



**Draft Informational Report  
Chabot Gun Club and Facility Operations at  
Anthony Chabot Marksmanship Range  
Revised October 28, 2015**

**C-2-a**

**I. Introduction**

The Board of Directors (“Board”) has requested information relating to facility operations at the Anthony Chabot Marksmanship Range (“Chabot Gun Range” or “gun range”), including estimated capital and operation and maintenance costs required for continued operation of the gun range. As discussed below, District staff has gathered information regarding environmental compliance, facility conditions and deferred maintenance, sound impacts and mitigation options, and information related to use, revenue, and operational costs of the gun range.

**II. CEQA Compliance**

No action by the Board is being requested at this time, and therefore no action is necessary to comply with CEQA for purposes of this Board item. However, a decision by the Board to consider entry into a long term extension of the Chabot Gun Club’s lease would first require environmental review under CEQA, most likely the preparation of an environmental impact report (EIR).

**III. History of the Chabot Gun Range**

In 1963, the Anthony Chabot Marksmanship Range was developed in cooperation with the Oakland Pistol Club, which had previously leased a site in Knowland Park, Oakland, California. The original 1962 lease was a partnership between the District and the Oakland Pistol Club to construct, develop, operate and maintain a marksmanship range in Anthony Chabot Regional Park. In 1964, the original lease was amended to finalize the schedule and define the cost-share for construction of the Chabot Gun Range.

In 1967, the District entered into a new long-term lease with Chabot Gun Club, Inc. (“Chabot Gun Club” or “Gun Club”) to supersede the lease with the Oakland Pistol Club. The next long-term lease with the Chabot Gun Club was initiated on May 8, 1989, and included one 25-year term with an option to negotiate an extension at the conclusion of the initial term. This lease was amended on January 1, 1995, to include specific use by District Public Safety for training purposes.

As the initial term of the 1989 lease with the Gun Club was set to expire on January 1, 2015, the Gun Club notified the District of its interest in negotiating an extension of their lease. The District and the Gun Club negotiated a one-year lease extension through December 31, 2015, in an effort to allow time to evaluate the operations, maintenance, current site conditions and environmental compliance requirements for future operation of the Chabot Gun Range.

#### **IV. Current Operations at Anthony Chabot Marksmanship Range**

The Chabot Gun Club leases approximately 85.88 acres of land from the Park District, near Marciel Road in a small enclosed valley in Anthony Chabot Regional Park, as reference on the vicinity map **Attachment A**. The gun range facilities include a main office, classrooms, restrooms, storage containers, security residence, and ranges. The gun range provides a total of eight individual shooting ranges at the site, including ranges for trap shooting, long range shooting, law enforcement training, and competitions or demonstration events. A list of the individual shooting ranges on site is provided as **Attachment B** to this report, and the current fee schedule is provided as **Attachment C**. Information on use of the gun range is provided below.

Under the current lease, the Gun Club provides operations, management, and security of the gun range. Additional responsibilities for the Gun Club include the general maintenance at its own expense of the buildings and grounds, landscaping, pest control, and signage; payment of utilities except water and sewage; payment of County possessory tax; a concession fee payment to the District of 5% of the Gun Club's gross monthly income for purposes of a maintenance fund, plus 5% of gross monthly income for the District's general fund, and compliance at its own expense with all applicable laws, rules and regulations.

#### **V. Overview of Usage of the Anthony Chabot Marksmanship Range**

The Board has requested information on how widely the gun range is used, and what groups use the gun range most frequently. As outlined below, the gun range is used by a variety of individuals, groups, and local and federal law enforcement agencies. Based on figures provided by the Gun Club, the largest user group in terms of number of visits is individual members of the public, followed by federal contractors and federal and local law enforcement agencies, then groups renting the ranges for competitions or events.

##### **a. Use of the Gun Range by Members of the Public**

According to the Gun Club's figures, the gun range sees approximately 35,000 visits by public participants each year. This is an average of approximately 168 visits per day for the approximately 208 days the range is open to the public (four days per week, Friday through Monday). This is an average based on data for the years 2012, 2013 and 2014. It is assumed that many of these daily public participants are repeat customers, but specific data on the actual number of unique individuals using the range is not available.

##### **b. Use of the Gun Range by Military and Local Law Enforcement**

The second largest user group in terms of participants is military and local law enforcement, with an average of 6,000 visits by these participants each year based on use data for years 2012, 2013, and 2014. There are four local law enforcement agencies and five federal military and law enforcement agencies that use the range. Of these, federal military personnel, and specifically federal contractors, are the largest user group in terms of the numbers of days of use per year. As shown in the table below, of the approximately 254 days that the range was rented by military and local law enforcement in 2013, less than one quarter of those days were used by either the Park District or one of the four local law enforcement agencies who use the range.

**Table I: Use by Federal and Local Law Enforcement - 2013**

<u>Agency</u>	<u>Annual Use Days</u>
Moraga Police Department	5
Berkeley Police Department	7
Piedmont Police Department	10
Emeryville Police Department	12
East Bay Regional Park District	27
Military Sealift Command (MSC)	5
Federal Correction Institute	14
US Department of Justice (DEA)	18
US Coast Guard	61
<u>Paragon Security (Gov't Contracts)</u>	<u>95</u>
<b>Total</b>	<b>254</b>

Park District law enforcement uses the Chabot Gun Range approximately two to three times per month. The range facility is used as part of the department's quarterly firearms qualification program and yearly winter training focus. In addition to these scheduled trainings, the gun range is used by the District in connection with three to four police department retiree qualification activities a year, as well as qualification of new hires and remedial training activities. By using the gun range at Anthony Chabot, the District avoids paying rental fees to other gun ranges in the area which charge approximately \$150 to \$300 per hour for range time. The Chabot Gun Range also provides the District police department with storage space for range equipment, targets and ammunition.

The US Department of Justice (DEA) has been using the Chabot Gun Range for training and qualifications for almost ten years. The DEA's use averages once a month, but several times a year the DEA has "specialized" training that requires use the Chabot Gun Range for two or three consecutive days.

The DEA's secondary range within the Bay Area is the Santa Clara Metcalf Range at Field Sports County Park. According to DEA representatives, the Chabot Gun Range offers advantages to DEA that they cannot find at other training venues. These advantages include a centralized location among the DEA's major offices and affordable usage fees.

**c. Group Rentals of Gun Range**

There are an average of 28 separate groups that rent the range for match activities and training rentals. Most weekends and occasionally during the week, there are several matches of various types that are open to public participation. The average number of participants in these events is 3,350 per year. According to the Gun Club's figures, there are approximately 260 group shooting events per year. A complete list of the groups renting the gun range is provided in **Attachment D** to this report.

**d. Other Public Gun Ranges in the Area**

There are nine similar outdoor ranges within 100 miles of the Chabot range. Of those nine ranges, three are similar in size to the Chabot Gun Range. All of the nine other ranges are available for use by members of the public, and all are open either every day of the week or Thursday through Monday. All of the nine ranges have use fees that are comparable to the Chabot Gun Range. A complete list of these ranges is provided as **Attachment E**.

## **VI. Budget and Financial Information**

To determine the ability of the Chabot Gun Club to offset future facility maintenance and environmental compliance costs, District staff requested financial information from the Gun Club. The documents provided by the Gun Club were reviewed by the District's Internal Audit staff. The Gun Club's gross sales were in excess of \$800,000 per year in 2012, 2013, and 2014. The Gun Club reported a net profit of \$66,623 in 2012, and a smaller net profit of \$18,232 in 2013. The Gun Club reported a net loss of (\$121,479) in 2014.

**Table 2: Profit and Loss of Chabot Gun Club, 2012 - 2014**

<b>Profit &amp; Loss</b>	<b>2012</b>	<b>2013</b>	<b>2014</b>
Adjusted Income	\$808,064	\$872,991	\$800,539
Less Cost of Goods Sold	\$(105,091)	\$(142,687)	\$(126,042)
Less Expenditures	\$(636,349)	\$(712,072)	\$(795,976)
<b>Net Income</b>	<b>\$66,623</b>	<b>\$18,232</b>	<b>\$(121,479)</b>

According to staff's review, the Gun Club's loss in 2014 was mainly due to increased expenditures of personnel costs, and also professional fees, environmental compliance expenses, utility costs, insurance, and record storage expenses. As shown in the table below, based on information provided by the Gun Club, personnel costs increased significantly over the three year period.

**Table 3: Personnel Costs for Chabot Gun Club 2012 - 2014**

	<b>2012</b>	<b>2013</b>	<b>2014</b>
Salaries & Compensation	\$290,194	\$342,075	\$358,157

The Gun Club's lease requires a concession fee payment of 5% of the Gun Club's gross monthly income to the District, plus an additional 5% of gross monthly income for a maintenance and improvement fund to be used with District approval for "upkeep, maintenance and improvement of the Premises." The Gun Club's payments to the District for the past three years are shown below.

**Table 4: Chabot Gun Club Lease Payments to District 2012 - 2014**

	<b>2012</b>	<b>2013</b>	<b>2014</b>
5% for General Fund	\$40,126	\$43,700	\$40,046
5% for Maintenance Fund	\$40,126	\$43,700	\$40,046
<b>Totals</b>	<b>\$80,252</b>	<b>\$87,400</b>	<b>\$80,092</b>

The concession maintenance fund for the gun range currently has a positive balance of approximately \$234,000.

## VII. Environmental Compliance

### a. Environmental Regulation of Pollutants in Stormwater

As with many gun ranges, the Chabot Gun Range poses a risk of lead being carried off the site through stormwater runoff. The Chabot Gun Range site is subject to the State Water Board's general permit for industrial sources of pollutants to stormwater, including a site specific plan to control the potential for pollutants in runoff (the "Storm Water Pollution Prevention Plan" or "SWPPP"). The Chabot Gun Range has been subject to stormwater permitting requirements since 2009 and is currently in compliance. However, stormwater data is limited due to several years of rain events characterized by infrequent large storms with little to no rain in between. The new general stormwater permit effective in 2015 imposes additional requirements on all facilities that are subject to the permit and is expected to substantially increase the costs of operating the Chabot Gun Range.

California's regulation of stormwater uses an adaptive management approach where initial measures are implemented to control polluted runoff, and the site is monitored to determine whether additional measures are needed to meet regulatory thresholds. Thus the District's current SWPPP requires implementation of best management practices along with monitoring. If after one to two years, monitoring shows that runoff from the site is exceeding baseline levels, then additional, more costly measures would be required to stay in compliance with the permit. These measures could include structural controls to either contain runoff onsite or divert it away from sources of lead, or treatments to remove pollutants from runoff before it leaves the site. All stormwater measures for the Chabot Gun Range are based on EPA's guidance for best management practices to control lead from outdoor gun ranges.<sup>1</sup>

In anticipation that additional stormwater control measures to maintain compliance may be required, the District retained Geosyntec Consultants ("Geosyntec") to evaluate the cost and feasibility of various source control, treatment control, and flow segregation measures that could be taken at the site. Geosyntec is still completing a final written report, but is recommending both of the following measures in the event that additional stormwater controls are required to maintain compliance at the site:

1. Treating runoff from the gun ranges with engineered media filled devices installed in vaults and catch basins.

Geosyntec estimates that the total cost of implementing the media filters would be approximately \$265,000, plus a yearly maintenance cost of approximately \$10,000.

2. Performing lead source removal and soil amendment and stabilization at the backstops in each shooting range.

Geosyntec estimates that the one-time cost of removing lead from the berms would be \$1,140,000. Assuming continuing use of lead bullets, regular cleaning of the berms would be required for this measure to be effective, at an annual cost of approximately \$58,000. Even with this regular maintenance, a full cleaning of the berms would need to be repeated approximately every ten years to remove lead embedded in the soil.

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<sup>1</sup> USEPA, 2005. (USEPA Region 2) Best Management Practices for Lead at Outdoor Shooting Ranges. EPA-902-B-01-001. Revised June 2005.

### 3. Ongoing Compliance with the Industrial Stormwater Permit.

A total average annual cost of \$141,000 is estimated for monitoring, testing, reporting, and oversight to maintain compliance with the industrial stormwater permit for ongoing operation of the Chabot Gun Range.

The Chabot Gun Club has hired an environmental consultant, Golder Associates, who has provided conceptual recommendations for additional near-term measures that could be taken to contain and treat stormwater onsite. District staff is currently reviewing and verifying these recommendations and associated cost estimates. While the Gun Club's recommendations may be helpful in reducing lead run off from the site in the short-term, Geosyntec believes that the more engineered source removal and filtration measures that provide a higher level of certainty would ultimately be required to maintain compliance with the stormwater permit.

In addition, regardless of whether the gun range continues operations, cleanout and repair of a roadside ditch is required along the maintenance road leading to a water tank on the site. This ditch repair work is estimated to cost of \$210,000, with possible increased costs depending on soil conditions.

In sum, based on the information gathered to date, continued operation of the range is estimated to cost \$2.5M for stormwater compliance over the next five years, including capital projects (reconditioning and lead removal from the berms, filter systems in drain basins, and roadside ditch cleaning) and annual operation and maintenance costs. A longer term would require additional costs to maintain compliance.

#### b. **Environmental Cleanup and Remediation of Lead at Chabot Gun Range**

The primary purpose of this Board report is to provide information on the process and estimated costs for compliance assuming ongoing operation of the Chabot Gun Range. However, members of the public have also raised concerns regarding the costs to restore the site should the range operations cease. Preliminary estimates based on the size of the range, its known uses and data review of other ranges, put cleanup costs in the range of between \$2.5M and \$20M depending on the clean-up process utilized.

It is possible that that future cleanup costs could be somewhat reduced by removing lead from the berms in the near term. This action could benefit future cleanup efforts only if the berms are cleaned and maintained on an ongoing basis, at an estimated cost of \$58,000 each year (described above). In addition, because this annual maintenance would remove only larger particles of lead, a full reclamation and reconstitution of the berms (at an additional cost of \$1,140,000 in 2015 dollars) would need to be repeatedly performed at least every ten years to remove smaller lead particles that become embedded in the soil over time.

Continued operation of gun range should explore converting to non-lead ammunition as mitigation for lead pollution and this would need to be analyzed in an environmental review document. This could allow for removal activities to address existing sources of lead from the site, without contributing additional lead from ongoing operations into the future.

Use of non-lead ammunition has increased in California in recent years. A state-wide ban on wildlife hunting with lead bullets was adopted in 2008 (to be fully effective in 2019). Non-lead ammunition is readily available in stores and online. However, non-lead ammunition tends to be more expensive, and premium non-lead bullets can cost up to 30% more than a similar caliber

and weight premium lead option. Also, many law enforcement agencies prefer to train with lead ammunition to better simulate actual conditions.

With respect to environmental impacts, non-lead ammunition does not contain any known toxins, and is less prone to fragmenting and therefore easier to reclaim than the softer lead ammunition which creates many smaller particles on impact.

## **VIII. Sound Study and Noise Mitigation**

In 2015, the District engaged Illingworth & Rodkin, Inc. (“Illingworth”), an acoustics and air quality engineering firm, to conduct a Noise Mitigation Feasibility Study. The objectives of the noise study were to document and assess existing ambient noise levels, with and without noise generated by activities at the gun range, and outline possible mitigation measures to reduce noise impacts from the gun range on park users and adjacent residential neighborhoods.

### ***a. Gun Range Noise in Nearby Neighborhoods***

Noise measurements were taken to determine the noise generated by the different types of guns typically used at the range. Measurements were also taken to determine gunshot noise experienced at several trail and campground locations within the park, as well as in the nearby residential neighborhoods. Representative measurements were taken from seven different locations within the neighborhood west of the range. In addition, measurements were taken over several day periods to monitor a variety of sounds emanating from the gun range throughout the week and weekends.

In general, the results found that noise levels vary based on the type of guns, the time of day, the receiver background noise level, and meteorological conditions. The results also found that the highest noise levels occur on Saturday and Sunday. However, Illingworth’s results show that even with these variations, the sound of gunshots at all neighborhood measurement locations fell well below the City of Oakland’s residential noise standards for acceptable noise levels in a residential neighborhood. The results also found that for many of the residential locations the gunshot levels fell below other background noises, and were not audible at all over airplanes flying over the neighborhood.

While the noise generated by gunshots was less than other background noises and below acceptable residential noise standards, Illingworth reported that the unique sound of the gunshots was still often distinguishable from other background noises. Thus, even though residents experience other ambient sounds that are louder, noise from the gun range is still detectible within the neighborhood and can be identified as gunshots.

Illingworth’s noise measurements also showed that gunshot sounds were below threshold noise standards at the campground and all trail locations except those uphill (north) or close to the gun range. However, similar to the residential neighborhood, gunshot sounds were distinguishable from other ambient noises at these other locations.

### ***b. Mitigation Options for Gun Range Noise***

Several typical gun range noise abatement techniques were evaluated for potential use at the Chabot Gun Range. Of these, the most promising was the enclosure of the back and sides of ranges 1 through 5. The initial cost estimate is \$125,000, with actual costs dependent on final design. Although sound barrier walls would not eliminate the gun fire noise, they would reduce

the level of noise propagating west and south of the range where a majority of park facilities, including the campground, are located, and where a majority of the closest residential neighborhoods are located. Computer modeling indicates a potential reduction in sound levels of 9 to 19 dB in the neighborhoods west of the range with the use of the barrier walls.

Another noise abatement strategy is the restriction of certain types of guns. Large caliber, long range guns are already restricted at the range and can be used only on Monday afternoons due to their higher noise levels. If complaints or high estimated noise levels can be associated with these guns and their time of use, other measures could be considered such as allowing these guns to use Range 8 only, which is already enclosed.

Another option for reducing noise impacts to park users and adjacent neighbors would be the restriction of gun range use days and/or hours. For example, since most of the use in the park by campers and trail users is on weekends, the range could be closed from 2:00 pm Friday afternoon to 12:00 noon on Sundays. This restriction would not only reduce noise impacts during high visitation days of the week, it would also reduce gunshot sounds in the residential areas for the majority of the weekend hours when many people are off work and at home. However, the weekends are also the days of highest public use and revenue for the gun range. Based on the revenue and use data received from the Gun Club it appears that Saturday and Sunday use accounts for 46% of annual revenues. While this reduction in hours would also equate to a reduction in staffing costs, these reductions would significantly reduce revenues required for operating and maintaining the range.

It should be noted that shooting ranges are generally protected in matters alleging noise if the range is operating in compliance with all ordinances in effect at the time the range was constructed, per *California Code § 3482.1* as referenced in **Attachment G**.

## **IX. Facility Conditions and Capital Maintenance**

The facilities at the gun range are nearing the end of their service life without additional significant capital investment. In determining the potential costs for continued operation of the gun range, District staff evaluated facility maintenance costs to keep the range facilities in a safe and serviceable condition.

### ***a. Renovation and Replacement Costs Based on VFA Evaluation***

In 2015, the gun range was evaluated by VFA, a third party vendor contracted by the District to develop a web-based Capital Planning and Management Software database that provides an assessed value for District facility and a current condition evaluation based on the expected service life of each asset. All assets at the Chabot Gun Range were evaluated to the component level (e.g. roof, electrical, HVAC, etc.). In addition to VFA's assessments, District Maintenance and Skilled Trades (MAST) staff provided estimates for repairs and renovations to several sub-systems such as roofs, electrical system and sewer system.

In general, all of the assets evaluated at the gun range are in fair to poor condition, with several at or near the end of their projected useful service life. In determining a capital maintenance program for the gun range, staff utilized the VFA data for determining cost data for four primary range structures and then added additional cost data for the sewer system, and replacement of the roofs on all of the five shooting range structures.

The table below provides cost data from the VFA evaluation for four primary structures, in addition to cost estimates for repair or replacement of the sewer system and roofs on all five of the shooting range structures. The table provides a condition rating for each structure called the Facility Condition Index (FCI), which indicates as a percentage the remaining service life for the structure. A new building would have an FCI of 0% and a building at the very end of its useful service life would have an FCI of 100%, meaning that it has exhausted 100% of its useful service life and that the most cost effective action is full replacement.

**Table 5: Facility Condition Index, Renovation and Replacement Costs**

<b>Structure</b>	<b>FCI</b>	<b>Renovation</b>	<b>Replacement</b>
Office/Restroom	94%	\$377,261	\$408,106
Residence	101%	\$354,936	\$358,066
Restroom/Storage	80%	\$104,044	\$130,740
Trap Building	92%	\$310,819	\$340,719
Sewer System	n/a	\$51,000	\$125,000
5 Range Roofs	n/a	\$150,000	\$150,000
<b>Total</b>		<b>\$1,348,060</b>	<b>\$1,512,631</b>

As shown in the table, the renovation costs for each structure are nearly the same as the full replacement costs. This is due to the overall poor condition of the structures. A full replacement approach would be the most cost effective course of action for a facility that is intended to provide service for an extended term.

**b. Cost Estimates Based on Asset Preservation Approach**

An alternative approach to the VFA or Asset Replacement approach would be to just focus on specific structural sub-systems in order to extend the useful service life of primary structures at the Gun Range. The following table outlines costs related to this “Asset Preservation” approach.

**Table 6: Chabot Gun Range Facilities: Asset Preservation Cost Estimates**

<b>Structure</b>	<b>Cost Estimate</b>
Roof Replacement - All Structures	\$288,203
Repair Sewer System	\$51,000
Demolish and Replace Residence	\$378,866
Electrical System Repairs	\$88,850
Renovate 3 Public Restrooms	\$90,000
	<b>\$896,919</b>

This Asset Preservation approach is similar to the approach the District has taken at the Redwood Canyon Golf Course facility. Preserving and maintaining the facilities structural capital assets would decrease costs by \$615,000 compared to full replacement costs, and would extend the service life of the range facility overall by at least 10 year or more, while providing higher quality facilities and meeting current ADA access standards. Costs could be reduced to approximately \$500,000 by eliminating the security residence on site.

If the District were to consider a shorter service term for the range, then most of these range facilities could be allowed to continue to deteriorate, and any repairs critical to health and safety would be addressed on an individual demand basis.

## **X. Summary**

Continued operation of the Chabot Gun Club would provide ongoing recreational opportunities for many members of the public, and would continue to provide a popular training facility for federal contractors, military, and federal and local law enforcement agencies, including the District's own public safety department. While there are other gun ranges in the area, the Chabot Gun Club appears to serve many long-time, repeat individual users and groups.

Based on the information available to date, it appears that a significant capital investment would be required for the Chabot Gun Range to continue operating into the future. As outlined above, these costs are estimated to include approximately \$2.4M \$3.4M in capital projects and an average of \$190,000 in annual operating and maintenance costs.

As indicated above, the term of operation significantly affects the total capital and operational costs for continuing operation of the range. The estimated costs do not take into account the ongoing commitment of staff resources required because of increased regulatory requirements. If the District were to elect for a shorter term of operation (i.e. less than two years), then some capital investment costs may be avoided or eliminated, and ongoing operation and maintenance costs would be reduced as referenced in the Operational Cost Plans, **Attachment H**.

It appears that under the current operational model, net revenues could not offset the capital costs or future annual costs related to ongoing operation and maintenance of the gun range, although District staff is still meeting with the Chabot Gun Club staff to explore options for the gun range to be self-supporting. **Attachment H** includes a cost analysis for full cost recovery of capital, operations, and maintenance costs based on the use of a daily surcharge in addition to normal daily range use fees. These cost recovery scenarios include annual costs for repeat users who visit the range once or twice per month and are intended to provide a user's perspective in comparison with current annual costs for similar usage based on the existing fee structure.

Staff presented the September 17, 2015 draft informational report to the Board Operations Committee at its September 24, 2015 and October 15, 2015 meeting. Committee and public comments were received and responses are provided as **Attachment I**. Staff also presented the draft informational report to the Park Advisory Committee at its September 28, 2015 meeting. Committee and public comments were received and are provided as **Attachment J**.

There are three current petitions affecting the Chabot Gun Club, summarized as **Attachment K**, where individual comments can be found at the following websites:

Jason Siegel's petition to keep Chabot Gun Club OPEN

<http://petitions.moveon.org/sign/chabot-gun-club-safe>

Peter Volin's petition to Close Chabot Gun Club

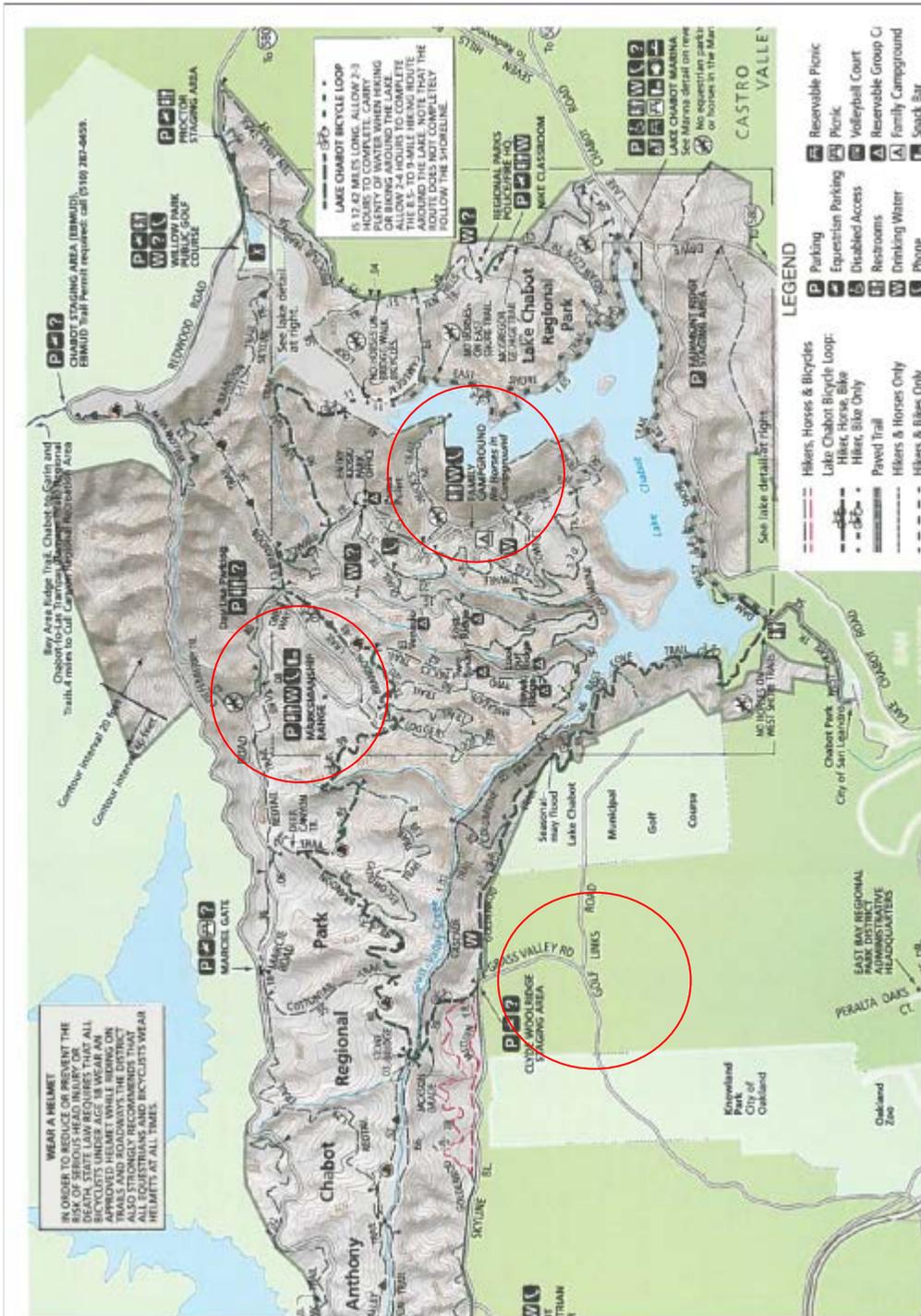
[http://petitions.moveon.org/sign/anthony-chabot-regional?source=c.em.cp&r\\_by=2928410](http://petitions.moveon.org/sign/anthony-chabot-regional?source=c.em.cp&r_by=2928410)

Frank Burton's petition to effectively CLOSE the range or STOP/REDUCE Chabot Gun Club's SOUND and/or HOURS

<http://petitions.moveon.org/sign/stop-or-drastically-reduce>

Additionally, staff and Board of Directors have received e-mails, letters and phone correspondence regarding status of the renewal of the Chabot Gun Club lease.

# Attachment A VICINITY MAP



**Attachment B**  
**Description of individual shooting ranges on-site**

- Range 1 & Range 2:  
*20 yd., 50yd., 75 yd., 100 yd., public use, rifles, pistols, shotguns using slugs*
- Range 3:  
*7 yd., 15 yd., 25 yd., public use, pistols only*
- Range 4:  
*multi-purpose use by event or reservation for classes, matches, and law enforcement training*
- Range 5a &5b :  
*multi-purpose use by event or reservation for classes, matches, and law enforcement training*
- Range 6:  
*restricted practice range for Club demonstration or special training*
- Trap:  
*shotguns only with trap loads*
- Range 8 & pit:  
*200 yd., rifles and long range handguns*

**Attachment C**  
**2015 Fee Schedule for Chabot Gun Range**

The 2015 fee schedule, shown below, includes public day use rates per person, rates for classes and matches per person, and rates for private gun range rentals per day.

**2015 Fee Schedule**

Type	Pistol & Rifle	Public Trap
Juniors - Under 18	\$4.50 day	\$5.50 round (25 clay birds)
Members	\$7.75 day	\$8.00 round (25 clay birds)
Guests	\$8.00 day	\$8.00 round (25 clay birds)
Non-Members - 18 & up	\$15.50 day	\$10.00 round (25 clay birds)
Classes and Matches	\$7.00 - \$125.00 per person	
Private Range Rental	\$300.00 - \$350.00 per day	

## Attachment D Group Rentals

The following list shows groups that rented the gun range in 2013:

<u>Group</u>	<u>Annual Use</u>
Electronic Arts	1
Garand Match	1
Jerry's Kids	1
LMS	1
PFV/High Combat	1
Poise Pistol Matches	1
Safari Club	1
Defense Pistol	2
Military Bolt Rifle	2
Redback	2
Sharpshooter	2
Shotspotter	2
Holster	4
Old West	6
Tactical Rifle	8
Team 3 TAC	9
PPC	10
Silhouette	11
Appleseed	12
Benchrest	12
Black Powder	12
Tactical Handgun	12
High Power	13
3-Gun	16
Tuesday Action Shoot Club	23
Hand Gun Silhouette	24
Lite Rifle	24
HP Maint	50
<b>Total</b>	<b>263</b>

**Attachment E**  
**Other Public Gun Ranges within 100 miles of Chabot Gun Club**

The following is a list of public ranges located within 100 miles of the Chabot Range with comparable amenities:

1. Richmond Rod & Gun Club, Richmond, CA, 17 miles  
*25 yd., 50 yd., 100 yd. outdoor ranges, trap & skeet, muzzle loading*
2. United Sportsmen, Inc., Concord, CA, 17 miles  
*50 yd., 200 yd. outdoor ranges, trap & skeet, muzzle loading, silhouette, archery*
3. Livermore/Pleasanton Gun Club, Livermore, CA, 26 miles  
*10 yd., 25 yd., 200 yd. outdoor ranges, trap & skeet*
4. Los Altos Rod and Gun Club, Los Gatos, CA, 39 miles  
*7 yd., 15 yd., 25 yd., 50 yd., 100 yd. outdoor ranges, trap, muzzle loading*
5. The Field Sports County Park, Coyote, CA, 46 miles  
*7 yd., 15 yd., 25 yd., 50 yd., 100 yd., 200 yd. outdoor ranges, trap, trap & skeet, muzzle loading*
6. San Joaquin Pistol Range, Linden, CA, 63 miles  
*25 yd., 100 yd., 200 yd. outdoor ranges, clays*
7. Sacramento Valley Shooting Center, Sloughhouse, CA, 76 miles  
*50 yd., 100 yd., 200 yd., 300 yd., 1000 yd. outdoor ranges, trap & skeet & clays, muzzle loading, silhouette*
8. Cordova Shooting Center, Rancho Cordova, CA, 78 miles  
*Outdoor ranges, trap & skeet*
9. Laguna Seca Rifle & Pistol Range, Salinas, CA, 85 miles  
*15 yd., 25 yd., 50 yd., 100 yd., 200 yd. outdoor ranges, muzzle loading, silhouette*

**Attachment F**  
**Indoor Public Ranges with 50 miles of Chabot Gun Club**

The following is a list of public ranges located within 50 miles of the Chabot Range with comparable amenities:

1. San Leandro Rifle & Pistol Range , San Leandro , CA  
Facilities Include: Outdoor Pistol(25yds, 50yds), Indoor Pistol(25yds), Outdoor Rifle(25,50,100yds)
2. Jackson Arms , South San Francisco , CA  
Facilities Include: Indoor Pistol(25 & 50 yds), Indoor Rifle(25 & 50 yds)
3. The Shooting Gallery, Inc. , Vacaville , CA  
Facilities Include: Indoor Pistol(50 ft, 75 yds), Indoor Rifle(50 ft, 75 yds), Silhouette Pistol
4. Milpitas Shooting Range/Target Masters West , Milpitas , CA  
Facilities Include: Indoor Pistol(6-25 yds.), Silhouette Pistol
5. Reed's Indoor Range , Santa Clara , CA  
Facilities Include: Indoor Pistol(25 yds), Silhouette Pistol
6. National Shooting Club. Inc , Santa Clara , CA  
Facilities Include: Indoor Pistol(25 yards), Muzzle Loading
7. San Jose Municipal Pistol Range , San Jose , CA  
Facilities Include: Indoor Pistol(50 ft), Indoor Rifle(50 ft), Archery

**Attachment G**  
**California Civil Code**

§ 3482. 1. Operation or use of sport shooting ranges; civil liability or criminal prosecution; noise or noise pollution nuisance

(a) As used in this section:

(1) "Person" means an individual, proprietorship, partnership, corporation, club, or other legal entity.

(2) "Sport shooting range" or "range" means an area designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, or any other similar sport or law enforcement training purpose.

(3) "Indoor shooting range" means a totally enclosed facility designed to offer a totally controlled shooting environment that includes impenetrable walls, floor and ceiling, adequate ventilation and lighting systems, and acoustical treatment for sound attenuation suitable for the range's approved use.

(4) "Nighttime" means between the hours of 10 p.m. and 7 a.m.

(b)(1) Except as provided in subdivision (f), a person who operates or uses a sport shooting range in this state shall not be subject to civil liability or criminal prosecution in any matter relating to noise or noise pollution resulting from the operation or use of the range if the range is in compliance with any noise control laws or ordinances that applied to the range and its operation at the time construction or operation of the range was approved by a local public entity having jurisdiction in the matter, or if there were no such laws or ordinances that applied to the range and its operation at that time.

(2) Except as provided in subdivision (f), a person who operates or uses a sport shooting range or law enforcement training range is not subject to an action for nuisance, and a court shall not enjoin the use or operation of a range, on the basis of noise or noise pollution if the range is in compliance with any noise control laws or ordinances that applied to the range and its operation at the time construction or operation of the range was approved by a local public entity having jurisdiction in the matter, or if there were no such laws or ordinances that applied to the range and its operation at that time.

(3) Rules or regulations adopted by any state department or agency for limiting levels of noise in terms of decibel level which may occur in the outdoor atmosphere shall not apply to a sport shooting range exempted from liability under this section.

(c) A person who acquires title to or who owns real property adversely affected by the use of property with a permanently located and improved sport shooting range may not maintain a nuisance action with respect to noise or noise pollution against the person who owns the range to restrain, enjoin, or impede the use of the range where there has been no substantial change in the nature or use of the range. This section does not prohibit actions for negligence or recklessness in the operation of the range or by a person using the range.

## Attachment H Operational Costs Plans and Cost Recovery Plans

### Anthony Chabot Marksmanship Range – Operational Cost Plans

Option #1 Immediate Closure	One-time	Annual <sup>1</sup>	Total Cost
Stormwater Permit Compliance (prior to remediation)	210,500	405,000	615,500
Sound Mitigation	0	0	0
Facility Capital Maintenance	0	0	0
Remediation	6,500,000	0	6,500,000
<b>Option #1 Total Costs</b>	<b>6,710,500</b>	<b>405,000</b>	<b>7,115,500</b>

<sup>1</sup> - Assumes 5 years of maintenance until remediation is completed

Option #2 Short-term Operation Plan (< 2 years)	One-time	Annual <sup>2</sup>	Total Cost
Stormwater Permit Compliance (prior to remediation)	210,500	567,000	777,500
Sound Mitigation	0	0	0
Facility Capital Maintenance	0	80,000	80,000
Remediation	6,500,000	0	6,500,000
<b>Option #2 Total Costs</b>	<b>6,710,500</b>	<b>647,000</b>	<b>7,357,500</b>

<sup>2</sup> - Assumes 7 years of maintenance until remediation is completed

Option #3 10-year Operation Plan (lead ammunition)	One-time	Annual	Total Cost
CEQA Process - EIR	200,000	0	200,000
Stormwater Permit Compliance (prior to remediation)	1,615,500	1,900,000	3,515,500
Sound Mitigation	125,000	0	125,000
Facility Capital Maintenance	141,000	400,000	541,000
Remediation	6,500,000	0	6,500,000
<b>Option #3 Total Costs</b>	<b>8,581,500</b>	<b>2,300,000</b>	<b>10,881,500</b>

Option #4 10-year Operation Plan (non-lead ammunition)	One-time	Annual	Total Cost
CEQA Process - EIR	200,000	0	200,000
Stormwater Permit Compliance (prior to remediation)	1,350,500	1,500,000 <sup>3</sup>	2,850,500
Sound Mitigation	125,000	0	125,000
Facility Capital Maintenance	141,000	400,000	541,000
Remediation	6,500,000	0	6,500,000
<b>Option #4 Total Costs</b>	<b>8,316,500</b>	<b>1,900,000</b>	<b>10,216,500</b>

<sup>3</sup> - Annual O&M reduced to \$30,000 per year instead of \$70,000 due to reduced raking of berms using non-lead ammunition

### Anthony Chabot Marksmanship Range – Cost Recovery Plans

Option #2 – Full Cost Recovery	One-time	Annual <sup>1</sup>	Total Cost	Without Surcharge
<b>Option #2 Total Costs</b>	<b>6,710,500</b>	<b>647,000</b>	<b>7,357,500</b>	
A. Fee Surcharge (100% - user base = 44,350 annual visits)			83	
Average User Annual Cost - 1X month (\$72 membership + \$93 Range Fees + Surcharge)			1,161	165
Average User Annual Cost - 2X month (\$72 membership + \$186 Range Fees + Surcharge)			2,250	258
B. Fee Surcharge (60% user base = 26,610 annual visits)			138	
Average User Annual Cost - 1X month (\$72 membership + \$93 Range Fees + Surcharge)			1,821	165
Average User Annual Cost - 2X month (\$72 membership + \$186 Range Fees + Surcharge)			3,570	258

Option #3 – Full Cost Recovery	One-time	Annual <sup>1</sup>	Total Cost	Without Surcharge
<b>Option #3 Total Costs</b>	<b>8,581,500</b>	<b>2,300,000</b>	<b>10,881,500</b>	
A. Fee Surcharge (100% - user base = 44,350 annual visits)			25	
Average User Annual Cost - 1X month (\$72 membership + \$93 Range Fees + Surcharge)			465	165
Average User Annual Cost - 2X month (\$72 membership + \$186 Range Fees + Surcharge)			558	258
B. Fee Surcharge (60% user base = 26,610 annual visits)			41	
Average User Annual Cost - 1X month (\$72 membership + \$93 Range Fees + Surcharge)			657	165
Average User Annual Cost - 2X month (\$72 membership + \$186 Range Fees + Surcharge)			1,242	258

Option #4 – Full Cost Recovery	One-time	Annual <sup>1</sup>	Total Cost	Without Surcharge
<b>Option #4 Total Costs</b>	<b>8,316,500</b>	<b>1,900,000</b>	<b>10,216,500</b>	
A. Fee Surcharge (100% - user base = 44,350 annual visits)			23	
Average User Annual Cost - 1X month (\$72 membership + \$93 Range Fees + Surcharge)			441	165
Average User Annual Cost - 2X month (\$72 membership + \$186 Range Fees + Surcharge)			810	258
B. Fee Surcharge (60% user base = 26,610 annual visits)			39	
Average User Annual Cost - 1X month (\$72 membership + \$93 Range Fees + Surcharge)			633	165
Average User Annual Cost - 2X month (\$72 membership + \$186 Range Fees + Surcharge)			1,194	258

**Attachment I**  
**September 24, 2015 Board Operations Committee**  
**Committee and Public Comments**

**Director John Sutter**

1. Have we ever exceeded best management practices (BMP's) at the Chabot Gun Club (CGC)?

*Response: per Matt Graul, Chief of Stewardship, Yes, we have exceeded the EPA benchmark values.*

2. Were the BMP's exceeded in 2014 December storm?

*Response: per Matt Graul, Yes*

3. What are the structural control options?

*Response: Per Matt Graul, Geosyntec Consultants recommend:*

Option 1- Treat runoff from the gun ranges with cartridge filter devices installed in drainage inlets

Option 2- Performing lead source Recondition berm, clean, rework berms – capital investment 620,000 to 1,660,000

4. What is a treatment unit?

*Response: Per Matt Graul, the large box in the drain – size will vary, physically remove and treat lead.*

5. Was Lake Chabot tested?

*Response: Per Matt Graul, yes, no impact found*

6. Were the fish tested?

*Response: Per Matt Graul, yes, no impact found*

7. If closed, what is the cost to clean up?

*Response: Per Carol Victor, District Counsel, the cost estimate at this time is between \$2.5 – 6.5 million to cap onsite*

8. Why is there no staff recommendation at this time?

*Response: Per Jim O'Connor, AGM Operations, information is being used to complete research for negotiation*

*Response: Per Carol Victor, this process is to elicit public comments, Committee comments, identify any issues, not asking for a final decision, will then go to full Board for decision.*

**Comments:**

- Prefers to have full Board input in public setting and Park Advisory Committee (PAC) should be encouraged to express their views
- Appreciated the amount of work involved in producing the staff report
- Thanked the Chabot Gun Club Rangemaster for tours and providing information to Board and staff
- Basic issue - is this a legitimate function of the District and does this activity fit

- The range provides an opportunity for users to practice and use in a safe manner – then yes, this is a legitimate recreation activity
- Also service to law enforcement is a plus, however, law enforcement not really using the facility much, and other larger cities in two counties are not using this range
- Acknowledged that this is an existing use, and to take away would be hard but we need to look at the reality of how it effect neighbors, costs to keep up and maintain facility, which means sometimes have to say sorry can't relocate or fund
- Examples of other facilities no longer with District - Model airplanes at Pt. Pinole, Bruener Marsh and Pony ride at Tilden partly due to manure management alongside the creek
- The noise issue had much more public input at past meetings, understands it takes time to personally attend a meeting
- Why do people go to parks – relaxation, quiet, rest from noisy world – gunshot noise is disturbing
- Interested in staff's opinion who work at Anthony Chabot Campground and what their comments
- Regarding the noise mitigation - the computer projection mitigation is speculative
- Pluses and minuses for this use need to be addressed:
  - A lot of open land for this type of use
  - In 2015 would we start this type of activity?
  - Is this activity consistent with goals, philosophy with Park District
  - What else are we doing in the park – expansion of campground then have gunshot noise in campground
- Cost factor considerations – prepared cost sheet for continued operation of range with median costs for comparison

## **Director Doug Siden**

### Comments:

- Appreciated the work and team effort that went into producing the informational report.
- In the past several neighbors have attended Board and Committee meetings commenting and expressing concerns regarding gunshot noise in neighborhoods, on the trails, and in campground.
- Also, supporters and users of the Chabot Gun Club have attended meetings advocating for continued recreation of this type at this facility.
- Supports allowing additional time for continued review and comments by Club, neighbors, and users.

### **Public comments:**

#### **John Maunder, Rangemaster and Treasurer, Chabot Gun Club**

Comment: Received the Board Operations Committee packet late Friday afternoon, which was not enough time to review, 3 and a half days before this meeting, as rangemaster and treasurer, need more time to review. Request more time to review and comment.

## **Dennis Staats, President, Chabot Gun Club**

Comment: In order to have time for a meaningful response to the informational report need more time. Suggest moving to come back to BOC allowing opportunity to review report, asking for a month extension.

## **Frank Burton**

1. When will the Final Geosyntec report be available?

*Response: The Final Geosyntec report will be available after staff completes review and comment.*

2. Why was the Sound Study just issued today?

*Response: Sound Study was made available upon completion of staff comment and review.*

## Comments:

- The review timeline is not reasonable. Suggest extending the review period.
- The subject of nature and impact on “sounds” vs. “gunshot noise” impacts to neighbors should be considered.
- Suggests the Board of Directors visit the site and experience for themselves the level of noise on the trails, in the neighborhood, and in the campground.

## **Peter Rauch**

1. Regarding the other range information provided, questioned chart and wanted to know what ranges were open to public, a municipal range, park district range, or private range.

*Response: The ranges listed in Attachment D are all public ranges. The municipal ranges are the Field Sports County Park range owned by Santa Clara County and Laguna Seca Rifle & Pistol Range owned by Monterey County. The list was provided to show alternatives for users of the Chabot range.*

2. Why is the District providing this type of service as opposed to a private commercial provider?

*Response: The marksmanship range was approved as a recreational use in Anthony Chabot Regional Park in a lease agreement in 1962 and further identified as a site use in the Land Use Plan adopted in 1984.*

3. What services are provided?

*Response: The Chabot Gun Club provides operations, management, and security of the gun range. Provides security and safety classes, public use firing lines, law enforcement practice training, and private group range rentals.*

4. Why does District provide this service?

*Response: The District leases this facility per Board approved recreational use.*

5. Why weren't the patterns of sounds addressed?

*Response: The purpose of the 2015 Noise Study was to compare the current noise levels of the two previous studies and for developing and evaluating potential noise abatement approaches.*

6. The City of Oakland has two ordinances related to nuisance noise – one does not address nuisance but more of an “annoyance level” rather than measure of decibel level. Why was the annoyance level not studied?

*Response: The level of annoyance is subjective and had no bearing on the noise abatement approach.*

7. What are EBRPD Ord. 38 restrictions on noise?

*Response: Please refer to EBRPD Ord. 38 Section 908 as follow.*

## SECTION 908. DECLARATION OF NOISE POLICY.

It is hereby declared to be the policy of the District to prohibit unnecessary, excessive, annoying noises from all sources subject to its police power. At certain levels, noises are detrimental to the health and welfare of East Bay Regional Park District users, and it is in the public interest to systematically prescribe such noises.

Comment:

Regarding best management practices (BMPs), suggest looking at District practices – 2009 process and regulations, address the problem, and look at your own method of adaptive management.

### **October 15, 2015 Board Operations Committee Draft Minutes and Public Comments**

#### **I. Second Review Draft Informational Report on Chabot Gun Club and Facility Operations at Anthony Chabot Marksmanship Range**

AGM O'Connor began by recounting the September 24, 2015 Committee meeting, that it was requested by Director Sutter to bring an updated version of the report to today's meeting. Included in the packet is the updated version of the report with updated information and public comments received. In addition, AGM O'Connor relayed it has been communicated to the Park Advisory Committee (PAC) members and Chabot Gun Club representatives, that this item has been moved to be reviewed by the full Board at the November 3, 2015 meeting.

AGM O'Connor proceeded to provide the Committee updates through a PowerPoint presentation and indicated there was information that needed to be updated, related to non-lead ammunition use. When the report was reviewed at the PAC meeting it was asked how the context of non-lead ammunition, which is solid copper, would affect storm water compliance. Chief of Stewardship Matt Graul indicated copper is regulated and we may need to change the information on the report. Director John Sutter inquired on what it would change to read. AGM O'Connor replied the concern in the lead scenario is you would still need to rake backside berms to remove the source lead. Originally it was thought we could avoid the removal of the source material, but the concern is that the copper doesn't fragment the same way lead does, so raking would need to be done.

In the Sound Study and Noise Mitigation report we received a comment regarding the Oakland noise ordinance in terms of subjective aspects of noise ordinances. In discussions with Legal, the California State Civil code includes immunity for gun ranges as long as consistent with level at time of construction.

In the report both public and Committee comments and a location map were included as attachments. AGM O'Connor provided a presentation with brief explanations on scenarios for future operation of the range, which is included in the report. The scenarios include: Immediate Closure, Short-term Operation Plan (<2 years), 10-year Operation Plan (lead ammunition), 10-year Operation Plan (non-lead ammunition).

Director Doug Siden sought clarification on distinguishing between the one time and the annual costs. Director Burgis stated \$81,000 per year multiplied by five. AGM O'Connor confirmed that is correct and clarified through the presentation a more detailed explanation.

Director Sutter asked if the information provided assumes closure in year ten and if the numbers assume that. AGM O'Connor stated it will only assume a ten year operation period. What is missing from this information is at the ten year mark, if we continue operation, we would have to conduct a full cleanup of the backstop berms as indicated initially in this ten year period. Director Sutter questioned where in the initial figure if we had to shut down at year ten and what would the initial costs be. AGM O'Connor indicated the costs that Geosyntec provided is \$1.4 million for the lead source removal and considering the inflation factor, the cost would be at approximately \$1.5 million.

AGM O'Connor continued with detailed information on items they were asked to look in to. These items included non-lead ammunition and recovery cost scenarios with a 100 and 60 percent user base.

Director Sutter asked what fees competing ranges charge. AGM O'Connor indicated he did not have that information, but it is available in the generated report.

Director Sutter inquired on how AGM O'Connor arrived at the 60 percent Fee Surcharge. AGM O'Connor explained if we were going to implement a surcharge, this is how it would look. The number was chosen at random and is not market based.

Director Sutter inquired if any feedback has been received from the club on these numbers. AGM O'Connor responded the club just received the report at the last meeting. We are continuing discussions with the club and anticipate receiving feedback as to if these surcharges are reasonable for their user base.

Director Sutter inquired on what other Bay Area agencies have gun ranges. AGM O'Connor replied there is one at Coyote Point in San Mateo, but is not aware if it is run by the parks department and Field Sports Park in Santa Clara County operated by the Santa Clara County Parks Department. He indicated it is an open space agency.

Director Sutter inquired if we know of any agencies in special parks district agencies nationwide that have gun ranges. AGM O'Connor replied no, and advised our study was focus within a 100 mile radius of the gun range.

Director Sutter inquired if there are only two park agencies in the Bay Area, other than the District, that have gun ranges with knowledge that one is discontinuing. AGM O'Connor stated yes and that the range in San Francisco, which was enclosed, is now closed. It was a trap and skeet range. Director Sutter inquired if there are others that have been or are being closed. AGM O'Connor indicated the Concord range is being closed due to a cleanup in process and stated he is not aware if it is a city or private range. District Counsel Carol Victor also stated an indoor range in Sacramento is closing due environmental reasons.

AGM O'Connor stated the upcoming meeting on November 3 will be a review of the report. In the future, after discussions with gun club, we will return to the full Board for an open discussion on the future of the range.

Director Sutter commented he prepared a memo on gun range issues for consideration and provided handouts which are available at the meeting. It raised a number of questions no in the report and number of issues that the Board will have to consider at some point on this matter.

## Public Speakers on Item #2

Glenn Kirby speaking on behalf of the Sierra Club, indicated he reviewed the staff report and analysis with the cost recovery. He commented that the Chabot Gun Club like any concessionaire must operate the facility in a safe and environmentally ethical manner. When negative impacts result from concession issues, they must be held accountable for the costs of impacts. Recent District coverts have led the Sierra Club to conclude that the range is not environmentally or financial sustainable. The clubs now approved position is based on information and studies regarding pollutants and noise, the Sierra Club now opposes the renewal of the lease between the District and any party wishing to lease lands for use as a gun range. The club calls for the closing of the range, the findings of studies in the reports from September 2015 clearly shows there will be un-mitigatable adverse environmental effects and such use is not fiscally sustainable. The Sierra Club further states a full EIR must be prepared prior to renewal of the lease and the club reiterates its prior position that no public funds should be used or placed at risk to facilitate this use.

Dennis Staats, President of the Chabot Gun Club, (CGC) informed the Committee that club is diligently working on a proposal requested by the District Counsel. At this time we are unable to respond to the report presented to us at the last meeting. He indicated the draft report contained in the packet was sent to them three business days prior to the meeting and the sound study had not been sent prior to the meeting. The informational report was sent 3 and a half business day to today's meeting. The Environmental study was sent late yesterday. Additionally CGC council has not received other information requested by District staff. Both the original and second draft reports contain steps we believe are unnecessary, expensive and to begin planning on them, irresponsible. Although CGC team of scientists, attorneys, maintenance and finance personnel are working diligently, we cannot possibly have a response by the end of this year. We believe it is more likely a response would not be available until the end of next year. CGC requests access to mean to directly access the individual members of the Board. CGC believes the information the Board may be receiving is incomplete or may be accurate or inaccurate or both. How does CGC accomplish our goal of obtaining a free and open discussion with the Board in this matter of such great magnitude?

Director Sutter responded to Mr. Staats stating they thought some of the issues raised were unnecessary. Which issues were you referring too? Mr. Staats referred to the Geosyntec report in the first paragraph referencing the information on BMT's and the methods proposed to achieve the storm water improvements are necessary. When you base whole ideas and other groups express opinions based on the report, we have to make the recommendation of closing at their costs. The question becomes what is the real costs? We do not know at this point. We have had no rain this year to know that these methods are working. If we continue to make recommendation and extrapolating the future, it's based on financial numbers that may not be necessary.

Stuart Rupp commented that the Geosyntec report answered questions and left some unanswered. Reviewing the revised report there are some questions and some confusion in reference to BMT's. Different operations have different best management practices to prevent pollution. If affluent limits are consistently exceeded it will go to the next level, which are storm water beds, containment traps, ground contouring and use of steel bullets. If none work then it goes to nuclear option. If site is closed you will have to spend \$6.5 million to clean it up. The only way to prolong the expenditures is to keep range open. Believe more time is needed to.

Anthony Hare affiliated with the Center for Catastrophic Risk Management at UC Berkeley. The center is a group of experts, scientists, practitioners who wanted to find a way to pool experience in avoiding catastrophic accidents and industrial practices. We worked with nuclear industries and government agencies around the world. He indicated it is not straight line from expert analysis to sound reasonable solutions. The noise report was conducted by acoustic experts and not by firearms or gun fire sound experts. His belief is they did not go far enough in the study. Staff and the Board will have to arrive at a solution from the people who either use or do not wish to have a range. He recommends reiterate the requirement to slow down and find a way to incorporate international authorities in these various sciences that are neither on the Board or staff. He would be prepared to conduct this pro-bono with his colleagues going forward.

Di Rosario urged the Board to consider closing the gun range. His position is it is not going to get any better. He stated the longer it continues the more funds have to be spent. As with the Redwood Creek spill, it was studied for years before doing anything and it cost more to clean than to study. The more it continues, the more damage is done.

Frank Burton concurs with statements and questions made by Director Sutter's prepared memo. He urges the District to live up to its mission by discontinuing the range. The noise has grown enormously in the 50 years of the range's operation. He stated there are persons who no longer hike or camp in Lake Chabot or Anthony Chabot due to the noise level of gun fire. He commented that the District and the public is in a hole because of the lead contamination and the gun fire noise pollution of the two parks and several neighborhoods.

Director Sutter clarified and pointed out at the last meeting he pointed out both positive and negative things about the gun club that we need to think about. The memo relates to number of issues including the master plan and felt we needed to review the master plan.

Peter Volin commented on a positive point on gun club which is the valuable of holding hunting safety and gun safety courses. When the Board toured the gun range, one thing we learned was that in the last year or two the number of courses have been reduced and are being done online.

Director Siden asked AGM O'Connor if he sees this committee making a recommendation and if so, when. AGM O'Connor replied we need to conclude the conversation with the gun club on the lease then come before Board. It has not yet been determined if we will go through the Committee then Board. We anticipate to get to the point of recommendation by December. The gun club would like additional time. At a minimum we have to make a decision on the lease extension, which needs to occur before the end of the year. The one year extension ends at the end of December.

AGM O'Connor explained the intention of the process was to gather information from the public on the future of the range.

Director Siden commented that a member of the Board we need to make a basic decision if it's appropriate to have a gun range in the park or not and is there an adverse opinion on that.

Director Burgis recommended the gun club step up and understand it is logical to have expected this was coming along. She encouraged the club to work with District staff and understand the Board is not hearing that this is not going to continue for a long time and encourages to get up to speed on the items.

Director Sutter pointed to the idea of timing. The idea of closing the club is not new, they had a one year extension; and that the club and consultants were and are conducting their own analysis and providing their own studies. Issues raised at the last meeting are important. The Board and public needs to be aware and has to relate to our master plan and mission statement. Director Sutter referred to last sentence of the master plan. These are questions he believes should receive responses. We need input from all sides on these issues. How much wait to give this activity as a continuing activity? The District will balance environmental concerns and recreational opportunities. What is the correct balance? We need to have comments from both sides.

**Attachment J**  
**September 28, 2015 Park Advisory Committee**  
**Committee and Public Comments**

**Committee comments:**

**Gun range users and budget sections**

1. Revenue received and percent of gun range budget (revenue) from law enforcement/military organization users (LE).

Year	2010	2011	2012	2013	2014	Jan – Aug 2015
LE Range Rental	61,989	71,541	82,388	93,371	88,616	54,883
Gun Range Revenue	560,915	661,743	810,693	890,427	814,316	573,027
Percent of Revenue	11.05%	10.81%	10.16%	10.49%	10.88%	9.58%

2. In addition to public ranges, identify private ranges within 100 mile radius currently available for use by local, state and federal law enforcement officers, e.g. San Quentin, Chevron Richmond.

*Response: Incomplete, continued research in progress.*

3. Number of gun range members. *Response: 903 memberships as of 09/24/15*

4. Total expenses that District has incurred to administrate gun club concession agreement over the past two year (staff time, study consultants, etc.)

*Response: Agreement administration is included as part of staff's general responsibilities. Consultant cost for Sound Mitigation study and Environmental Compliance are \$145,860. Stormwater permit and sampling fees were \$4,514.*

5. Full annual District costs to be incurred if lease is renewed, including staff payroll, health and retirement benefits, annualized costs of CEQA compliance for lease renewal, facility repair & maintenance, removal of lead from berms, noise mitigation, stormwater compliance, etc. Show revenues and costs with and without use of lead ammunition.

*Response: See attached chart of Operational Cost Plans. Additional personnel and revenue detail provided below.*

Category	Annual Low Cost	Annual High Cost	Total Low Cost	Total High Cost
Personnel	0	0	41,360	41,360
District Revenue 40% decrease w/surcharge (lead ammunition)	33,000	52,200	33,000	52,200

Category	Annual Low Cost	Annual High Cost	Total Low Cost	Total High Cost
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Personnel	0	0	41,360	41,360
District Revenue 60% decrease w/surcharge (non-lead ammunition)	26,400	41,760	26,400	41,760

6. Express the above full District costs as a percent of gun club revenues, and also for a scenario considering effects of requiring non-lead ammunition on gun range revenues.
7. *Response: District costs would depend on operating period and other factors to be determined in the future.* Number of District staff hires and costs required to monitor, maintain and support the gun range.

Position	Average Hours per year	Cost
Park Supervisor	48	2,959
Park Unit Manager	48	4,008
Park Ranger II	60	2,704
Park Craft Specialist	84	4,193
Water Utilities Maintenance Supervisor	24	1,559
Sanitation Driver	108	5,447
Water Management Supervisor	104	7,154
Water Management Tech	41.6	2,263
Chief Stewardship	104	9,550
Ops Business Services	25	1,523
Total	646.6	41,360

Reports environmental compliance section

8. Clarify that the District is the holder / responsible party under the State Water Board's storm water general permit and ultimately responsible for compliance, cleanup and remediation.

*Response: East Bay Regional Park District is the permit holder.*

9. State and Federal grant funding that likely would need to be available to offset the District's costs for environmental compliance, cleanup, and/or remediation at the gun range.

*Response: Incomplete, research in progress.*

10. Other than lead, could there be other environmental issues that are not known at this point until further environmental study, such as Polycyclic Aromatic Hydrocarbons (PAH's) from the range use of clay pigeons.

*Response: There are not sufficient numbers exposed at this time. Need further investigation and will be included in the remediation plan for the range.*

11. With regard to the reference of the use of non-lead ammunition, it should be noted that copper is a regulated material by the State Water Board, and could become an issue in its use as well.

*Response: Comment noted.*

### Report Summary

12. Further analysis is suggested to present the different cost implications and the financial feasibility and impact on the District in continuing to operate the range for less than two years, ten years, or for complete closure. In addition to providing estimated total costs for each operation/cleanup scenario, the analysis should include all District costs on an annualized basis, including staff time and consultants that may be required due to increased regulatory compliance.

*Response: Summary chart of Operational Cost Plans provided in **Attachment I**. Future cost of consultants to be determined.*

13. In addition, the analysis should include the two years or less and ten year options, the implications of the use of non-lead ammunition, and how it could affect use of the range and financial feasibility. It is appropriate to continue to present estimated capital and cleanup costs as a *range* of costs, since much is yet unknown. The estimated costs should be organized into a clear summary and total for each scenario under consideration (as was done for the Facilities costs), i.e.:

*Response: Refer to summary chart of Operational Cost Plans provided.*

Report format: Include a vicinity map showing the gun range in relation to other park facilities and residences

*Response: A map will be included, **Attachment A***

### ***Approved minutes from September 28, 2015 Park Advisory Committee meeting:***

Director Sutter explained he is the Chair of the Board Operations Committee. He would like to discuss the Informational Report about the Anthony Chabot Gun Club. It is unusual in that there is no staff recommendation nor is there a request for a recommendation from the Board Operations Committee. Director Sutter stated he made a chart of expenses, which he distributed to the PAC.

Director Sutter stated he tried to figure out the capital expenses. For example, annual cost of future operations and the cost to close the Gun Club. Director Sutter said there would be substantial capital costs, about \$3,112,000 to keep the Gun Club running, and an annual expense of approximately \$ 458,999 per year.

Director Sutter suggested although no action has been requested on the Informational Report about the Anthony Chabot Gun Club, the PAC should express their opinion on this issue.

**Informational Report – Anthony Chabot Marksmanship Range**  
**Jim O’Connor, AGM Operations**

Kern explained the PAC’s role is to provide input about the staff Informational Report. Staff has asked the PAC to look at some of the issues relevant to the regulatory requirements and operating costs. This will serve as a baseline of information for making a final decision whether to continue, amend, or change the lease agreement. The District Board will consider this matter at an upcoming Board meeting as an informational item. The PAC has been asked to provide input which will be incorporated into the report. In order to facilitate this exchange, the PAC Executive Committee met with Jim O’Connor, AGM Operations to discuss the Informational Report. Kern instructed the PAC to make specific recommendations about the report’s completeness and/or need for further elaboration after O’Connor’s presentation.

Volin asked for clarification about how the input from the PAC will be recorded and transmitted to the Board. Kern replied he will summarize in a letter and circulate to the PAC members to make sure he’s captured the comments and thoughts of everyone. When finalized he will send to District staff and the Board of Directors.

PAC Member Beyaert inquired who decided this is only an informational item. O’Connor responded the District is still negotiating with the Gun Range on the lease renewal. This is an attempt to establish the baseline of information for decision making in the future. The timeline is constrained as the short-term lease extension is through December 31. This item will come back before the PAC in November.

O’Connor said the intent of the meeting is to gather information, correct errors, answer questions, and hear observations from the PAC. The intent of the District is to get the report accurate. O’Connor continued Director Sutter has asked the final draft of the report be brought back to the Board Operations Committee.

O’Connor provided a brief history about the gun range. It was built in 1963 jointly by the District and Oakland Pistol Club, the predecessor of the current Chabot Gun Club. The range area under lease is about 86 acres. The range itself is about 15 acres. The most recent lease with the Chabot Gun Club was established in 1989 and ended in 2014. Prior to the end of the lease, the Gun Club expressed an interest in extending. This triggered a series of meetings with the Gun Club to negotiate an extension. As staff and the Board started working through the process, the District took into account the changing regulatory environment – particularly with regard to stormwater pollution control legislation. Public and park users also expressed concerns about the environmental impact and sound issues associated with the range.

O’Connor reported two previous sound studies were conducted, but were focused primarily on the neighborhood and not on the park users of the trail system or campground. The District knew many of the buildings on site were getting near the end of their useful service life, so capital costs also had to be considered. All of these factors need to be taken into consideration in making a decision about the future of the range. At the end of the year, since there wasn’t enough time to research all the questions with any kind of accuracy, it was decided to request from the Board a one-year extension of the lease for the Gun Club. This allowed the District to do the research needed and create the Informational Report which is before the PAC today.

O'Connor showed the PAC committee maps of the Chabot Gun Club and the surrounding area. He explained the range is open during the day, but there is no shooting in the evening. There is an average of 168 public shooters each day, and there are 35,000 public range visits per year. Military and law enforcement also use the range. Five local law enforcement agencies, and five Federal agencies and contractors use the range for training. There are about 6,000 enforcement participants per year, and 254 use days per year. District Police use the range two to three times per month.

O'Connor explained there are nine other similar public outdoor ranges within 100 miles and seven public indoor ranges within 50 miles. The impact on law enforcement if the gun range closed would be the difficulty in getting into a busy range, travel time, and cost to use the range. Beyaert added outdoor private ranges should be included and he knows of at least two close by.

A key question for the future is can the range support itself. Increasing costs primarily due to environmental requirements, mainly stormwater compliance, is the responsibility of the Gun Club. The Gun Club pays a 5% concession fee to the District's General Fund, and 5% fee to the Maintenance Fund which is used for major maintenance projects at the range.

The gun range is subject to the general permit for industrial sources of pollutants. This includes a site specific plan to control the potential runoff of pollutants called the "Storm Water Pollution Prevention Plan" or "SWPPP." The District's current SWPPP requires implementation of best management practices (BMPs) along with stormwater monitoring. A BMP is designed to retain stormwater and sedimentation on site, divert clean water away from the industrial site so it doesn't become contaminated, and to treat water before it leaves the site to remove pollutants.

The District is very involved in implementing the SWPPP and, as landowner, is the holder of the permit. The District hired a consultant, Geosyntec Consultants, to determine the cost and feasibility of various stormwater BMP options. Some of their findings included:

- Cartridge Drainage Filters: \$264,000
- Backstop Berm Restoration – remove lead, amend soil and reconstruct berms: \$620,000 to \$1,660,000
- Annual BMP O&M costs: \$250,000

Palacios asked who pays for it. O'Connor stated right now it is the responsibility of the Gun Club. Volin added the net income from gun range to the District is \$40,000. The sound and lead study cost \$180,000 and those figures should be included in the report. Beyaert stated he thought the Gun Club was responsible for the BMP. O'Connor replied we are ultimately responsible. Ho asked who holds the permit. Chief of Stewardship Matt Graul stated the District. Volin asked who pays. Graul replied the Gun Club.

O'Connor stated if the range operates for one or two more years, even with the BMPs in place, source removal would have to be done. In ten years, source removal would have to be done again to stay in compliance. Preliminary analysis indicates a cost range between \$2.5 million and \$20 million depending on clean-up methodology used to remove contaminants from the gun range site.

O'Connor explained the use of non-lead ammunition has increased in California, primarily due to the 2008 state-wide ban on wildlife hunting with lead bullets which takes full effect in 2019. Non-lead ammunition is currently readily available in stores and online. Non-lead ammunition, however, tends to be about 30% more expensive than similar caliber premium lead ammunition. With respect to environmental impacts, non-lead ammunition does not contain any known toxins. It is less prone to fragmenting and, therefore, easier to reclaim than the softer lead ammunition which creates many smaller particles on impact. Use of non-lead ammunition would allow for clean-up activities to occur while continuing operation of the range without adding additional sources of lead to the site. O'Connor indicated one shooting lane at a time could be cleaned-up and converted to non-lead ammunition, and then work could begin on the next lane.

Beyaert asked how often the berm would need to be cleaned up. O'Connor replied every ten years. Palacios asked who pays for the monitoring. O'Connor replied we are looking into the future and don't know who would pay for it yet. Texiera asked how long it would take to close the range. O'Connor didn't want to speculate, but stated it would take several layers of environmental compliance.

O'Connor reported there were two objectives for the sound study: 1) measure ambient sound levels and gunshot sound levels in the surrounding residential neighborhoods, park trails and Anthony Chabot campgrounds; 2) Determine options for mitigating range noise. Saturday and Sunday are the loudest days. O'Connor commented the gun range is not exceeding the noise standard, but there is no doubt the sound is an annoyance. Beyaert asked if any high powered automatic weapons are used at the range. O'Connor responded the loudest occurrences are when law enforcement all shoot at once as part of their drills. Yee asked how far away is the nearest home. Volin responded less than two miles.

O'Connor added some options to mitigate the noise are:

- Full or partial enclosure of the range firing lines;
- Additional earth berms to block sounds from surrounding receptors;
- Additional vegetation to reduce noise propagated from the range;
- Reduction of hours of range operation;
- Re-orientation or re-location of ranges;
- Installation of range tubes (muzzle blast mufflers);
- Limitations on guns used at the range;
- Exclusion of noisier range user groups.

O'Connor discussed the facility conditions and capital maintenance for the structures onsite. Renovation and replacement costs were outlined:

- CEQA: \$100,000 to \$200,000 for an EIR, required for any long-term extension
- Noise Mitigation: \$125,000 for range enclosures
- Facility Capital Maintenance: \$500,00 to \$1.5 million for building repairs
- Stormwater Compliance: \$1.3 million to \$2.5 million for berm cleanouts, drainage filters, ditch cleanout, and annual operating and maintenance

A shorter term of operations would significantly reduce costs by eliminating many of the stormwater compliance, noise reduction and facility maintenance related capital costs, but on-going operating and maintenance would still be required.

PAC Member Robinson inquired about stormwater compliance and asked if there were other areas or issues beside lead which need to be addressed. Graul answered there is some potential legacy contamination of polycyclic aromatic hydrocarbons (PAHs). They are not readily on the surface, but might have to be looked at in a long-term clean up. They were used in clay pigeons, and were often broken up and used as a road base. There is no known hotspot of it, but it is a potential candidate. O'Connor interjected the District would need to conduct a thorough sampling of the site.

PAC Member Godfrey asked if there has been any preliminary analysis done on the water. Graul replied last year data collected during storms found water leaving the range with higher than the benchmark values of lead. Beyaert asked about sediments. Graul stated studying sediments would be inconclusive because of lead used in fishing equipment.

PAC Member Rickard inquired about the negotiations with the Gun Club and all the expenses involved in continued operation of the facility. If the Gun Club were to continue and be economically self-sufficient, their revenue would have to increase substantially. O'Connor replied, concession operation costs should be neutral or revenue positive to the District. Addressing the increased costs associated with the Gun Club is an important part of this discussion.

Teixeira noted the Fiscal Analysis included a lot of information about remediation and making improvements. Source removal costs between \$2.5 million to \$20 million are a huge range. It might be helpful to see a longer term projection of costs going forward which account for the state and federal regulations. O'Connor stated the real detail will come from the EIR process.

Mercurio added there are some real financial issues here which seem to imply changes should be made. PAC Member Gregory agreed with Mercurio.

Beyaert suggested a number of items be included: a map in the Report, add private ranges within a 100 mile radius, the economic sustainability of operations with and without lead shot, and lay out clearly the annual cost to the District with or without lead.

PAC Member Ho asked if using copper bullets would eventually become an issue/pollutant. Graul answered copper is regulated under the stormwater permit; theoretically it could become an issue.

PAC Member Sanwong asked how other facilities are addressing the new regulations. O'Connor referenced mitigation and adding wetlands.

Kern provided an opportunity for public comments. Senior Range Master John Maunder stated the Chabot Gun Club received the Informational Report. They have shared it with their attorneys and consultants. He commended the District for the level of detail within the report. He appreciates the chance to provide input on the Informational Report when they have finished their review.

Volin added the economic benefit to the District is \$40,000. The \$4 million for lead mitigation is 100 times the income the District is receiving. The continued costs are staggering. Is there any major decrease with non-lead bullets. O'Connor responded even if the gun range closed the lead would have to be reclaimed out of the berms and the soil would have to be remediated. Graul added the closure cost doesn't change.

Director Sutter stated it is important for the PAC to consider the District's Vision Statement, which says we have environmental ethic in everything we do. There's a basic issue whether the District should operate a gun range or not. When the Board understood the large costs associated with the gun range, it decided the District should consider whether operating a gun range should be part of its portfolio. He stated he didn't know of any public park agency in the Bay Area, except maybe Santa Clara County, who operates a gun range. Continued operation means continued noise and lead. Law enforcement officers will continue to use lead bullets to simulate actual field conditions. In addition, the effect on the campgrounds should be considered.

Director Sutter continued there are some positives for law enforcement and others who use the range, but there's also the question about whether the District should be operating a gun range.

Chair Kern suggested a motion should be made to receive the Informational Report and submit comments including those which reflect the total costs (including those to date for consultants and District staff time), issues of environmental compliance, the District's potential responsibility and who is the actual permit holder, issues of state or federal funding for cleanup and other associated operational costs, listing of private ranges and who uses them, identify PAHs, and how the options are characterized in the final summary including an array of options, both short and long term. Rickard inquired if the letter would be reviewed by the full PAC. Kern stated yes.

Beyear stated the District's mission with regard to the environment should also be considered. Ho stated the summary should be clearer. Palacios commented staff indicated this is not an action item. Kern stated he would transmit the PACs comments in writing. Volin added there are ethical and moral questions. He added the directions of the Board have been unclear. He would like clear direction. Kern concluded by stating he would proceed by getting a letter out with a fast turnaround time.

**Attachment K**  
**Three Current Petitions Affecting the Chabot Gun Club**

**As of October 28, 2015, 2:00 p.m.**

**(1) Jason Siegel's petition to keep Chabot Gun Club OPEN:**  
<http://petitions.moveon.org/sign/chabot-gun-club-safe>

Chabot Gun Club-Safe and valuable community resource: Petition by Jason Siegel

To be delivered to Ayn Wieskamp, President, EBRPD board of directors:

We support the Chabot Gun Club marksmanship range as a safe place to shoot. This is a valuable community resource in that it promotes firearms training and safe use among local citizens.

There are currently 6,408 signatures. NEW goal - We need 7,500 signatures!

**PETITION BACKGROUND**

This is a petition to counter another petition that wants to ban the Chabot range.

UPDATE: Since the original petition to close the range has been abandoned, it has been replaced by a petition to stop or limit the noise created by the gunfire. Here is a reasonable stance in support of the range:

-The Chabot range is arguably the finest and safest place to practice firearms use in the Bay Area.

-As the EBRPD is a public resource we have as much right to use the park as other users.

-If you take the park district's entire land area into consideration, this range, and the sound generated by it, occupies a small fraction of the park.

-To close the range would disproportionately discriminate against the rights of tens of thousands park users to satisfy the desires of, as it stands now, less than one thousand.

-Even to try to enclose it within a sound proof barrier would impose unreasonable costs...to be born by an as yet to be determined body of people.

-We call on the EBRPD to renew the Chabot Gun Club's lease to operate the range as a non-profit public service. And, ideally, write into the EBRPD by laws that this range lease never fail to be renewed for reasons of public protest, as long as the range is maintained as a safe and frequented public resource.

**(2) Peter Volin's petition to Close Chabot Gun Club:**  
[http://petitions.moveon.org/sign/anthony-chabot-regional?source=c.em.cp&r\\_by=2928410](http://petitions.moveon.org/sign/anthony-chabot-regional?source=c.em.cp&r_by=2928410)

Anthony Chabot Regional Park is the wrong place for a gun range: Petition by Peter Volin

To be delivered to Ayn Wieskamp, President of the East Bay Regional Park District Board of Directors and Andy Katz, President of the East Bay Municipal Utility District Board of Directors

The sound of gunfire from gun range located in the heart of Anthony Chabot Regional Park, a wilderness park in the Oakland hills, is destructive to the park experience for this park's many users and neighbors. The East Bay Regional Park District's contract with the Chabot Gun Club expires in 2014. We urge the elected Board of Directors of the East Bay Regional Park District not to renew this contract for the following reasons:

1. The noise from the gun range destroys the peace and serenity that park users seek in coming to a wilderness park. Gunfire is audible in at least half of this 5,000 acre park, on its numerous hiking and equestrian trails, the adjacent family campground, and to the boaters and fishing enthusiasts at Lake Chabot.
2. The sound of gunfire is audible in many neighborhoods in the Oakland and Castro Valley hills.
3. In 2012 and 2013 two bald eagles built a nest and successfully fledged young eaglets. Their nest is just over a mile from the gun range. Contamination from the lead bullets is a threat to these eagles and to other wildlife in the park.
4. The gun range is in an area that drains directly into Lake Chabot, which is an emergency drinking water supply for the East Bay. At the behest of the East Bay Municipal Utility District, the Park District has been collecting data for some time on how much of the lead from the bullets used at the gun range reaches the lake.
5. Anthony Chabot Regional Park is a particularly vital part of Oakland because it is the primary access to the Oakland hills wilderness area for the citizens of underserved neighborhoods in nearby Oakland troubled all too often by the sound of gunfire in their daily lives. By choosing to put the only gun range in its entire system in Anthony Chabot Park the East Bay Regional Park District is being insensitive to the rights and needs of the members of these communities.

There are currently 406 signatures. NEW goal - We need 500 signatures!

**(3) Frank Burton's petition to effectively CLOSE the range or STOP/REDUCE Chabot Gun Club's SOUND and/or HOURS:**  
<http://petitions.moveon.org/sign/stop-or-drastically-reduce>

STOP OR DRASTICALLY REDUCE THE GUNSHOT NOISE IN CHABOT REGIONAL PARKS

Petition by Frank Burton

To be delivered to Directors, East Bay Regional Park District

EAST BAY REGIONAL PARK DISTRICT DIRECTORS: Require a schedule for specific, stringent limits on noise as a condition of any operation of a gun range in Anthony Chabot Regional Park after the lease of the Chabot Gun Club expires this year. Your website says, "We acquire, manage, and preserve natural and cultural resources for all to enjoy now and into the future. Our parks are ideal for healthful recreation and environmental education. We invite you to enjoy hiking, biking, picnicking, horseback riding, camping, fishing, golfing, and nature study in our parks." Consistent with your statement, users of the parks and neighbors deserve to be able to enjoy the parks and their homes and yards without being assaulted by the sound of

gunfire, which because of increased use of the gun range and the way the sounds reverberate in the canyons and hills, is incessant and intrusive sometimes for hours at a time.

There are currently 1,104 signatures. NEW goal - We need 2,000 signatures!

#### PETITION BACKGROUND

Residents of Alameda and Contra Costa Counties: Please support your neighbors who want to enjoy nature in Chabot Regional Parks and who live near the parks. They are being assaulted by the sound of gunfire to such an extent that they often cannot enjoy the parks or their homes and yards for hours at a time, especially on weekends. Support them by signing this petition.

The lease of Chabot Gun Club to operate within Anthony Chabot Regional Park expires this year. The use of the park for environmental education and experiencing nature has expanded by leaps and bounds in the last many years, as has the number of neighbors near the park boundaries. While the gun range is a valuable resource for the law enforcement personnel and private gun owners who practice there, that use is basically and essentially inconsistent with the mission of urban-area parks such as the Chabot Regional Parks.

Since over 95% of the users of the parks want an experience of the natural world, free of the explosive intrusion of gunshots, if a gun range is to continue to be operated in the park after the current lease expires, it must be under stringent restrictions on the noise levels and days and hours of operation.

Any Request for Proposals for operation of a gun range in the park after the current lease expires must include conditions of use with specific limits on the decibel level of gunfire noise at designated points on certain hiking trails in the park and at stated points on the park boundary where it borders residential neighborhoods. The California Vehicle Code's limits on vehicle noise may provide a starting place for developing the standards of tolerable noise levels, which certainly should be much lower in the heart of a large regional park than is allowed in our cities.

If continued operation of a gun range is contemplated, a committee of park users and neighbors is willing to work with the Park District's staff to develop the exact noise levels which may not be exceeded, the location of the designated points for noise measurement, the days and hours of operation, and the time line for implementation of noise mitigation