

# Butters Land Trust

—preserving the headwaters of Peralta Creek

January 2002

**Butters Land Trust conserves wild landscapes in Butters Canyon and along Peralta Creek and promotes environmental awareness throughout the watershed, to preserve vital habitat for all Bay Area residents to enjoy.**

## Board of Directors

*Priscilla Stuckey, President  
Stuart Richardson, Vice President  
Judy Anderson, Secretary  
Carol Bernau, Treasurer  
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***It's time for us as a culture to fully recognize that we live in this world. We're connected to plants and animals and seasons and soil and each other no matter how many ideas and images and fears are whirling around in our heads.***

**—Karen Olson, Utne Reader**

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510. 482. 2496  
www.butterslandtrust.org  
blt@butterslandtrust.org**

## Three Canyon Lots Donated to Trust

The board of Butters Land Trust is pleased to announce that it has received its first donation of creekside parcels (map, p. 3). Helen Nicholas and Bob Fulmer presented the deed to the land trust board on December 28, 2001. In a toast, Bob said, "We're making this donation so there will always be green space and plenty of places for the animals to live. If the neighborhood can preserve the entire canyon area, it will be quite a contribution to the city of Oakland as a whole."

The three donated parcels represent the first creekside lots preserved in perpetuity. Butters Land Trust plans to care for the donated parcels in accord with the latest information on maintaining and restoring urban creeks. Many leaders in the emerging field of creek restoration are located right here in the Bay Area, so we have much expertise near at hand. Restoration activities in Butters Canyon will begin as soon as possible, and they will include ivy removal and replanting with native vegetation. Stay tuned for information on when and how to join in the fun of helping to restore your neighborhood creek!

## How Donations Work

Donating parcels to the land trust is one way to preserve canyon parcels. It provides substantial tax savings for

donors, since the appraised value of the properties is fully tax deductible. In addition to the substantial tax benefit, landowners making a donation of parcels also are freed from maintaining the property and for paying property taxes.

Other means of preserving land are also possible. If landowners wish to retain title to their lands, an agreement known as a conservation easement is available. With this agreement, a landowner cedes certain property rights, such as the right to

develop the creekside portion of their property, in return for an income tax savings equivalent to the development potential of the property. In other words, if a parcel was worth \$300,000 before the easement and only \$200,000 after the easement, the landowner could realize a tax savings

of \$100,000.

To those landowners who might hesitate to donate title or easement because they don't want to miss out on increased property values in the future, Helen Nicholas has this to say: "The reason you work to make money is to be able to buy an ambience like the one our neighborhood enjoys in the canyon." She adds emphatically, "Money has no intrinsic value; it's what you do with it that makes it valuable!"

For more information on donating land or conservation easements, contact Carol Bernau at 530-2746.



## Dedication Ceremony

for preserved canyon lands

**Sat., Feb. 2, 2002**

**2:00 P.M.**

**On Butters Drive  
at the Bridle Path**

in the canyon west of Robinson Drive

## Sausal Creek Resumes Natural Meander

Our next-door creek, Sausal Creek, underwent major renovation in the fall. City of Oakland work crews removed the concrete dams put in by WPA groups in the 1930s. The flowing water resumed its natural meander, creating more habitat for the native trout, which show signs of repopulating. Also, non-native trees and plants were removed. In their places, volunteers are now planting more than 20,000 native plants grown in the native plant nursery in Joaquin Miller Park.

Join in the fun of digging in the dirt and getting to know plants that are native to our section of the East Bay. Volunteers are planting Saturdays 9–12 and Sundays 10–1. In addition, everyone who helps out at Sausal Creek will be gaining valuable experience in urban creek restoration, in preparation for the restoration work that Peralta Creek neighbors will be doing in the near future. For more info, call Stu Richardson at 912-7792.

## What About That Car Wash?

In our November newsletter, we suggested that you can help care for the creek by washing your car at a commercial car wash instead of in your driveway. An alert neighbor called up and asked, "What about using biodegradable detergents? Aren't they okay for the creek?"

Paul Revier, communications director for Save the Bay, responds: "Definitely go to a car wash. Think about what you're washing off your car—petroleum products, exhaust residues from the highway. Those are the chemicals you're washing straight into the creek—and into the bay."

## Grant Awarded!

The land trust has received a grant of \$5,000 from the L. J. and Mary C. Skaggs Foundation of Oakland for land acquisition in the canyon. In its award letter, Philip M. Jelley, secretary of the foundation, said, "The Directors of the Foundation were most impressed with your grant application and proposal. [After our site visit] I was happy to report on the enthusiasm you have been able to develop in this project. The Foundation is happy to support you in this project."

*Chestnut-backed chickadees are songbirds in the family Paridae who live in wooded areas and eat mainly insects. A chickadee special treat is spider eggs and larvae, but they also like feeder handouts of seed, which they may store in caches in tree bark. They may mate for life, and they build their nests in tree cavities, laying 5–10 eggs. About 50% of young survive to adulthood. Leaving old trees and snags standing provides nesting sites and encourages population growth.*

*Illus. by Larry McQueen*



*The land trust offers special thanks for their time, encouragement, and wise counsel in 2001:*

- Janet Curtis, Trust for Public Land, San Francisco
- Anne Hayes, Friends of Sausal Creek
- Greg Hendrickson, Coblenz, Patch, Duffy & Bass, San Francisco
- Brian Rod and John Woodbury, Bay Area Open Space Council
- Carole Schemmerling, Urban Creeks Council
- David Stein, Friends of Oakland Parks & Recreation
- Land Trust Alliance, Washington, DC

*Come meet and thank our supporters who will be attending the dedication ceremony on Feb. 2 at 2 P.M.*

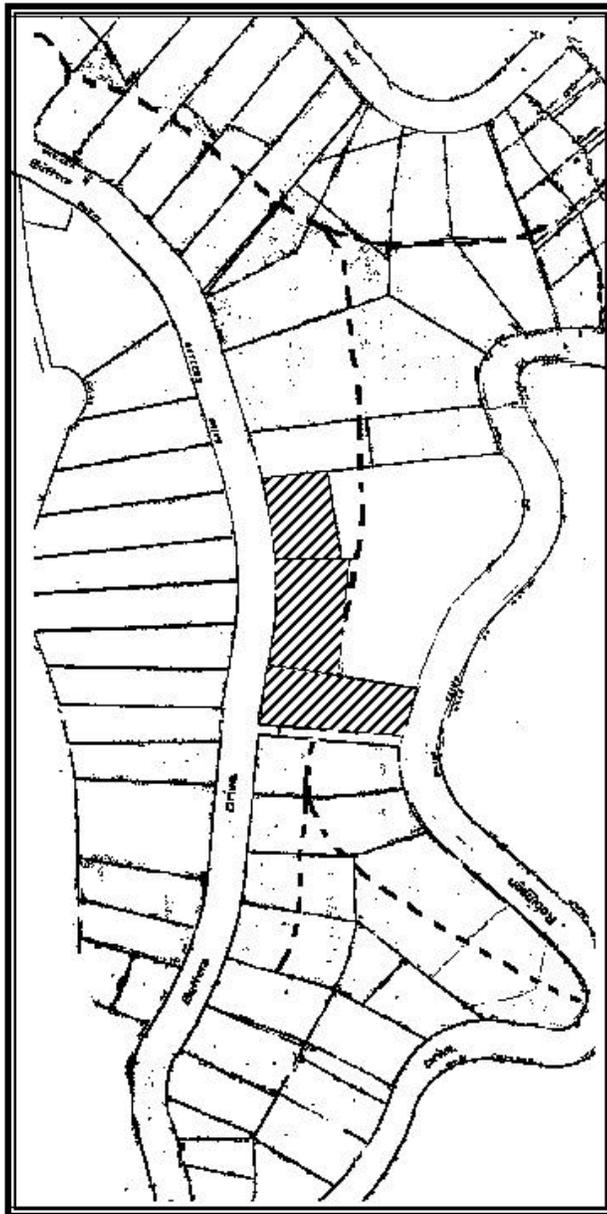
## Oakland Creeks Ordinance Comes Under Scrutiny

The Oakland Creek Protection Ordinance, called by experts one of the finest examples of legislation protecting urban creeks, is being scrutinized by City Council after receiving complaints from the building services division that the ordinance is too vague in its definition of a creek and too expensive and cumbersome to implement in the case of new housing development. Calvin Wong, head of CEDA (Community and Economic Development Agency) presented these charges to City Council.

Creek enthusiasts quickly responded. Dozens of representatives of area water quality boards, urban creek nonprofits, and neighborhood associations, as well as some of the original framers of the ordinance, spoke before the council and its subcommittee. The quick and overwhelming response has already had an impact: City Attorney John Russo, who had called for moving oversight of the ordinance out of Environmental Services and into CEDA, backed away from his request after creek supporters observed it would remove checks and balances on the permit approval process and deprive the process of the expertise of environmental professionals.

City Council is continuing to look at the ordinance and its implementation. Now is the time to voice your support of Oakland Creek Protection Ordinance. Call Councilmember Dick Spees at 238-7004, or write him at: City of Oakland, One Frank Ogawa Plaza, 2nd Floor, Oakland, CA 94612. Or e-mail his office at: soshea@oaklandnet.com

## Butters Canyon



Parcels preserved in perpetuity through donation to the land trust



Peralta Creek

The three parcels donated to the land trust represent a wonderful start toward the Butters Land Trust goal of preserving existing green space on all creekside parcels.

Landowners of creekside parcels can realize significant financial savings through donating title to undeveloped properties or conservation easements on the undeveloped part of their parcels.

Neighbors on Ruben Drive whose backyards provide the woody canopy over Butters Drive, might want to consider donating a conservation easement on the undeveloped back portion of their properties.

*This small pocket of land is heart-breakingly beautiful, unique, and if we lose it utterly irreplaceable. It is not only a neighborhood treasure, but an important part of the heritage of the entire region.*

—Malcolm Margolin, publisher

### Now more than ever, Butters Land Trust needs your help!

Costs of assuming title to the donated canyon lots, including insurance, amounted to several thousand dollars.

A donation of \$50 per household would help the land trust defray expenses of land ownership and maintenance. Even \$10 per household will help!

Make your check out to: Friends of Oakland Parks & Recreation.  
Mail it in the enclosed envelope to: Butters Land Trust, 6114 LaSalle Ave. #168, Oakland, CA 94611.



You are invited to a  
**DEDICATION  
CEREMONY**

for newly preserved canyon lots

**Sat., Feb. 2, 2002**

**2:00 P.M.**

**(02.02.02 AT 2)**

**On Butters Drive  
at the Bridle Path**

in the canyon west of Robinson Drive

From Hwy 13, go up Joaquin Miller Rd., right on Robinson, right on Butters.  
Park at corner of Robinson & Butters, walk past Peralta Creek sign

In case of rain, will take place same time following day