

## CONSERVATION COLLABORATION AGREEMENT

**THIS AGREEMENT** is made and entered into this 12<sup>th</sup> day of April 2022 by and between **SAVE MOUNT DIABLO**, a non-profit corporation organized under the laws of the State of California and under IRS Section 501(c)(3), as may be amended, with its headquarters in Walnut Creek, California (hereinafter referred to as “SMD”), **JOAQUIN MORAGA INTERMEDIATE SCHOOL**, a public school in the Moraga School District with its campus in Moraga, California (hereinafter referred to as “JMIS”), and **BEDELL FRAZIER INVESTMENT COUNSELLING, LLC.**, a private California limited liability corporation, with its headquarters in Walnut Creek, California (hereinafter referred to as “BFIC”).

### WITNESSETH:

WHEREAS, SMD has a mission to preserve Mount Diablo’s peaks, surrounding foothills, watersheds and connection to the Diablo Range through land acquisition and preservation strategies designed to protect the mountain’s natural beauty, biological diversity, and historic and agricultural heritage; enhance our area’s quality of life; and provide educational and recreational opportunities consistent with protection of natural resources; and

WHEREAS, JMIS has a mission to prepare students for the future, to develop a life-long love of learning, to provide a positive and safe environment for learning, to provide positive development of self and to provide opportunities for students to be constructive and contributing members of the community and society; and

WHEREAS, BFIC is a local investment counselling business that focuses on investment management, financial planning, smart money and giving back to the community; and

WHEREAS, when SMD was formed in 1971, Mount Diablo was home to just one 6,788-acre park. Today, as a result of the work of SMD and its valued partners, there are more than 50 parks and preserves around the mountain totaling over 120,000 conserved acres. Because of SMD and partner organizations, Mount Diablo and its foothills are one of the Bay Area's most significant assemblages of natural lands and habitats for the region’s flora and fauna. A recent report, *At Risk: The Bay Area Greenbelt 2017*, noted the following: “Across the eight Bay Area counties addressed in this report, Contra Costa County has the most total land at risk; about one out of every five acres of threatened land in the region is in Contra Costa. Contra Costa also has the most land at high risk, land that could be developed in the near term.” Further, it is projected that about 2 million more people will move to the Bay Area by 2045. Few realize when they look toward Mount Diablo that the beautiful vistas they see are not fully preserved. Over 60,000 additional acres of natural lands surrounding the mountain are in private ownership and are threatened by development or improper land-uses, and parts of the mountain itself are not yet officially protected; and

WHEREAS, the modern disconnection from nature has been widely documented in various studies. According to a 2017 report, *The Path Ahead*, “Today, kids spend less time outside than prison

inmates, with the average child playing freely outside for just four to seven minutes a day.” This report, commissioned by the REI Co-op, notes that the average American now spends about 95 percent of their life indoors. It reports that we are becoming an “indoor species” which comes with consequences: “Our health and well-being may suffer. And the less we value our outdoor spaces, the less likely we are to protect them.” The findings confirmed Richard Louv’s earlier groundbreaking documentation of “Nature Deficit Disorder” in our young, wired generations. This is a widespread cultural problem, and this widespread disconnection from nature is arguably the most serious threat to our environment because it results in us lacking the love and will required to fully address major environmental threats like the climate crisis which we have known about for decades. If young people do not develop a direct loving relationship with nature, in the future it will put at risk all the land conservation victories SMD and its partners have worked so hard to achieve. Recognizing this threat, SMD has stepped up and is working to help better connect our young people to nature in the Mount Diablo area through our new Conservation Collaboration Agreement program with local schools and sponsors. BFIC is generously sponsoring this Conservation Collaboration Agreement to make this special experience possible for students of JMIS; and

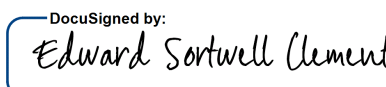
WHEREAS, the parties to this Agreement recognize the following: that the Mount Diablo area’s natural environment is greatly threatened by development and other pressures; that the beautiful natural open lands of the Mount Diablo area serve as the nourishing and distinguishing foundation for our community - from affording us with outdoor recreational and educational opportunities, stunning scenic vistas, critical wildlife habitat, water resources, and local agriculture to making our area a desirable place to live, work and visit; that we cannot take our natural foundation and competitive economic advantage for granted; that we all have a major stake, especially young people, in what our future environment will be like and that decisions which will impact that environment are happening now; that it is therefore important for people, especially young people, to learn about and directly connect with their natural environment, especially in this modern and fast paced society which often distracts us from the natural world we are a part of and depend upon, while also being educated on how to step up, protect our natural landscape and contribute to such community efforts; and that by working together the parties can better help protect the Mount Diablo area while furthering their respective environmental and education missions by collaborating together as outlined below; and


NOW, THEREFORE, in consideration of the following and all other terms and conditions contained herein, the parties agree as follows:


1. SMD agrees to have its qualified staff provide an educational presentation regarding land conservation in the Mount Diablo area to the participating JMIS students at their school on April 14, 2022 and to the BFIC staff at their workplace on April 20, 2022; and
2. On April 21, 2022, after the aforementioned land conservation educational presentation to JMIS students and BFIC staff, SMD agrees to have its qualified staff lead the participating JMIS students and BFIC staff in an experiential field day out on an SMD conserved property which will include an environmental service project, a field ecology talk, an interpretive nature hike, a picnic lunch together, and a solo in nature involving a contemplative journal writing exercise about nature with subsequent group sharing of observations and reflections; and

3. After receiving the intellectual and experiential training about land conservation in the Mount Diablo area, JMIS agrees to give its best efforts to work towards raising the necessary funds so that its participating students can become members of SMD, and get directly involved with and learn about the philanthropy necessary to support SMD's land conservation work, through SMD's new Young Friends Membership Program. To expedite its time-sensitive land conservation work, SMD is reaching out to young people to join the cause, through its new Young Friends Membership Program, as young people have a major stake in what our future environment will be like. The new membership program offers an affordable and discounted annual membership level for young people at \$15 as opposed to the standard starting \$35 annual membership. Young Friends Members receive all the same benefits such as the following: *Diablo Watch* biannual newsletter; SMD logo window cling; invitation to special SMD events, etc.; and
4. As part of the BFIC sponsorship of this Agreement, BFIC staff will receive standard annual SMD memberships, including the aforementioned benefits, so their staff can become part of the family of supporters working to protect the Mount Diablo area for the lasting benefit of current and future generations; and
5. The parties agree that the terms and conditions of this Agreement are aspirational in nature and thereby create no related liabilities or legal obligations for the parties to this Agreement. The parties to this Agreement simply wish to state their aspirations for a collaborative conservation program. It is our hope that a clear, good faith statement of shared intent will help the parties move forward and realize the proposed goals and actions of this Agreement.

WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

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Edward Sortwell Clement, Jr.  
Executive Director  
Save Mount Diablo

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Julie Parks, Ed.D.  
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Michael G. Frazier  
President  
Bedell Frazier Investment Counselling,  
LLC