

Carnegie expansion faces lawsuits

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Recent state approval to triple the size of the Carnegie State Vehicular Recreation Area may be the key to a plan 16 years in the making to open new trails in the hills southwest of Tracy.

In reality, the state's plans face still more regulatory hurdles and, as of last week, at least two lawsuits attempting to halt the expansion.

On Oct. 21, the California Off-Highway Motor Vehicle Recreation Commission unanimously approved both the general plan and the environmental impact report for the 1,540-acre existing Carnegie SVRA, which straddles the San Joaquin-Alameda County line on the south side of Corral Hollow/Tesla Road, and the 3,478-acre Tesla expansion area in Alameda County.

Randy Caldera, acting superintendent of Carnegie, said that before any new trails can open, the state must go through additional reviews required under the California Environmental Quality Act.

Completion of those reviews is still at least three years away and would involve only portions of the expansion area at any one time. The state parks department would have to consult with environmental agencies, such as the U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife and the State Water Resources Control Board just to get started.

"We've already started that process," Caldera said, adding that so many agencies, user groups and environmental groups were involved that a detailed review of the full expansion area wasn't likely to happen all at once.

"Realistically, I see it more in being smaller bites," he said.

The review for each new section of trails will be similar to one that led to approval of the general plan.

"That will be the next step of the process, the project-level CEQA," he said.

Caldera said he had to remind groups that support off-highway recreation that the general plan was one step in a long process.

"When this thing gets approved, we don't just open the gates and start riding. We'll be reaching out to the naysayers and the stakeholders and user groups. It will be just like you're doing an EIR. You're going to reach out to the public to get input."

Meanwhile, the controversies that have surrounded the project ever since the state acquired the Tesla expansion area in 1998 continue to keep those plans on hold.

The Alameda County Board of Supervisors, in a closed session on Nov. 22, agreed to initiate a lawsuit over the project, following up on the county's stated opposition to the plan during the environmental review in 2015.

Also last week, the Center for Biological Diversity filed a lawsuit on Nov. 23. The Center, representing other environmental groups, including Friends of Tesla Park and Alameda Creek Alliance, claims that the environmental impact report fails to explain how the state will protect wildlife in the hills and water quality in Corral Hollow Creek or prevent further damage to hillsides in the area.

In a statement released last week, Aruna Prabhala, staff attorney for the Center for Biological Diversity, said the expansion area could end up like the existing SVRA, with its network of trails and eroded hillsides.

"The expansion will destroy habitat for rare wildlife and degrade air quality for neighboring communities," Prabhala said.

"At a time when climate change, drought and urban sprawl are shrinking habitat for wildlife throughout California, the state should be protecting open space, not allowing it to be ripped apart by off-road vehicles." The environmental groups are at odds with user groups, who want to protect their favored recreational activity.

Dave Pickett, legislative action officer for American Motorcyclist Association District 36, emphasized the distinction between a state park, where a variety of uses are envisioned, and a state vehicular recreation area like Carnegie, where off-highway vehicle use is the intended purpose of the land.

Pickett said that the 16-year process, including two previous environmental reviews, has repeatedly emphasized the state's obligation to protect wildlife and the environment.

"This was a complete legal process supported by the state Legislature," Pickett said. "There is going to be four-wheel-drive access and picnic areas, but avoiding the sensitive areas that have been identified by all parties."

He added that riders accept that the expansion area won't be like the existing SVRA.

"The plan I've seen, all regulations set by the state should be met," he said, emphasizing that activities known to cause damage would be restricted.

Caldera said that the expansion area would be different from the existing park, where much of the erosion caused by motorcycles happens when cyclists drive straight up the sides of steep hills.

The general plan outlines the intensity of use that would be allowed in both the existing area and the expansion area. More than half of the expanded SVRA — about 2,667 acres of the 4,675 total acreage, including the vast majority of the existing SVRA — would be devoted to riding. About 428 of those acres, all within the existing SVRA, include hillsides where off-trail riding is permitted.

Caldera said the expansion area differed from the existing SVRA as it was designed to be a "route destination trails plan." No off-trail riding would be allowed. The expansion area would also include most of Carnegie's 1,458 acres of "limited use" designation, meaning there would be no trails except to provide access to and from riding routes, and riders would be steered away from sensitive areas, such as stream beds.

The general plan also calls for protection of the Tesla Mining Complex, an additional 240 acres that includes the remnants of a coal mining town that was active from 1897 to 1907.

Caldera emphasized that even the existing SVRA is changing. Carnegie has been a destination for off-highway riding since the 1950s when the land was in private ownership.

The state acquired the land in 1981 and has repaired damage to hillsides when it could, closing off trails and hillsides when necessary. Still, the state couldn't keep up with the damage from erosion and overuse in some areas.

"We were constantly moving backwards, where we had re-established routes in areas and three or four years later, we've got the same issue or it's denuded again," Caldera said.

In 2009, the state did a budget study to see if it could address environmental issues and sustainability of trails. In 2010, Carnegie added two environmental scientists, a park interpreter to interact with the public, three maintenance workers and an additional park ranger.

Since then, the state has recommitted itself to restoration of the hillsides, starting with damaged hillsides at the east end of the park, a process that includes closing off large areas for restoration. So far, that process has covered about 40 percent of the existing park.

"We've taken this area, closed it off, seeded this ... and we've rerouted trails through that," said Caldera, describing before-and-after photos of hillsides damaged by erosion, now covered with new grass. "This picture here has 30 to 38 percent impacted area. The new model, 3 to 5 percent impacted acreage." He added that the expansion area would follow the new model so workers could stay on top of any erosion issues.

"Within those boundaries, we know we can make sustainable trails. We have no erosion. We have no drainage issues, and that's the model that we're looking at for the new expansion area," he said.

"Now, you spend less time going back and doing annual maintenance to those areas, because you've established sustainable trails."

Prabhala said that the state's efforts to restore hillsides damaged by off-road recreation did little to assure her group that the state could protect wildlife and habitat in the Tesla expansion area.

"I've seen some of the previous work to deal with erosion, and we remain concerned about it," she said. "We think Tesla is better used as a passive recreation area. It could be used by all members of the community for hiking and camping."

Pickett said that riders have learned to adapt to the ongoing restoration efforts at Carnegie. He added that today's riders, especially the youth, expect that the state will shut down areas for restoration on a rotating basis.

"A lot of them have grown up with these new standards, and they understand it," he said. "We have a lot to lose here, so we have to be good stewards of the land."