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Orinda School Board considers rejecting \$1.5 million from state for nature area

By Sora O'Doherty

The Board of Trustees for Orinda schools is running up against a deadline for accepting \$1.5 million from the state of California, secured by Assembly Member Rebecca Bauer-Kahan, towards the restoration of the Wagner Ranch Nature Area located adjacent to Wagner Ranch Elementary School. The nature area has been mostly closed since severe winter storms last year brought down many trees over the 19 acre property, rendering it unsafe for use. Bauer-Kahan was responsible for an appropriation of \$1.5 million being added to the state budget for the nature area, but if the OUSD fails to accept the money soon-probably by the end of June-the appropriation will revert to the state's general fund.

On May 6, the board had a discussion about the nature area, although the matter was not on the agenda for action. Superintendent Aida Glimme and Director of Facilities, Stuart Watson, presented information to the board. District staff reported to the Board that they did not recommend acceptance of the funds with the mandates as they understood them.

In a wide ranging overview, it was reported that OUSD staff could not recommend placing 16 acres of District property into a perpetual Conservation Easement, in order to secure the appropriation. Staff also concluded that \$1.5 million is not sufficient for maintenance of the property in perpetuity (or 99 years) and that therefore the District cannot agree to being "locked into" an agreement that may prevent the staff from exploring funding options and other potential maintenance agreements. Nor could staff recommend an agreement in perpetuity due to unknown circumstances in the future.

Glimme said that the nature area is a highly valued historic site that has provided years of outdoor education, summer camps, and volunteer opportunities. Although the district has not obtained an official quote, the rough estimate to repair the damage to the nature area is estimated to be from a quarter to a half-million dollars just to reopen the nature area. However, Glimme stated that the district has to prioritize core curriculum and has no revenues specifically earmarked for the nature area, which has been cared for for years by The Friends of Orinda's Nature Area. She added that she could not recommend the use of general funds for the nature area.

In addition to the state allocation, the district is considering the possibility of utilizing other Orinda funds restricted for facility use - Fund 40, and Measure E and I Bond money. She also said that the district is committed to not building on the land and has been engaged in discussion with the City of Orinda and its Parks and Recreation Department on possible cooperation on maintaining the nature area.

School attorney Harold Freiman, with the Lozano Smith firm, tried to answer the board's questions regarding what exactly is meant by a "conservation easement," which is believed to be required in order to get the state money. The board members had questions about whether anything that the board agrees to would lock them in and prevent future fund-raising to support the nature area. They also had concerns regarding what a designation as "open space" would mean to the nature area and how any future actions might affect the designation of the area as a national historic site. Negotiations are ongoing with the assembly member's staff.

Orinda city council member and former mayor Inga Miller attended the meeting to submit written comments. In a letter to the board, Miller said she spoke as "a student of the Wagner Ranch Nature Area who moved back to Orinda for the values it promoted," and added, "I stand with the other alumni who urge you to seize this moment and tend to this community's sanctuary for mindfulness, tolerance, and knowledge." She wrote of her family's long connection with the nature area, and praised long-term naturalist Toris Jaeger, who for decades has taught Orinda children in the Nature Area.

The matter drew a great deal of public comment, leading the board to reduce the time for each speaker to one and a half minutes. Two students who attended had to leave before the matter was opened for public comment. Katharine Barrett, co-president of the Friends of the Orinda Nature Area, explained that the Friends have been funding the nature area since the district terminated funding in 2008. She noted that close to a thousand people have signed a petition because they are concerned that the district will turn down the \$1.5 million appropriation. "You've been equivocating for seven months since the nature area closed," she added.

Toris Jaeger said that her heart aches for the students who have missed out on the nature area, adding that high school students are dying to get back to volunteering there. Steve Danziger, speaking on behalf of himself and his two sons, called the nature area the "greatest memory of elementary school." He urged the board to accept the \$1.5 million. "This can be your defining moment to preserve your legacy," he added. Naturalist Bill Hudson also urged the board to accept the appropriation, offering that the district's only responsibility for the nature area would be to do the minimum maintenance required for fire safety. Josephine Sabolboro spoke on behalf of over 850 parents and students who have signed the petition to preserve the nature area. Retired teacher Peggy McGill reminded the board that with the closure of the nature area, students "lost a lot of connection to experiential learning, which balances intellectual knowledge."

Another Friend of Orinda's Nature Area, Cinna McKinnon, called the nature area "the jewel in the crown of Orinda for the children." After the meeting, Barratt and co-president of the Friends Rebecca Dahlberg wrote to Glimme offering to work with the district to negotiate with Bauer-Kahan's office to ensure that the terms of the agreement not only facilitate the acceptance of the grant, but also address the assembly member's concerns such as: protecting the Nature Area from development, mitigating hazards so that students and

others can return to attend programs and volunteer in the nature area, and expanding access to the nature area.

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