



Mine, All Mine!

Eagles and elk be damned! Roadbuilder Ed DeSilva is now one step closer to opening a massive East Bay rock quarry.

By [Robert Gammon](#)
May 23, 2007

A pristine habitat for golden eagles and the East Bay's only tule elk herd may have taken a step closer to harsh reality earlier this month thanks to the San Francisco Public Utilities Commission. The commission's decision to enter into exclusive talks with politically connected roadbuilder **Ed DeSilva** also could damage two of the East Bay's best parks, even as it raises questions of conflict of interest.

Robert Gammon



Apperson Ridge will likely be decimated.

For more than two decades, DeSilva has contemplated a massive rock-mining operation on private land next to Sunol and Ohlone Regional Wilderness Parks in southern Alameda County. The quarry promises to ruin a nearby oak and savannah habitat for a 150-member tule elk herd. It also would tear the heart out of the densest golden eagle habitat in the world and disrupt the tranquillity sought by more than fifty thousand visitors to the Sunol and Ohlone parks each year.

DeSilva, the East Bay's top roadbuilder, owns mining rights to a 2,200-foot mountain next to the parks, known as Apperson Ridge. He plans to extract 123 million tons of rock from it to widen freeways, fill potholes, and create carpool lanes. Until now, he has put off opening the massive quarry because of prohibitive costs. The operation would require him to build huge ridge-top rock crushers and a six-mile mining road from the mountain to Calaveras Road, near I-680 in Sunol.

But as predicted in these pages ("We're Outta Here!," Feature, 4/12/06), the \$20 billion statewide transportation bond sponsored by DeSilva's close friend, state Senator **Don Perata**, and approved by voters last November, provided all the economic incentive needed to open the mine. The bond measure includes several East Bay road projects, and when they come up for bid, DeSilva's huge local quarry will give him a significant competitive advantage. Apperson Ridge has so much rock, in fact, that it will be the biggest quarry in the Bay Area. "It's a very, very important deposit," DeSilva said in an interview last year. In addition, the deal with SFPUC gives him a second large quarry and lessens his Apperson Ridge expenses.

As it's currently configured, the pact would no longer require DeSilva to build the road or the rock crushers atop the mountain. Instead, he plans to construct a six-mile-long conveyor belt to deliver the rock downhill to an existing quarry in Sunol valley. On May 8 the commission voted to negotiate exclusively with DeSilva to award him a 57-year lease for that quarry, which is now operated by his competitor Cemex. The new deal would allow DeSilva to mine both the Cemex quarry and Apperson Ridge.

On the surface, this new arrangement — without the road — appears less disruptive to the elk and eagles. It also may further delay the opening of Apperson Ridge while DeSilva mines the Cemex quarry. Then again, once he formally inks the SFPUC deal, there may be nothing to stop him from ripping the top off the ridge.

But it's unclear, road or no road, whether the elk and eagles can survive such a massive operation in their midst. "At this point, we're trying to figure out whether this will facilitate the destruction of Apperson Ridge, or will it reduce the environmental impacts?" said Jeff Miller of the Alameda Creek Alliance and the Center for Biological Diversity. Although the county approved DeSilva's plans for Apperson Ridge in 1984, the Center for Biological Diversity has said it will sue if he tries to open the mine, alleging that his environmental permit is out of date.

SFPUC's decision also angered Cemex, which complained that DeSilva's plan to connect two mines with a conveyor belt gave him an unfair advantage. There are only about 28 years of rock left to be mined at the Cemex quarry, but adding Apperson Ridge allowed DeSilva to propose a 57-year lease, thus guaranteeing the public agency a longer revenue stream. "We're trying to get the most for our taxpayers," commission president **Ryan Brooks** explained.

It turns out DeSilva and Brooks, a top executive for CBS Outdoor, the nation's largest billboard operator, share a connection beyond the mining deal. Both also are involved in Senator Perata's Peacekeepers, a new program that seeks to quell street violence in Oakland and Richmond. In fact, CBS Outdoor and DeSilva are primary donors to Peacekeepers, and Brooks serves with Perata on the group's board of directors. (To see a recent Peacekeepers mailer that includes a list of sponsors, see our news blog 92510.) The senator also appointed Brooks last year to the California New Motor Vehicle Board.

Brooks denied that his involvement in Peacekeepers had anything to do with DeSilva winning the mining contract. "I've never even met him before," he told Full Disclosure.

The ties between CBS Outdoor and Perata don't stop there. The billboard company also is being investigated by the FBI and the same federal grand jury that has been probing the senator for the past two-plus years. The feds are examining CBS Outdoor's deal with the Port of Oakland to erect a giant electronic billboard at the base of the Bay Bridge — you know, the one visible from outer space. That deal involved Perata's longtime friend and top donor **John Foster** (see "Fishing for Revenues," Full Disclosure, 2/14). The billboard has recently sparked complaints from drivers and residents as far away as the Berkeley Hills and Sausalito because of its brightness.

In recent weeks, one of Perata's allies in the California Legislature, San Francisco Assemblywoman **Fiona Ma**, has become CBS Outdoor's new hero. Ma authored legislation that would allow CBS Outdoor and other companies throughout California to transform their traditional billboards into electronic ones. Ma, by the way, owes the state Senate boss for helping get her elected last year. Public records show that two political action committees associated with Perata — Californians United and Committee for a Better California — spent \$69,970 on her behalf.