismet Warep State Natural Reserve*, which are the ancestral lands of the Northern Valley Yokuts, Ohlone and other Tribes in the region, holds pre-historic Tribal Cultural Resources which includes the Tribal Cultural Landscape that encompasses the entire site.
>
> The Reserve will serve Indigenous Tribes for ceremonial and spiritual purposes, and for other traditional practices, and the general public for enlightenment, inspiration, and aesthetic enjoyment through low-intensity recreational activities for day-use only, such as hiking, nature and cultural resources appreciation, and interpretive services.
>
> The name *Hismet Warep*, which means "Sacred Earth" in the Ohlone Chochenyo language. provides the guiding principle for protecting and preserving in perpetuity the entire natural and cultural landscape with respect, care and dignity. The Reserve will be managed with the highest levels of protection as an integrated whole, preserving the Tribal significance of the landscape, native ecological associations, unique floral and faunal characteristics, and other natural and cultural features in a condition of undisturbed integrity where resource manipulation is restricted to the minimum required to negate the deleterious influence of man.

B. All 28 Organizations represented in this Comment Letter STRONGLY DISAGREE with the Draft Vision Statement.

Like the Declaration of Purpose, we **Strongly Disagree** with the Draft Vision Statement. The draft Vision Statement is vague about what "*creating access* to the story of this land and its resources for a public of all ages and backgrounds" [emphasis added] actually means in terms of the range of activities/uses and facilities development that would occur within the 3,100 acres of Tesla. The draft does **not** include any language tied to the State Natural Reserve statute, which is needed to ensure durable protection of Tesla's extraordinary natural and cultural resources and its entire landscape.

The Declaration of Vision must also clearly state that natural and cultural resource protection is the primary purpose of the new State Natural Reserve and that the vision is directly tied to full protection as a Natural Reserve.

Following is the Declaration of Vision that should be adopted for Tesla. A copy is included in the Attachments to this comment letter.

Declaration of Vision for *Hismet Warep State Natural Reserve*

The Vision for the *Hismet Warep State Natural Reserve* is as follows:

The *Hismet Warep State Natural Reserve* will be established as a State Natural Reserve pursuant to PRC Section 5019.65(a) and managed to fully protect its natural and cultural resources. The Natural Reserve will display the dramatic and varied natural landscape of the inner coastal Northern Diablo Range that includes convergence of biotic zones where some of California's most unique assemblages of plant and animal species exist together in a relatively undisturbed state, with the overlay of the Tribal Cultural Landscape that served Indigenous People of the region for thousands of years.

The relationship of Indigenous people with the land will be a major theme for the entire *Hismet Warep State Natural Reserve*. Because the Tribal Cultural Landscape, which includes archeological features, exists throughout the *Hismet Warep State Natural Reserve*, co-management agreements with Indigenous Tribes will provide for use by Tribes for ceremonial and spiritual purposes, and for other traditional practices, and will provide a guide for the interpretive experience for the general public.

As allowed under the Natural Reserve statute, general public access will be only for day-use and for low-intensity recreational activities, such as hiking, nature appreciation, and interpretive self-tours and guided tours about the natural, historical and Indigenous landscape of the Reserve. Interpretive signage, materials and educational programs will be provided as appropriate. Trails, primarily using existing ranch roads to minimize disturbance to physical and natural resources, will allow visitors to experience the high ridges, deep canyons, sweeping views, and varied terrain, as well as the historic Tesla town and mine site (part of the Tesla historic district that will extend east beyond the Reserve boundaries along Corral Hollow), and other cultural features, subject to the access conditions established under Tribal co-management agreements.

Beyond its value to the general public, and to current and future generations of the California Native American Community, the *Hismet Warep State Natural Reserve's* resources are scientifically and culturally significant, and will be maintained in a state of undisturbed integrity for further research and study.

C. <u>All 28 Organizations represented in this Comment Letter DO NOT SUPPORT Draft Concept #1 (dispersed).</u>

Concept #1 <u>Does NOT Support</u> our vision for Tesla's 3,100 acres (the Alameda-Tesla property is defined as approximately 3,100 acres by the 2021 SB 155 legislation, not approximately 3,400 acres).

Concept #1 will **<u>not</u>** protect Tesla's biological resources, and it puts new damaging high-intensity uses and new facilities development into the core of Tesla. That must not happen. A real State Natural Reserve plan must be presented.

Fundamental problems with Concept #1, and Concept #2, are presented in this comment letter. In summary, Concept #1:

- Divides Tesla into management zones, including "Sensitive Resources", "Limited Access", and "Focused Access" management zones. This structure is <u>not</u> supported by scientific evidence that shows Tesla's entire 3,100 acres is a "Sensitive Resources" area with highly sensitive, integrated, multi-layered landscape of special-status species, habitats and biological functions. Additionally, there are areas of specific cultural resources within the entire Tribal Cultural Landscape overlay. The entirety of the 3,100 acres must be identified as a "Sensitive Resources" management zone to protect all natural and cultural resources.
- Is based on a set of management zones, uses and development that are inconsistent with the language of the statute defining a State Natural Reserve.
- Puts "Limited Access" and "Focused Access" management zones into the heart of Tesla' 3,100-acre core, including campground and campsites, major road improvements to accommodate vehicular access, parking and other developed facilities and amenities. In addition to road and trail development, camping and associated facilities are added into the heart of Tesla on the ridgetops and north facing ridge. Such facilities cannot be allowed as all of Tesla is a "Sensitive Resources" area.
- Allows biking/e-bikes throughout Tesla in all management zones regardless of resource sensitivity including in the Preserve subclassification area. Biking of any kind cannot be allowed in the 3,100 acres of Tesla, including in the designated Preserve. Permits are an ineffective and meaningless means of control. Such uses must be located in 300+ acres "Other State Parks Property" or Carnegie SVRA.
- Allows other high-intensity uses and associated facilities development throughout Tesla in all management zones regardless of resource sensitivity. Vehicular use, road improvements/development, camping and associated facilities development cannot be allowed in the 3,100 acres of Tesla, including in the one designated "Cultural Preserve." Camping, including in the Cultural Preserve cannot be allowed, except for tribal use <u>only</u> pursuant to co-management agreements. Permits are an ineffective and meaningless means of control. Such uses must be located in 300+ acres "Other State Parks Property" or Carnegie SVRA.

- Appears to locate some facilities in close proximity to the District office, but then extends them far outside to the south/southwest into the north facing ridgeline into Tesla's 3,100 acres. Such uses extending into Tesla's 3,100 acres cannot be allowed.
- Allows destructive uses in the "Cultural Preserve" subclassification area. In the Preserve, there can be no campfires, no biking, no new roads, no trailhead parking or scenic vista parking, and no camping, except for tribal use only. Permits are an ineffective and meaningless means of control. Such uses must be located in 300+ acres "Other State Parks Property" or Carnegie SVRA. Also need to describe the purpose of the Preserve, i.e., to protect the historic Tesla Town/Mine features or Tribal resources or both or other resources.
- Cuts-off over half of the *Critical Linkage Habitat Corridor* that spans <u>all</u> of Tesla, by introducing activities that will disrupt wildlife behavior/use, leaving only a narrow strip on the west side, which would still be subject to disruptive high-intensity uses such as biking and camping. All of Tesla's 3,100 acres is within the *Critical Linkage Habitat (and Wildlife) Corridor*. The entire Habitat Corridor must be fully protected.
- Makes almost the entirety of the 300+ acres of "Other State Parks Property" north and south along Tesla Road off-limits to public uses by designating this area as an "Administrative Area." This is where "Limited Access" and "Focused Access" management zones should be located. Much of this area can be used for high-intensity recreation, interpretive activities, and visitor services, such as campgrounds, trailhead and visitor facility parking, walking paths, biking/e-bikes trails, equestrian trails, Visitor Center, Native American Cultural Center, Night Sky viewing, Native Garden, etc. Additionally, high-intensity uses such as camping and e-biking are also already available immediately adjacent to Tesla in Carnegie SVRA. Two of the employee housing units below the district office and east of the entrance can be converted to a visitor center/museum, and a Native American Cultural Center providing an ideal location for such needed visitor facilities.
- Does not include the Tesla Historic District as identified in a 2012 letter from the State Office of Historic Preservation, identified for State Parks on multiple occasions, and which should run along Corral Hollow Creek in the "Other State Parks Property" east from the Tesla Historic Mine and Town Site within the Reserve and include walking paths with interpretive elements. **This cultural feature must be included in the 300+ acre area.** A copy of the 2012 letter is provided again to State Parks in the Attachments to this letter.

State Parks must provide a Concept Plan for a **State Natural Reserve** consistent with the Natural Reserve statute that explicitly **prioritizes** natural and cultural resource protection while still providing opportunities for low-intensity recreation that are compatible with protection of those resources.

D. <u>All 28 Organizations represented in this Comment Letter DO NOT SUPPORT Draft Concept #2 (clustered).</u>

Concept #2 <u>Does NOT Support</u> our vision for Tesla's 3,100 acres (the Alameda-Tesla property is defined as approximately 3,100 acres by the 2021 SB 155 legislation, not approximately 3,400 acres).

Concept #1 <u>and</u> Concept #2 are basically the same plan with relatively minor differences. Both Concept Plans are essentially the same plan for a "State Park" that will allow high-intensity uses and facilities development throughout Tesla. Similar to Concept #1, Concept #2 will **<u>not</u>** protect Tesla's biological

resources (or cultural resources), and it puts damaging high-intensity uses into the core of Tesla. That must not happen. A real State Natural Reserve plan consistent with the Natural Reserve statute must be provided.

The above list of problems for Concept #1 also applies here to Concept #2. Additionally:

- The primary differences between the two concept plans is whether there are Dispersed or Clustered camping/campgrounds, and the location and size of the Focused Access zones are slightly different. Neither of the concept plans, however, substantially lessens the resulting adverse impacts to Tesla's natural and cultural resources because they both add vehicular traffic, camping, bikes/e-bikes and associated facilities development into Tesla's 3,100 acres.
- Like Concept Plan #1, Concept Plan #2 should also site high-intensity uses within the adjacent 300+ acre "Other State Parks Property", and also use Carnegie SVRA for such activities.
- Concept Plan #2 demonstrates that the 300+ acres "Other State Parks Property" can be used for public recreation and facilities because it places a Night Sky program and Native Plant Garden in this area on the land on the north side of Tesla Road. This demonstrates that other high-intensity recreation and facilities development can be located in the 300+ acres, instead of pushing damaging uses into the 3,100 acres of Tesla.

State Parks must provide a plan for a **State Natural Reserve** that complies with the Natural Reserve statute, and makes natural and cultural resource protection the **purpose and priority** while still providing opportunities for low-intensity recreation compatible with fully protecting those resources.

E. <u>Amenity Preferences Question as presented is confusing and will yield confounded responses. It should provide a clear option to state "amenities" that should only be present within Tesla's 3,100 acres – pedestrian trails, viewpoints on trails, and interpretive activities versus other locations.</u>

This question is <u>poorly structured and misleading</u> as it does not provide the survey taker the ability to state they might be interested in a particular activity (amenity), but only in specific locations (300+ acres "Other State Parks Property" vs. 3,100 acres of Tesla). It also uses confusing/undefined/partially overlapping terminology in the amenity lists making accurate selection impossible. It should be thrown-out of survey responses because, as structured, it will misrepresent the actual desires of survey takers and yield confounding results.

That said, following is our collective response based on the type and location where "amenities" are placed.

i. <u>The ONLY "amenities, as the term is used in the survey, which would be appropriate in the 3,100 acres of the Tesla are:</u>

- Viewpoints - *from the trails for pedestrian use only*
- Interpretive Activities - *which can include signage on the trails, trail maps and self-guided and guided interpretive tours*

- Trails for pedestrian use only (hiking, walking, jogging, or running) - *Existing ranch roads should be used with minimal modification required for short trail connections and to avoid particularly sensitive resources.*

The above listed "amenities" are the <u>only</u> amenities listed that should be located within Tesla's 3,100 acres.

ii. <u>Other listed "amenities" that would **NOT** be appropriate within the 3,100 acres of Tesla are:</u>

- New Loop Trail From Visitor's Center to Existing Ranch Road Trails
- Trailhead Parking
- Picnic Tables
- Dry Campground by Reservation/Permit (clustered concept)
- Individual Dry Campsites by Reservation/Permit (dispersed concept)
- Visitor Center
- Native Plant Garden with Interpretive Trail
- Night Sky Program Areas
- Standalone Restroom
- Equestrian Staging
- Trails for shared use by pedestrians and bicyclists
- Trails for shared use by pedestrians and equestrians
- Multi-use trails for shared use by pedestrians, bicyclists, and equestrians

<u>None</u> of the above listed amenities should be located within Tesla's 3,100 acres. Also, some listed "amenities" are not defined and unable to accurately respond.

iii. <u>If included at all, "amenities" that should ONLY be located within the 300+ Acres' of "Other State Parks Property", or facilities within Carnegie SVRA are:</u>

- Visitor Center - *there should also be a self-serve kiosk and museum, which is not in the list.*
- Native American Cultural Center
- Trailhead Parking –*Parking area for Visitor Center and Native American Cultural Center.*
- Picnic Tables
- Restrooms
- Camping - Dry Campground or Individual Campsites
- Trails for biking/e-bikes
- Equestrian facilities and trails
- Night Sky Program Area
- Native Plant Garden
- *Other facilities, such as a gathering place for group presentations and school bus parking have also been mentioned, but which are missing from poorly structured list, can and should also be located in this area.*

These amenities should <u>only</u> be located within the 300+ acres of "Other State Parks Property, or Carnegie SVRA.

6. <u>THE TESLA RESERVE CONCEPT PLAN PROVIDES THE BASIS FOR A NATURAL RESERVE CONCEPT PLAN</u>

In January 2025 members of our coalition met with State Parks to present and discuss our comprehensive ***Tesla Reserve Concept Plan***. The document describes the purpose, vision, and key elements/components of the Reserve plan, and reasons for Tesla to be established as a Natural Reserve under PRC Section 5019.65(a). We also provided State Parks with the plan and its details on other occasions, including in our NOP comment letter of February 13, 2025.

We requested that a Natural Reserve Concept Plan for Tesla be included in the workshops that were ultimately held last month. Unfortunately, as discussed above, a Reserve Concept Plan consistent PRC Section 5019.65(a) and the irrefutable scientific evidence was not presented, but one should now be prepared.

Using a regional approach to achieve regional balance, the ***Tesla Reserve Concept Plan*** is organized around four (4) key planning areas, including the 3,100-acre Tesla Reserve classified as a single unit pursuant to PRC 5019.65(a), the 300-acre "Other State Parks Property," the existing Carnegie SVRA, and the Tesla Historic District which overlays parts of the Reserve, "Other State Parks Property" and Carnegie SVRA.

The main elements of the **Tesla Reserve Concept Plan** are:

1. **Establish the 3,100 acre Tesla Natural Reserve pursuant to PRC Section 5019.65(a)**

    a. Give Tesla Reserve the Native American Name *"Hismet Warep"* meaning *"Sacred Earth"* in Ohlone Chochenyo language.

    b. Manage Reserve for maximum Natural and Cultural Resource Protection.

    c. Co-Manage the Reserve with Indigenous Tribes to ensure protection of the entire Tribal Cultural Landscape, including, but not limited to discrete archeological features; approval of trail and access routes so as not to impact specific tribal resources; development of appropriate interpretive materials, tours, and programs; completion of comprehensive ethnographic and ethnobiological research, and tribal access for traditional practices.

    d. Provide Low-Intensity Recreation for public access for day-use only primarily using existing ranch roads within the 3,100-acre Reserve to include hiking and interpretive services, subject to b. and c. above.

e. Locate Reserve Entrance at Diablo Range District Office Entrance, using the "Other State Parks Property" for visitor facilities and high-intensity recreation uses.

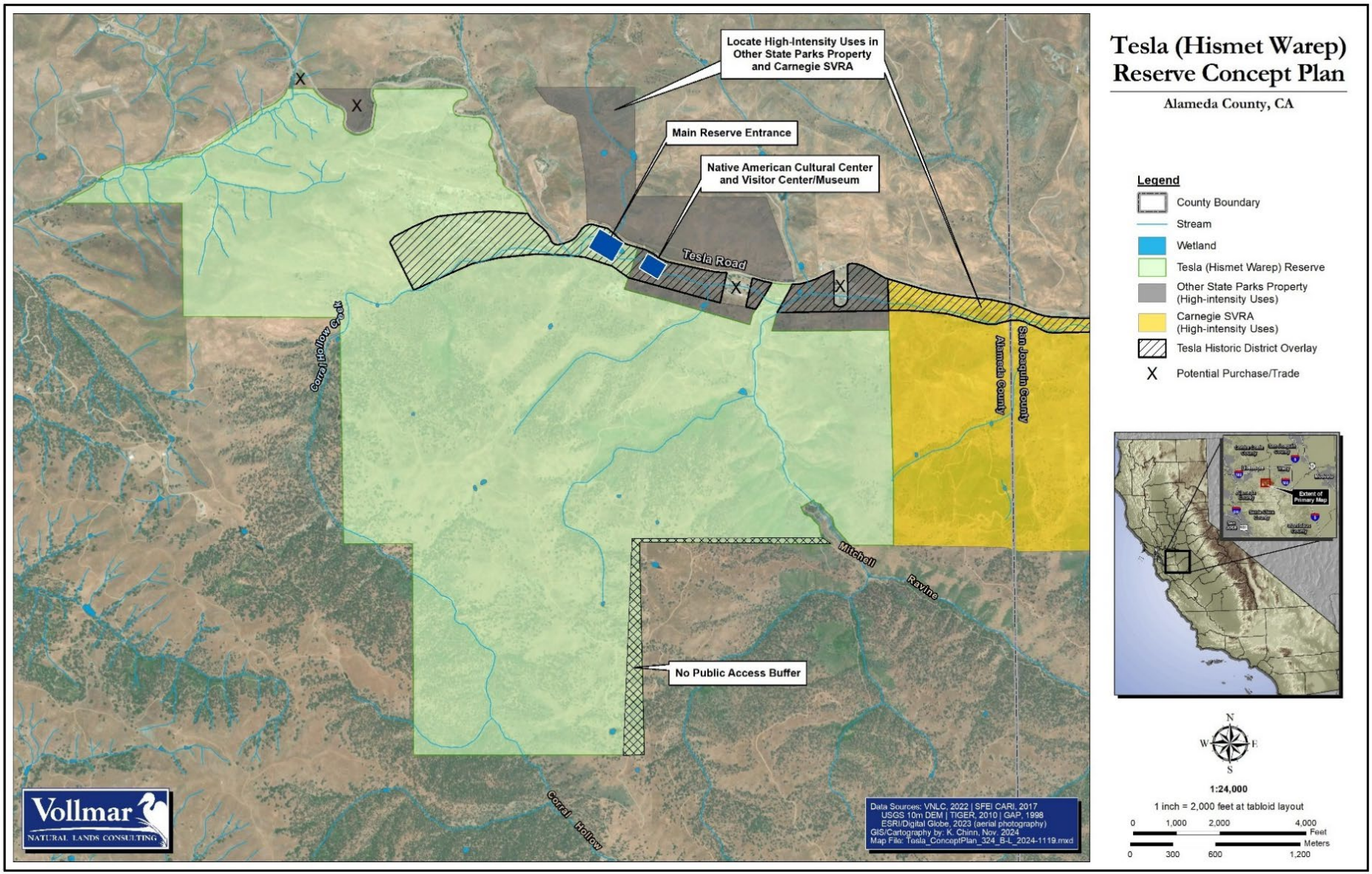
2. **Use the adjacent already impacted 300+ acres of "Other State Parks Property for high-intensity recreation and visitor facilities, such as campground, visitor center, Native American Cultural Center, hiking, biking and equestrian trails.**

3. **Use the existing Carnegie SVRA for high-intensity uses, including the campground, and biking/e-biking which already occur in the SVRA.**

4. **Establish the Tesla Historic District Overlay that includes not only the Preserve containing the historic Tesla town and Mine site, but also the area east along Corral Hollow Creek identified in the 2012 letter from the State Parks Office of Historic Preservation.**

No camping and campgrounds, vehicular driving, biking of any kind, drones, geocaching, nighttime programs and dogs would be allowed within the Reserve, but could be accommodated within the adjacent 300+ acres of "Other State Parks Property," subject to resource reviews and protecting the integrity of the Tesla Historic District, and in Carnegie SVRA.

A copy of the ***Tesla Reserve Concept Plan*** is included in the Attachments to this comment letter. The map from the plan follows to display key elements of the Natural Reserve plan.


Tesla (Hismet Warep) Reserve Concept Plan
Alameda County, CA
Locate High-Intensity Uses in Other State Parks Property and Carnegie SVRA
Main Reserve Entrance
Native American Cultural Center and Visitor Center/Museum
Tesla Road
Corral Hollow Creek
Alameda County
San Joaquin County
Mitchell Ravine
No Public Access Buffer
Corral Hollow
Legend
County Boundary
Stream
Wetland
Tesla (Hismet Warep) Reserve
Other State Parks Property (High-intensity Uses)
Carnegie SVRA (High-intensity Uses)
Tesla Historic District Overlay
Potential Purchase/Trade
Extent of Primary Map
N
W
E
S
1:24,000
1 inch = 2,000 feet at tabloid layout
0 1,000 2,000 4,000 Feet
0 300 600 1,200 Meters
Vollmar
NATURAL LANDS CONSULTING
Data Sources: VNLC, 2022 | SFEI CARI, 2017
USGS 10m DEM | TIGER, 2010 | GAP, 1998
ESRI/Digital Globe, 2023 (aerial photography)
GIS/Cartography by: K. Chinn, Nov. 2024
Map File: Tesla_ConceptPlan_324_B-L_2024-1119.mxd

7. THE CONCEPT PLANS DO NOT HONOR OR COMPLY WITH THE DIRECTION OF INDIGENOUS TRIBES.

It is of great concern that the concept plans do not reflect the input provided by Indigenous Tribes as presented in public meetings and letters. Specifically, Tribal representatives in public meetings and letters have identified the need to preserve the entire Tribal Cultural Landscape which overlays all of Tesla's 3,100 acres, not just the few specific archeological features thus far identified. Just as the concept plans do not protect the natural landscape, they also do not protect the Tribal Cultural Landscape or even locations of some archeological features. The addition of high-intensity uses and facilities development within the Tribal Cultural Landscape and in proximity to specific Indigenous resources do not comply with the direction provided by Indigenous Tribes.

With regard to Naming, it is similarly troubling to see State Parks minimize as a footnote the voluminous input calling for Tesla to be named Hismet Warep as identified by Tribal leaders. Based on a review of the hundreds of written letters and emails received by State Parks from the public that were obtained through a PRA request, and through the Visioning process, and subsequent meetings and letters, we know that there is no comparison to the vast number of people calling for Tesla to be named Hismet Warep versus the handful of other suggestions. Why is it that State Parks is ignoring the input from Indigenous leaders, which is also supported by the vast majority of the general public input?

Lastly, State Parks uses "dual-mandate" and the need to "balance" uses in order to achieve "equity" of use, as an excuse for pushing high-intensity recreation, including biking and camping, and associated infrastructure and facilities development into Tesla, over the stated wishes of Tribal leaders to protect all Tribal Cultural Resources, which includes the entire 3,100-acre Tribal Cultural Landscape. Not only are the excuses of "dual-mandate," "balance," and "equity" objectively unsupportable as explained above, but they are also selfishly cruel.

Considerations of "dual-mandate," "balance" and "equity" are not needed to ensure high-intensity recreation access or parity for camping and biking and similar uses. There are literally dozens of other local, regional and state parks that provide active and intensive recreation activities. But the same is not true for the calls from the Native American community to fully protect their Tribal Cultural Resources and to honor their heritage. State Parks pays lip service to complying with the direction provided by Tribes, but State Parks has not provided a plan that is consistent with what Tribes have identified is needed to protect their cultural resources and Tribal landscape. State Parks is not meeting the charge laid-out in State policies to right historical wrongs and seek restorative justice. Rather, State Parks responds that they have "consulted" with Tribes and then hides accountability behind confidentiality, skirting the need to actually comply with the consultative direction received.

The real equity due in this process is to Indigenous Tribes and Native American communities that are calling for protection of the entire Tribal Cultural Landscape and other tangible requirements to ensure protection of all Tribal Cultural Resources and what little remains of their heritage, and not to biking and motorized recreation interests. In addition to the reasons described above in this comment letter, establishing Tesla as a Reserve is needed to meet the demands of Indigenous leaders presented in numerous public meetings and letters.

8. STATE PARKS HAS AN UNPARALLELED OPPORTUNITY TO SHOWCASE THE STATE'S COMMITMENT TO PRESERVING BIODIVERSITY AND RESTORATIVE JUSTICE.

State Parks has a better path forward than what has been proposed in the two concept plans that were presented in September, and that is to provide a third plan for a State Natural Reserve that is clearly consistent with the PRC 5019.65(a).

It is misleading to state that either of the plans presented is consistent with PRC Section 5019.65(a) that describes a State Natural Reserve. The manner in which the two concept plans have been presented, the manner in which the questions were posed during the in-person workshop held September 20, 2025, the prepared question responses provided in the virtual workshop on September 30, 2025, and the manner in which the online survey questions and available responses were constructed, are clearly biased in favor of a high-intensity use State Park classification.

If State Parks truly wanted to offer the public the opportunity to state a preference for a State Natural Reserve, then a concept plan with management zones that are consistent with PRC Section 5019.65(a), and which did not include high-intensity uses, major road improvements, and development of facilities within the heart of Tesla's 3,100 acres would have been offered.

If State Parks truly wanted to offer the public the opportunity to state a preference for a State Natural Reserve, then a concept plan that allows for higher-intensity uses, facilities and infrastructure on the 300+ acres of "Other State Parks Property" would have been offered. And for responses to the online survey 'amenities" question, the public would have been provided a clear option to identify where they thought "amenities", if any, should be located – e.g., within the 3,100 acres of Tesla, 300+ acres of "Other State Parks Property", Carnegie SVRA.

We urge State Parks to revisit the concept plan process, and provide a Natural Reserve concept plan consistent with PRC Section 5019.65(a) where the purpose of the plan is to protect natural and cultural resources while providing appropriate resource-compatible low-intensity recreation.

There is a better path forward for State Parks. It is a path that could take the State's commendable stated goals regarding protection of biodiversity and restorative justice from words on paper to real on-the-ground implementation. The only way to do so in a meaningful and lasting way is to recognize and embrace this tremendous opportunity to establish the first State Natural Reserve in the Diablo Range District - a State Natural Reserve that recognizes the entire Tribal Cultural Landscape and the irreplaceable natural and cultural resources that are part of it. We hope that State Parks will act on this opportunity to create a real regional balance of outdoor experiences for the public in the Corral Hollow Canyon, a balance that also meets its duty to protect outstanding natural and cultural resources of statewide significance, and to provide real equity for California Native American tribes.

The *Hismet Warep State Natural Reserve* can, and should be, a shining success story for State Parks, for our region, and for the entire State of California. We continue to stand ready to work with the Department and help make that happen.

To this end, we request to meet with the planning staff again to thoroughly discuss details of the concept plans, our comments in this letter, and the need to present a plan for a Natural Reserve that fully complies with PRC Section 5019.65(a) for public review.

Thank you.

Sincerely,

(signers for organizations listed on next page)

Nick Jensen, PhD
California Native Plant Society

Chad Aakre
California Native Grasslands Association

Edward S. Clement Jr.
Save Mount Diablo

Nancy Rodrigue
Friends of Tesla Park

Kerry Kriger, PhD
Save the Frogs!

Beth Wurzburg
East Bay California Native Plant Society

Juan Pablo Galvan Martinez
Mount Diablo Baird Alliance

Tamara Reus
Friends of Open Space & Vineyards

Pamela Flick
Defenders of Wildlife

Jakob Evans
Sierra Club California

Christy Fischer
Trust for Public Lands

Rebecca Spector
Tri-Valley Conservancy

Carin High
Citizens Committee to Complete the Refuge

Martha Morrow
Ohlone Audubon Society

Jeff Kent
Regional Parks Association

Jeff Miller
Alameda Creek Alliance

Janet Cobb,
California Oaks and
California Wildlife Foundation

Will Bolton
Livermore Heritage Guild

Marilyn Russell
Tesla Road Residents Alliance

Glenn Phillips
Golden Gate Bird Alliance

David Fries
San Joaquin Audubon Society

Lee Younker
Friends of Livermore

Elizabeth Reid-Wainscoat
Center for Biological Diversity

Norman La Force
SPRAWLDEF

Arthur Hull
Livermore Hilliker

Zoe Siegel
Greenbelt Alliance

Lawrence Abbott
North San Joaquin Valley, California Native Plant Society

cc:
Senator Jerry McNerney, Jerry.McNerney@sen.ca.gov , Katerina.Robinson@sen.ca.gov
Assemblymember Rebecca Bauer- Kahan, Rebecca.Bauer-Kahan@asm.ca.gov , Michelle.Henry@asm.ca.gov

ATTACHMENTS:

The following documents, which are incorporated into and submitted as an integral part of this comment letter, and which need to be specifically considered as part of these comments, are available at this Dropbox link:

https://www.dropbox.com/scl/fo/qnym8sxaq1h9il6mu9een/ALn0pHrmfIiSin7GEYePxmE?rlkey=9d70u18ce8mxlg547j3hjarrx&dl=0

1. "Reserve Classification of California State Parks Alameda-Tesla Property, Alameda County, California based on an Assessment of Biological Resources and the Effects of Recreational Activities on those Resources" updated September 1, 2025

2. "Scientist Consensus Statement on Tesla," September 1, 2025

3. Tesla Reserve Concept Plan, January 24, 2025

4. Tesla Reserve Declaration of Purpose and Declaration of Vision

5. "2015 Technical Memorandum - An Independent Impact Analysis using Carnegie State Vehicular Recreation Area Habitat Monitoring System Data"

6. December 7, 2012 letter from State Parks OHP recommending application for DRPH listing of Tesla Mining and Industry Historic District.

ADDENDUM:

Additional information about the ***Tesla Biological Assessment***, ***Technical Memorandum*** and ***Scientist Consensus Statement on Tesla*** is documented in this Addendum and is incorporated into and made an integral part of this comment letter.

The Tesla Biological Assessment and Technical Memorandum Document Tesla has Exceptional Biodiversity and Abundant Sensitive Natural Resources of Regional and Statewide Significance, and impacts from recreation uses, that Necessitate Protection of Tesla with Natural Reserve Classification

The ***Tesla Biological Assessment*** and ***Technical Memorandum*** provide comprehensive information to document baseline conditions of all biological resources in Tesla and extend far beyond a species inventory list. The reports are extensively sourced, peer reviewed comprehensive evaluations of the biological resources in Tesla needed for the GP/EIR baseline and impacts analysis. There is no other report or analysis, prepared by State Parks or anyone else, that has provided such a comprehensive assessment of the biological resources in Tesla, and the impacts from recreation uses.

Given this scientific foundation, the ***Tesla Biological Assessment*** concludes that Natural Reserve classification has the least environmental impact, and best protects Tesla's exceptional biological resources.

The ***Tesla Biological Assessment*** documents the extraordinary and overlapping layers of biodiversity and ecosystem functions that blanket the 3,100 acres of Tesla. Tesla has one of the highest levels of biodiversity in the entire State of California. Tesla occurs in the northernmost canyon of the Southern Coast Ranges in a convergence zone between the hot, arid San Joaquin Plain and the cool, mesic Pacific Coast. This unique combination of geographic position and climatic regime supports an unusual and rare assemblage of plants and animals, including 45 special-status rare plant species, one of which may be a previously undescribed species, 56 additional local watchlist species that are known or expected to occur at the site, and 9 Sensitive Natural Communities. Animal diversity documented at or near Tesla includes 55 special-status animals, which includes two protected insect species, and three species detected nearby and with suitable habitat in Tesla. Of the special-status wildlife species, 33 have been identified as Species of Greatest Conservation Need by the California State Wildlife Action Plan. Because many of the species at Tesla are at the northern, eastern, or western edge of their respective ranges and do not co-occur elsewhere, Tesla's biological communities are unique and irreplaceable.

The ***Tesla Biological Assessment*** further summarizes scientific literature that describes the direct, indirect, and cumulative impacts of recreational use and facilities development on the physical and biological environment. It identifies the damaging impacts recreational activities and development will have on Tesla. It proves that Tesla's exceptional biodiversity of statewide significance, uniquely intact ecosystem, and related biological functions at a landscape level warrant extraordinary care when determining land use for Tesla.

The GP/EIR must thoroughly document the baseline and then evaluate the impacts of different types and intensities of uses (under classification and RMAs for the Project and Alternatives) to provide an accurate assessment of the environmental impacts of the Project. This comprehensive baseline and impacts analysis cannot be fragmented, piecemealed or deferred.

As described within the body of this comment letter, classification whether a separate upfront determination or a combined process with the GP/EIR, establishes the type and intensity of uses that will be allowed in Tesla. Based on the ***Tesla Biological Assessment,*** and the available statutory classification options, Natural Reserve classification under Public Resources Code 5019.65(a) is determined to have the least environmental impact on the extensive rare and sensitive biological resources in Tesla, and to best protect those resources.

The ***Tesla Biological Assessment*** (and ***Technical Memorandum***) provides the natural resource baseline and impacts analysis assessment that should have been done by State Parks.

The conclusion that Natural Reserve classification is the statutory option that best protects natural and cultural resources is a fact that cannot be refuted.

Coupled with low-intensity recreation that is allowed within a Reserve, and high-intensity uses that are and can be added in the adjacent 300+ acres of "Other State Parks Property" and Carnegie SVRA, Tesla classified as a Natural Reserve both best protects resources and provides for public access and uses in locations that are appropriate given existing impacts.

Tesla Biological Assessment validated by Scientist Consensus Statement on Tesla

In addition to being extensively sourced, and peer reviewed, the ***Tesla Biological Assessment*** has been further validated by over 40 academics and scientists in the ***Scientist Consensus Statement on Tesla***. Because of the extraordinary natural resources present in the Tesla area, that have been the subject of decades of research and that should be protected to the highest degree possible, several top University of California Professors, other academics and scientists joined in a Scientist Consensus Statement reinforcing the evidence in the ***Tesla Biological Assessment*** and supporting classification of Tesla as a Natural Reserve.

The ***Tesla Biological Assessment, Technical Memorandum*** and ***Scientist Consensus Statement on Tesla*** are included in the Attachments Dropbox folder link so that they can be specifically addressed by State Parks.

https://www.dropbox.com/scl/fo/qnym8sxaq1h9il6mu9een/ALn0pHrmfIiSin7GEYePxmE?rlkey=9d70u18ce8mxlg547j3hjarrx&dl=0