

# PARC Newsletter

Preserve Area Ridglands Committee

Summer 2005



## Notes from the president

BY MARGARET TRACY

After a period of dormancy, PARC is reviving.

One focus requiring our efforts is in opposing the proposed Apperson Ridge Quarry with its threat to wildlife. (See "Sunol" story by Neil Davies, right.)

Another key issue is the Pardee Homes/Weyerhaeuser's desire for 2,450 dwelling units in the North Livermore Valley outside the urban limit line that was approved by Livermore voters. This development proposal will be on Livermore's Nov. 8 ballot. (See article below.)

To assist PARC's renewed commitment to activism, new Webmaster Joe Humbert of Oakland is working on a new Web site for the group. Details on its launch will be in our fall newsletter... stay tuned! PARC also welcomes new newsletter editor Stephanie Ericson of Dublin.

New blood, especially younger members, are needed to carry on the fight to preserve precious natural resources such as that Ridglands for future generations.

PARC's next board of directors meeting is Wednesday, Aug. 31 at 7:15 p.m. at the home of Richard Cimino, 1281 Ridgewood Road in Pleasanton. Call (925) 462-6418 for directions.

## New coalition to fight industrialization of Sunol

by Neil Davies

Preserve Area Ridglands Committee (PARC) has joined with three other organizations, Save Our Sunol (SOS), Stop the Dump in Sunol (SDS) and the Alameda Creek Alliance (ACA) in a coalition to intensify efforts to save the rural character, open space and wildlife habitat of the Sunol Valley. The groups are uniting to combat continuing industrialization of the Sunol Valley, including two large-scale quarries and a compost dump approved by Alameda County. PARC is particularly opposed to the planned Apperson Ridge Quarry.

In 1984, Alameda County approved the Apperson Ridge Quarry, a hard rock mine proposed east of the Sunol Valley, midway between Sunol Regional Wilderness and San Antonio Reservoir. Oliver de Silva, Inc. plans to soon begin mining and destroy 680 acres of prime wildlife habitat in the heart of the home range of the San Antonio tule elk herd. Daily dynamite blasting will be heard in

Sunol Wilderness Regional Park and the town of Sunol, and up to 1,000 trucks per day will be added to traffic on Calaveras Road.

Alameda County conducted the EIR for the quarry in 1984. Since that time the Alameda whipsnake, California red-legged frog, and California tiger salamander, all inhabiting the quarry site, were listed under the Endangered Species Act. Despite inadequate or non-existent mitigations for the quarry's impacts on these species and the elk herd, the county has refused to conduct further environmental review before allowing the quarry to go forward.

Since 1991, SOS led the fight to prevent Mission Valley Rock Company from excavating a 240-foot deep gravel pit over the next 45 years in the Water Temple Field. This is publicly-owned prime agricultural land north of Highway 680, adjacent to the town of Sunol. SOS has led unsuccessful litigation seeking enforcement of Measure D, which disallows new quarries in

(continued on page 2)

## Pardee Project Threatens Livermore Quality of Life

Livermore is a very special place. The surrounding beauty and strong sense of community that we all cherish are not accidental. For years we have worked together to maintain our small town character through focused, smart planning. A development initiative to approve a 2,450 unit housing project in North Livermore Valley – twice the size of Springtown – will be on the November ballot.

The expected negative impacts of this so-called "Livermore Trails" development by Pardee Homes are many. If the measure passes, it will gridlock Livermore by adding

an estimated 38,000 vehicle trips per day, clogging 16 intersections. Moreover, the 8,000 more residents will arrive in need of city services, burdening fire, police, parks and schools already pressed to the limit. Taxpayers will be left holding the bag for the additional needed infrastructure support, intersection widening, new equipment and on-going operations.

The current North Livermore Urban Growth Boundary was designed to preserve open space adjacent to

(continued on page 2)

## Thank you, George and Harvey!

Special thanks for dedication and long-time service to PARC are due to:

Dr. George F. Bing, administrator of The PARC FUND, the 501(c)(3) tax deductible organization which receives contributions for major educational and outreach programs; and to

Dr. Harvey I. Scudder, PARC Treasurer, who developed forms and processes to aid our financial functions.

Both men served the better part of two decades, sharing the vision of preserving natural resources of the Mt. Diablo Range Ridglands. May George and Harvey enjoy a well earned retirement at last!

## Sunol

*continued from page 1*

unincorporated areas without a vote of the electorate. Visit the SOS web site at [www.sunol.org](http://www.sunol.org).

The ACA was formed in August of 1997 after steelhead trout in the Central California Coast were listed as a federally threatened species. ACA works to protect and improve the habitat for endangered, threatened and native species and to restore the natural ecosystems of the Alameda Creek watershed. It has led efforts to restore salmon and steelhead trout to Alameda Creek and the Sunol Valley. The ACA has also been alerting Bay Area residents to the devastating impact the Apperson Quarry will have on Sunol's wildlife and attempting to have the county reopen the environmental review process for the quarry. Visit the ACA web site at [www.alamedacreek.org](http://www.alamedacreek.org).

SDS was formed last summer to challenge a proposed 40-acre compost dump on SFPUC land on Andrade Road next to the driving range in Sunol. The Alameda County Waste Management Authority is moving forward at an alarming pace to build this recycling dump, misclassified as a composting facility, which will initially accept over 600 tons of rotting food

daily. This will release more than 52 tons of ammonia into the air and our water system, with the amount easily doubling or tripling over time. The EIR for the project lists 12 unavoidable significant environmental impacts, including litter, toxics, an inconceivable odor and infestations resulting in potential health problems for people living miles away. It will also generate an extra 500 truck trips per day on local roads and freeways. Currently the site, open space grassland, is habitat for numerous rare birds of prey. Visit the SDS web site at [www.stopthedumpin.sunol.org](http://www.stopthedumpin.sunol.org).

In reviewing the cumulative environmental impacts of these projects, the coalition groups now realize that the potential devastation of the Sunol area is far greater than any one group had previously believed. Relying on the county or the courts to enforce Measure D has not been successful thus far in preserving agricultural open space in the Sunol Valley. The coalition will be pursuing a long range strategy to protect the region. They urge the citizens and local governments to support the struggle in preserving this piece of heaven. ♦

## Pardee development

*continued from page 1*

Livermore and to locate new housing in the city's core. A breach in this boundary will likely bring developers lining up with projects even larger.

Pardee Homes, a subsidiary of Weyerhaeuser, Inc., has already spent nearly a million dollars to persuade Livermore residents the project is good for our town. Because we know that the project is in fact a bad trade-off for Livermore, a group of dedicated residents is organizing to fight the Initiative. We need money and volunteers. Won't you join us? Here's what you can do:

1. **Be informed.** Check out our Web site at [www.friendsoflivermore.org](http://www.friendsoflivermore.org)
2. **Make a contribution,** payable to Friends of Livermore Committee, 1141 Catalina Drive #263, Livermore, CA 94550
3. **Volunteer to be a precinct captain.**
4. **Join our visibility team at the farmer's market and events around town and help to recruit volunteers to walk precincts and to phone neighbors.** Telephone: (925) 606-6616
5. **Deliver lawn signs and put one up at your house.**
6. **SAVE THE DATE: Campaign Kick-off evening of September 9th.**

If we all do our part, we can defeat this Initiative. Please start by making a contribution today.

*Bob Baltzer                      Susan Edgar-Lee  
Jean King                        Clay Widmayer*

### Friends of Livermore Committee

(FPPC ID #1274304)  
1141 Catalina Dr. #263  
Livermore, CA 94550

## Outdoor clubs convene in Oregon —and your're invited!

By Margaret Tracy

The Federation of Western Outdoor Clubs (FWOC) is holding its 74<sup>th</sup> annual convention August 26-28 at a location east of Portland Oregon. Its theme is "Lewis and Clark—Their Legacy and Our Challenge," in honor of the bicentennial commemoration of the famous expedition's exploration of the Columbia River area. It is co-hosted by Friends of the Columbia Gorge and the Chinook Trail Association.

PARC is a member of FWOC, so PARC members are welcome to attend. FWOC promotes "the proper use, enjoyment and protection of America's scenic wilderness and outdoor recreation resources."

The convention will be held in the Menucha Retreat and Conference Center, Corbette, OR, a lovely

estate that was the summer home of department store magnate Julius Meier and now owned by a local church. It lies inside the Columbia River Gorge National Scenic Area.

The cost for registration, meals and dorm style lodging is \$125. For



semi-private room rates and other convention information, including registration form, schedule and proposed resolutions, visit FWOC's Web site.

*For more information:*  
Visit [www.federationofwesternoutdoorclubs.org](http://www.federationofwesternoutdoorclubs.org)  
Or contact FWOC president Winchell T. Hayward  
Phone: (415) 386-6544  
Email: [winhayward@mailbug.com](mailto:winhayward@mailbug.com)

## Palomares

(continued from page 4)

struggle, especially your participation in public meetings.

I would like to take this opportunity to welcome everyone to visit and enjoy the Canyonlands at various events during the year. The annual Palomares Creek Watershed Festival is held at Palomares School in April or May, and we are proud to be able to do our small part in the annual Audubon Christmas Bird Count in December. Lastly, you owe it to yourselves to visit the local wineries hidden away in Palomares Canyon and enjoy a quiet moment there. Please be extra careful when driving in our area, neither the deer nor turkey look both ways before entering the roadway.

*Daniel Jones is president of the Palomares Canyon Homeowners Association*

---

## HELP SAVE THE RIDGELANDS!

### Join PRESERVE AREA RIDGELANDS COMMITTEE

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_ Zip \_\_\_\_\_

Dues: \$15 per year—make checks out to "PARC."  
Additional contributions welcome—make out to "The PARC FUND."  
Contributions, but NOT dues, are tax-deductible.

**Mail to:**

PARC  
c/o Jim Day  
745 Cardinal Drive  
Livermore, CA 94551-4238

For information about PARC, contact  
Margaret Tracy at (925) 447-0115 or  
Susan Yalom at [suyal@comcast.net](mailto:suyal@comcast.net)

I can help (please check)

- circulate petitions
- develop membership
- raise funds
- prepare mailings
- take photographs
- lead field trips
- write to elected officials
- present slide shows or displays
- follow legislative programs
- edit newsletter
- serve government agencies
- attend public hearings
- other \_\_\_\_\_

## Proposed school invokes religious land use law

Lawsuit seeks to circumvent local zoning in Palomares Canyonlands

By Daniel Jones

The passage of Measure D was a major setback to developers eyeing the unincorporated areas of Alameda County, such as the Palomares Canyonlands. But while developers have been blocked, a new threat has surfaced from an unexpected source—the Religious Land Use and Institutionalized Persons Act of 2000 (RLUIPA). Passed in 2000, this federal statute was designed to provide stronger protection for religious freedom in land use and prisons.

For example, Redwood Christian Schools (RCS) purchased property in 1997 that was zoned for residential use at the northern head of Palomares Canyon. It then applied for a permit to construct a school campus there for 800 students, about 10 times the number at the local elementary school, the only public school in Palomares Canyon. Normally, this request would be summarily denied due to the scale of the project and the impact on the rural nature of the site.

However, through RLUIPA, religious institutions such as RCS now see a chance to acquire relatively cheap land in lightly populated,

unincorporated areas and then construct new facilities or expand existing ones with greater ease.

Although there are many good reasons for RLUIPA, its use as justification to circumvent or ignore local zoning laws is troubling. This results from the following wording in

---

*The Redwood  
Christian Schools'  
request for a permit  
was rejected at  
every level of  
review in Alameda  
County.*

---

the Act: "No government shall impose or implement a land use regulation in a manner that imposes a substantial burden on the religious exercise of a person, including a religious assembly or institution,..." However, senatorial debate before RLUIPA was passed clearly indicates that it was never

intended to completely override local planning.

Yet groups like RCS assert that they cannot find affordable, appropriate sites within urban areas. RCS argues that the financial loss it will suffer from its mistake in purchasing unincorporated residential land before Measure D was passed will place a "substantial burden" upon it.

The residents of the Canyonlands have been willing to consider a school that is sized more in keeping with current land usage in the area, but RCS has rejected scaling back its proposal.

The RCS request for a permit was rejected at every level of review in Alameda County. RCS then decided to sue the county and the case is currently wending its way through the federal court system. We are thankful for the support of the Alameda County Board of Supervisors in standing up for us and recognizing the Canyonlands' unique contribution to the county.

Speaking for the residents of Canyonlands, I also want to thank PARC from the bottom of our hearts for all of the guidance and assistance you have given to us in this long

*(continued on page 3)*

---

Preserve Area Ridglands Committee  
745 Cardinal Drive  
Livermore, CA 94551-4238

