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VIDEO NOTES

Speaker: Heather Gass, November 2, 2013

Title: Plan Bay Area Update and Wildlife Corridors

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YouTube @ http://www.youtube.com/embed/S_BWbOkbpC4

In this video, which was produced by Steve Kemp, Heather Gass denotes the history of Plan Bay Area. In compliance with SB375, Plan Bay Area combines 9 counties in the San Francisco area to form one of the nation's most aggressive sustainable communities planning regions. Heather speaks about Priority Development Areas (PDAs) as the primary implementation scheme of Plan Bay Area and how they remove property development rights of property owners. She then moves into how wildlife corridors are fomented; then, she cites the dangers of California SB-1 because it redefines 'blight', which will make it easier for local governments to obtain private property. Conservation easements are discussed in detail and much more.

The group, Urban Ecology did a compact with other NGOs in the late 1990s, which became 'Plan Bay Area'. The consultant hired by the city of Danville was from Urban Ecology.

- AB32 – 2006
- SB375 – 2008
- AB2785 – 2010 – Deals with wildland corridors. Premise: In order to save the planet we must provide sustainable communities, which fomented the implementation of SB375:
 - Give up core.
 - Reduce lifestyle
 - Outside of city: Give up land to become part of the wildlands corridors system.

Incentives: Follow the Money

- Developers will get CEPA waivers and bonuses for high-density housing projects (Qs: Who are the developers? Is Benefit Corporation status required?)
 - One Bay Area Plan is funded through:
 - FED grants: \$277 billion.
 - State Level redevelopment, which replaces local development with IFDs (Finance Districts.)
 - County transportation funds.

Sustainable Communities

- SB375 requires a minimum of 20 units per acre and must be within ½ mile of transit systems.

Example: Putting this in Danville, California would not reduce congestion and pollution, it would increase it. (See Sustainable Development in California, Chapter 2, Dimensions of Sustainability p.2.16)

- If you do not have 20 units per acre, your lifestyle is considered unsustainable.

SB-1

- SB-1, The Funding Arm for Sustainable Communities
- SB-1 was vetoed by the Governor once. The bill will be in the 2014 legislative session.
- In order to implement, land must be taken through new paradigm:
 - Infill development, stack N p, multifamily building, low/moderate income requirements with retail space.
 - Blight no longer required as definition.
 - Insufficient land use patters = new definition, which could mean anything.
 - This puts all private property at risk in California.
 - Therefore, any agency can deem your property "Insufficient land Use; thereby, taking the property through eminent domain. (See Sustainable Development in California, Preface p. 4, regarding litigation.)

Priority Development Areas (PDAs) and Urban Growth Boundaries (UGBs)

- PDAs are how SB375 Sustainable Communities is being implemented in the Bay Area. ---
- Those that do not have property within a PDA zone will have a much a much harder time developing the property in the future.

Urban Growth Boundaries (UGB) and Priority Development Areas (PDAs)

In California there are arbitrary lines, which determine how and where we can develop and grow within cities and counties. This was voted on back in the 1990s without much regard to future unintended impacts.

- As UGB shrinks, people are forced to live in tighter and tighter spaces.

Property owners outside of UGBs have seen their property values go down because they no longer have the development rights to the property.

PDAs are growth boundaries within URBs.

- Developers will get CEQA and environmental waivers. For example, no greenhouse gas analysis for light trucks and cars.

- Developer can violate local ordinances for setbacks.

- Developer will not be required to provide adequate parking.

Sustainable Communities = Human Settlements (Utopia as defined by government)

- High density housing = 96 housing units per acre

- Planners for One Bay Area view biking, walking paths as alternate to roads for cars.

- In San Francisco and New York, 200 sq. foot apartments are being built.

Open Space in the US

- People are being conditioned to believe that there is not enough open space.

- US Census Bures reports in 2000, 95% of land in US is rural and undeveloped.

- In 2010 that figure is statistical unchanged, as it is slightly less than 95%.

- No available open space is a misnomer. (Comment: Thousands of meteors hit the earth each year; however, it's very rare they land in populated areas because most of the planet is occupied by water and most the land mass in unpopulated. Source: The History Channel.)

Conceptual Wildlands Map and The Global Biodiversity Treaty of 1992

- Developed by Dr. Coffman in 1992 to simulate what the US would look like if reserve and corridor system to protect biodiversity was implemented.

- The Map denotes what the US would look like if 50% of US was 'rewilded' under the terms of the Global Biodiversity Treaty president Clinton signed in 1992.

- The Map was created to educate congress about the consequences of the treaty, being proposed by the UN.

- Congress had only the title page and the summary of the document. They did not have the 1100 + pages defining how the treaty would be implemented.

- Dr. Coffman's map stopped the vote!

- Congress did not ratify the treaty; however, it is being implemented through executive orders by unelected, unaccountable boars, bodies and commissions

California Essential Habitat Connectivity Project

This is the map implementing the wildlands corridor system in California prorogated by the Biodiversity Treaty. (Comment: which was not ratified by congress...)

- Cal Trans and California Fish and Game are primary implementation agencies.

- Map is required use by all planners and agencies are required to use, now and into the future. This is available on the Caltrans Web site.

- The map does not distinguish between public and private property.
- The map was created with zero input from the public. - There is over 76% undeveloped open space in California between public and private lands, which are defined as 'core areas'. These will be connected through corridors so wildlife can roam free. Land will need to be taken in order to implement connectivity project.

California Williamson Act

Allows farmers to be in control of their land by receiving a reduction in their taxes in exchange for not developing the land. This provides them control of their own destiny. The contract duration is typically 10 to 20 years and the contract can be renewed at the end of the term.

- The program has been very successful.
- However, now agencies want to do away with program because this system does not allow for the control of private property in perpetuity.

Conservation Easements

NGOs and stakeholder groups who receive FED grant money are trying to coerce farmers and ranchers into signing conservation easements, which lock up the land in perpetuity.

If you want to sign over your rights never to have the land developed. You may be signing over your:

- Carbon credit rights and you may not know it.
- Potential access to resources.
- You may be sued by NGO or entity managing the land.
- Unelected group like the Sierra Club or Green Belt Alliance are put between you and the FED government. This group will control in the future what you can do with your land.

The goal is to get farmers and ranchers to sign on to conservation easements in order to complete the Habitat Connectivity map.

- If you don't sign on to the conservation easement, many NGO groups go to the city and county and seek codes to regulate you out of the use of your land.

California Foothills Legacy Project

Is a 'sub-map' of the Habitat Connectivity Project promoted by the group, California Rangeland Conservation Coalition? Their goal is to lock up 18 million acres in the central valley of California via conservation easements.

People in these areas don't even know about it!

Conservation Overlays

The proposed National Conservation Area (NCA) only applies to the Federally owned lands within the NCA boundary (See: HR 1025, Sec 3(c) and Section 4 for more details.)

- They are trying to designate Snow Mountain as a NCA.
- Originally 800K acres, which was reduced to 500K acres.
- A conservation overlay is laid on top of public land:
- Impacts 350K acres of private land within the 500K acres to be conserved.
- Public land, by definition, is already in conservation. We don't see the Federal government giving away any public land. Therefore, there is no danger in being developed right now.

- Private land within an overlay will be subject to the same rules and restrictions as public land with the NCA.

For example: The Federal government 'shut down' in 2013 saw private land owners locked out of access to their private property that was within the boundaries of National Parks because their property was in an overlay surrounded by government land.

Open Space

- Includes public and private land
- Planned wildlife corridors in Bay Area whereby animals will run free within densely populated areas
- Over 1.2 million of open space in Bay Area alone
- Arnold Schwarzenegger San Jose has an overlay in process and they don't even know it.

Diversion of Transportation Tax Dollars

The Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) are diverting transportation dollars – gas tax money for infrastructure and roads – to the connectivity conservation plan.

Video Clip: ABAG & MTC discussing with NGOs and stakeholder group to have property owners 'targeted-out' of their property

- Illegal stealing of transportation funds.
- Equals \$500 million of federal highway transportation funds, which is managed by a MTC manager. \$10 million of which is set aside for Bay Area; of this, \$5 million for North Bay County and \$5 million for other counties.
- Within the 'Transportation Bill' there is a range of definitions the funds can go for. (These funds can be used to target property owners via grants to NGOs and stakeholder groups).

Heather Gass, "we deserve to know how are tax dollars are being spent".

Unknown speaker, "Implementation is not the law".

Remedies

- Sue: Support StopPlanBayArea.org
- Petition SB-1 – Stop abuse of eminent domain. Stop the legislative definition of 'Insufficient land use patters'; no blight definition in order to take your land.
- 2014 legislative session:
 - petition governor.
 - Lobby realtor association and groups regarding SB-1
 - Start task forces.