



2950 PERALTA OAKS COURT P.O. BOX 5381 OAKLAND CALIFORNIA 94605-0381 T. 1 888 EBPARKS F. 510 569 4319 TDD. 510 633 0460 WWW.EBPARKS.ORG

October 3, 2012

SENT VIA U.S. MAIL AND FAX (916) 783-2303

James L. Meek
Tim Lewis Communities
3300 Douglas Boulevard
Building 400, Suite 450
Roseville, CA 95661

**RE: Robert W. Crown Memorial State Beach
McKay Avenue / Neptune Pointe**

Dear Mr. Meek:

We understand from the City of Alameda ("City") that Tim Lewis Communities ("TLC") may soon submit an application to develop housing at the McKay Avenue site. We further understand that TLC does not own the site, but may be in contract with the federal government to purchase it. The East Bay Regional Park District ("Park District") has previously communicated with TLC regarding its serious concerns regarding the proposed project. In the hope of avoiding unnecessary expenditures of time and money, and in an effort to advise TLC before it purchases the site, I am writing once again to advise TLC of our objections to the development of *any* housing at the entrance of Robert W. Crown Memorial State Beach:

As TLC is aware, the only access to the site is via McKay Avenue, which is not a public street but rather is owned by the State of California as the entrance to the state park and visitor center. Whatever access may have been reserved to the federal government does not, however, permit the widening of the road or other improvements to state property in order to accommodate private development. Further, there is no right to locate utilities within McKay Avenue to serve private development at the site. We have been in communication with officials at the California Department of Parks and Recreation, and they are in agreement that this type of private use of McKay Avenue is not permitted.

The Park District also believes that a housing development at this site is inappropriate due to conflicting park uses (including visitor center uses, concerts and festivals), the existing corporation yard, traffic impacts, insufficient parking, and existing nearby sensitive wildlife



Board of Directors

Carol Severin President Ward 3	John Sutter Vice-President Ward 2	Ayn Wieskamp Treasurer Ward 5	Whitney Dotson Secretary Ward 1	Doug Siden Ward 4	Beverly Lane Ward 6	Ted Radke Ward 7	Robert E. Doyle General Manager
--------------------------------------	---	-------------------------------------	---------------------------------------	----------------------	------------------------	---------------------	------------------------------------

James L. Meek
October 3, 2012
Page | 2

habitat. As we previously informed you, we intend to identify all of these concerns/impacts as part of the City's review and processing of a project on this site.

Finally, the Park District has serious issues with the City's recent actions to rezone the property. While the Park District does not threaten litigation lightly, our Board of Directors is very concerned about impacts on the state park and the inadequate environmental analysis. We have notified the City of our concerns and are engaging in discussions in the hope of avoiding litigation. Nonetheless, the Board of Directors has authorized the filing of a lawsuit challenging the City's action, if necessary.

I thought it important that you be made aware of recent developments. Please contact me at (510) 544-2600 if you wish to discuss this further, or if you wish to explore alternatives to development of this property.

Sincerely,



Nancy H. Wenninger
Assistant General Manager/Land Division

cc: Robert Doyle, General Manager
Ted Radosevich, District Counsel