



PITTSBURG CITY COUNCIL: KEEP DEVELOPMENT OFF THE TOP OF PITTSBURG'S RIDGE

WHO IS THE SEENO DEVELOPMENT COMPANY, DISCOVERY BUILDERS?

How do the Seenos conduct business? Their long and fraught history speaks for itself—an extensive legal record of fraud and environmental damage that perfectly demonstrates that their way of operating is to cut corners, minimize public benefit, and even break the law.

■ **IN AN INTERNAL BATTLE** made public earlier this year, Albert D. Seeno III was accused by his father Albert Seeno Jr. of taking "hundreds of millions of dollars without permission from his father and his father's companies, has debt of over \$100 million, bullied his father to hire him as CEO under threat that he would otherwise never see his grandchildren, and has been abusive and misogynistic toward employees." —*East Bay Times*, 01/05/23

■ **IN 2016**, Seeno III pleaded guilty to bank fraud on behalf of his home sales company, Discovery Sales. As part of the plea deal, Seeno III was ordered to pay fines and restitution totaling \$11 million. —*East Bay Times*, 01/05/23

■ **IN 2004**, the Nevada Gaming Control Board fined the Seenos, who own casinos there, \$775,000 for not alerting the agency of their environmental violations and other issues. —*East Bay Times*, 01/05/23

■ **IN 2002**, a Seeno Jr. company was fined \$1 million for destroying endangered red-legged frog habitat in Pittsburg. —*East Bay Times*, 01/05/23

Learn more about the "Seeno Way" at bit.ly/seenoway

One of Pittsburg's best features is the beautiful ridge and rolling Los Medanos hills above town—from Black Diamond Mines and Kirker Pass to Willow Pass. Two years ago, the Pittsburg City Council voted to approve the Faria project, a 1,650-housing-unit development proposed by a Seeno company, which would have spread grading and houses over more than 600 acres—including right on top of the scenic ridge separating Pittsburg and Concord. It's the ridge everyone sees to the south as you cross Willow Pass on Highway 4. It would have been located above and next to the new Thurgood Marshall Regional Park at the former Concord Naval Weapons Station, negatively affecting the new park. We stopped Faria for two years, but now it's back.

Save Mount Diablo and other organizations, government agencies, and Pittsburg residents have submitted hundreds of comments declaring that the project was premature. Faria would negatively impact views, traffic, wildlife, city services, and the quality of life of Pittsburg residents. It would also lower property values by damaging the backdrop of the city.

In March 2021, Save Mount Diablo filed a legal challenge to Faria's approval, and a year later, the Contra Costa Superior Court ruled in favor of our assertion that Seeno and Pittsburg's Environmental Impact Report (EIR) for this project violated the law.

When the Seeno/Discovery Builders development company requested a new trial, the court once again agreed with us and rejected Seeno's request—marking a second victory for Save Mount Diablo, the environment, and Pittsburg residents. The court upheld its previous finding that the EIR failed to properly analyze the project's impacts on air pollution, traffic, Pittsburg's water supply, and rare plants.

Now, Seeno/Discovery Builders is again asking the City of Pittsburg to approve Faria, without moving houses and grading off the ridge or reducing the development's impacts in any meaningful way. The Faria project would still threaten the new regional park, ruin views, destroy wildlife habitat, and destroy Pittsburg's hills.

SEENO'S FARIA PROJECT PROPOSES TO:

● **GUT THE GENERAL PLAN** by eliminating long-standing policies that protect hillsides, ridgelines, creeks, and drainages. For example, the city deleted the ridge from a map showing major ridgelines even though the ridge between Pittsburg and Concord is obviously a major ridge.

On February 22, 2021, the Pittsburg City Council voted for a motion "approving a Development Agreement for the Faria/Southwest Hills Annexation Project and carried unanimously."
—PITTSBURG CITY COUNCIL MEETING MINUTES, 02/22/21



- **BETRAY THE VOTERS** who approved Measure P in 2005 and placed the entire site in the protective hillside zoning. Now, Seeno wants to change the zoning to bulldoze the steep hills for massive subdivisions. Since the site is almost entirely over 30% slope, with substantial parts at 50-70% slope, Seeno's proposed new zoning will allow up to 25 times as many houses as the current Measure P zoning the voters approved.
- **VIOLATE STATE ENVIRONMENTAL LAW** by failing to protect air quality and ensure a viable water supply.

Rather than following General Plan goals, Seeno is asking the city to eliminate them. The city instead has the opportunity to adopt a better plan.

We're not opposed to all development; we just think the city council and the developer should move it off the ridgetop. Seeno already has thousands of units approved, but not yet built in Pittsburg. Ridges are bad places for development—they're windy, have a greater fire risk, and ruin everyone's views. The ridge is spectacular and next to a new regional park. It should be protected for everyone.

We urge the Pittsburg City Council to require development to be moved off the top of Pittsburg's ridge. Pittsburg's hills should be protected, just like the natural treasures other Bay Area communities are protecting. Why do we deserve less? We also deserve public access to the new regional park from the Pittsburg side and to have the park buffered rather than impacted by Faria.

PROJECT TIMELINE

PRE-2020: Seeno submitted several Faria applications to the City of Pittsburg

AUGUST 2020: Seeno sues East Bay Regional Park District (EBRPD), claiming new park will negatively impact Faria

FEBRUARY 2021: Pittsburg City Council approves Faria project

MARCH 2021: Save Mount Diablo (SMD) files legal challenge to Faria approval

FEBRUARY 2022: Contra Costa Superior Court rules in favor of SMD assertion that Seeno Environmental Impact Report (EIR) violated law; approvals must be rescinded and environmental review redone

FEBRUARY 2022: Seeno lawyers request new trial

APRIL 2022: SMD wins again as court rejects Seeno ask for a new trial

AUGUST 2022: City of Pittsburg formally rescinds approvals for Faria project

JANUARY 2023: City of Concord drops Seeno and its partners as Master Developer of neighboring project, development of 2,300 acres of former Concord Naval Weapons Station

FEBRUARY 2023: Seeno and the City of Pittsburg bring Faria back to the Planning Commission without correcting or providing new environmental documents or project details; the Planning Commission voted 4-1 AGAINST project approval on February 14th

UPCOMING: The Pittsburg City Council is likely to consider the project in the next 30-60 days

