NEWS FROM MARIN CONSERVATION LEAGUE

September–October 2013

Open Space management plans nearly complete

Marin County Parks

Invasive broom encroaches on both sides of a Blithedale Ridge fire road

by Nona Dennis

On July 16, Marin County Parks, which includes the Marin County Open Space District (District), introduced the Preliminary Draft of a Vegetation and Biodiversity Management Plan at a joint meeting of the Board of Supervisors and the County Parks and Open Space Commission.

The Plan represents four years of extensive data gathering and inventory of both native vegetation and habitats and non-native invasive plant species on the County's open space preserves; a critical review of the current science and practice of public land management; the development of tools and "best management practices" and where and when to apply them; and public engagement. The Plan is a comprehensive guide to managing the preserves for years to come. And yet the Preliminary Draft provoked an immediate "firestorm" of controversy. What does the Plan say that brought about this response?

Challenges

The Marin County Open Space District was established by the voters in 1972. Since then the District has acquired and now manages more than 14,650 acres of Marin's distinctive lands in a present system of 34 preserves plus about 3,000 acres of conservation easements on private lands. The preserves, which range in size from 8 acres to more than 1,600 acres, have been acquired strategically to protect outstanding examples of Northern California's natural vegetation communities and the habitats of unique and sensitive plants and hundreds of

Continued on page 9

Stream Conservation Area Ordinance

Marin Supervisors hit "reset" button on stream protection ordinance

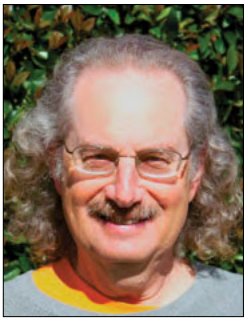
by David Schnapf

In June the Marin County Board of Supervisors, succumbing to pressure from creekside homeowners, unanimously rejected a proposed stream protection ordinance that had been proposed by county planning staff in conformance with the 2007 Countywide Plan, approved by the County Planning Commission and endorsed by MCL. The ordinance would have controlled development within "Stream Conservation Areas" adjacent to streams in the unincorporated areas of Marin. Instead, the Supervisors voted to form a "subcommittee" to propose modifications to the Countywide Plan, and an "interim" ordinance applicable only to San Geronimo Valley. It is widely understood that the subcommittee will propose amendments that would, if adopted, weaken the Countywide Plan, requiring

Continued on page 2

In This Issue–

A Message from the President



A little over a hundred years ago Marin County's last stand of old growth coast redwoods was saved from destruction by William Kent. The preservation of Muir Woods was one of the first and most important chapters in the history of land conservation in Marin. Preserving Muir Woods was not easy—it took courage, determination, money and tough action to prevent development of Redwood Canyon and with it the destruction of this last bit of Marin's natural history.

We are now faced with a conservation challenge no less important than saving the last redwoods—the preservation of the endangered coho salmon in the Lagunitas Creek watershed, including its main tributary, San Geronimo Creek. The fate of Marin's salmon hangs by a thread, and without strong action they will disappear just as surely as Muir Woods would have. The salmon are, in the opinion of many, just as important a part of Marin's natural history as our iconic redwoods.

The failure of Marin's politicians to take the strong actions needed to reverse the dramatic and continuing decline in our salmon population is disheartening. Saving the salmon will require both enacting rigorous development restrictions to avoid further degradation of their streams, and actions to enhance these streams to provide a better home for the salmon. The development restrictions and the stream enhancements needed to protect our salmon have been know for decades, and are reflected in the Countywide plan adopted almost 20 years ago. Instead of taking strong action, Marin's politicians appear poised to embrace a plan to weaken the Countywide plan and make development in riparian corridors easier. MCL will fight to prevent this from happening, and to push for the strong actions needed to save the salmon. I hope you will join us in this fight.

Ordinance *from page 1*

further environmental review and years to complete. At this writing it was expected that the details of the subcommittee's recommendations would become known by mid-September, too late for this *Newsletter*.

While all of the streams in the county (including those in incorporated areas) require protection to preserve critical habitat, avoid pollution, and enhance flood control, the most immediate problem is in the Lagunitas Creek watershed, home to one of the last significant coho salmon populations along the California coast. Despite decades of studies, plans, hearings, recommendations, educational efforts and lawsuits, the salmon in Lagunitas Creek, and its main tributary, San Geronimo Creek, remain endangered, and the population

Marin's salmon population is now below what is considered to be a sustainable level

continues its downward spiral to the point that Marin's salmon face imminent extinction. Marin's salmon population is now below what is considered to be a sustainable level, and one big storm or fire could wipe them out. They need more than protection; substantial enhancement efforts in the Lagunitas Creek watershed will be required to return the population to a level that is considered sustainable.

Freshwater streams, such as those in the Lagunitas Creek watershed, play a critical role in the salmon's lifecycle. To sustain spawning salmon and their offspring, a stream needs to have clear, cold, and unpolluted water, with sufficient flow, lots of shade, pools, gravel and woody debris along its length. These are stringent requirements that must be met or the salmon won't survive. Human activity, especially land development, has been the main cause of the collapse of the Lagunitas Creek salmon population, and sustaining the salmon requires rigorous protection along the entire length of the creek and its tributaries. The cumulative effect of many small land disturbances near a stream can be devastating.

The construction of Peters Dam (Kent

Lake) in 1954 was, perhaps, the most devastating blow to Marin's salmon. But coho populations along the central coast have dropped by 70% from the 1960's, after the dam was built, and the need to control development to protect Marin's salmon population has been well known for decades. Indeed, this need was recognized in Marin's Countywide Plan in 1982 and again in the 1994 Countywide Plan, which contemplated enactment of an enforceable stream protection ordinance to ensure the survival of the coho population. The county did not enact an ordinance, and shortly afterwards, in 1996, the National Marine Fisheries Service (NMFS) declared that Central Coast coho *were a "threatened" species, primarily due to habitat degradation associated with human activity along the streams salmon use for spawning.*

The County, private landowners and non-profit groups such as the San Geronimo Valley Planning Group and the Salmon Protection and Watershed Network (SPAWN) have worked for many years on a multitude of projects, educational efforts and outreach programs to reverse the decline of coho. Nonetheless, in 2005, the continued dramatic decline in Lagunitas Creek salmon reached the point that the NMFS changed the listing of central coast coho to "endangered", stating *that the salmon were "in danger of extinction" due to habitat destruction.* Still Marin's Board of Supervisors took no action. Instead, in 2007 they adopted a new Countywide Plan, which again called for enactment

Continued on page 7

Status Updates

Greenbrae Interchange project inches along

On September 26, the sixteen City Council and Board of Supervisor members who comprise the Board of Commissioners at the Transportation Authority of Marin (TAM) will vote on submitting an "implementable project" to the Metropolitan Transportation Commission (MTC) for the Greenbrae Interchange/Highway101/Twin Cities Corridor.

Dru Parker

The TAM/Caltrans project calls for removal of this poorly maintained but heavily-used bike/ped freeway overpass that connects the east and west sides of Greenbrae.

The massive $143 million project proposed by TAM and Caltrans last year for Highway 101 between the Greenbrae Interchange and the Tamalpais Interchange featured a 33-foot-high flyover and a 400-foot-long retaining wall that reached a height of 24 feet. (MCL *Newsletters* January-February and March-April, 2013),

The proposal encountered widespread local opposition, including MCL's, to the scale of the project and the effect it would have on local streets and on the safety of children who must cross the freeway each day on their way to school. Residents of the Ross Valley protested the project's lack of congestion-related improvements on Sir Francis Drake Boulevard and on-ramps to the freeway. Others cited the potential impacts on adjacent wetlands and the failure to take into account future sea level rise. Environmental organizations and resource agencies demanded a full Environmental Impact Report to analyze viable alternatives.

In an effort to retain the $48 million TAM received in Regional Measure 2 funding for the project, last March TAM appointed a seven-member advisory committee to consider alternative project designs, including those submitted by outside groups and individuals. The alternative produced by the ad hoc group Marin Deserves Better received the most attention. Its members have been meeting with Caltrans, TAM staff, and TAM's consultants, to determine the feasibility of the group's plan for reducing congestion and improving safety in the 101 corridor.

A set of recommendations from the TAM advisory committee following its final meetings on August 19 and 26 will be considered by TAM's Board of Commissioners just four days before MTC's September 30 deadline for submitting a report defining the scope, schedule, and funding of an "implementable project" for the corridor that is supported by the adjacent communities of Corte Madera and Larkspur and is not encumbered by pending litigation. If an "implementable project" is identified, it would then be subject to a full EIR process over the next few years.

Meanwhile, all participants in the effort to improve conditions in the corridor are continuing to work toward achieving the best possible outcome. *—Jana Haehl*

Appeals court upholds Marin's single use bag ordinance

In June 2013, a California appeals court upheld Marin County's single-use bag ordinance in *Save the Plastic Bag Coalition v. County of Marin*. The appeals court agreed with the county's position that the ordinance was categorically exempt from CEQA and, therefore, no EIR was required.

The county ordinance, which became effective in January 2012, only applies in the unincorporated areas of Marin. It bans use of plastic bags and requires a minimum five-cent fee for paper bags. Marin's cities have been awaiting this ruling before working on their own ordinances. At present only Fairfax has a bag ordinance, which was passed by an initiative. Mill Valley has begun the process of enacting an ordinance modeled after the county's and plans to have a first reading in early September.

In the meantime, the Marin County Hazardous and Solid Waste Joint Powers Authority recently issued a Notice of Preparation (NOP) for an Environmental Impact Report in which it will examine the potential impacts of a single use bag ordinance on the environment. The NOP indicated that the EIR would focus on impacts on air quality, biological resources, greenhouse gas emissions, hydrology and water quality, and utilities and service systems.

MCL applauds the recent ruling and would like to see Marin's cities move quickly toward adopting similar ordinances. However, MCL believes that a five-cent fee is insufficient to reduce use of paper bags, which also have impacts on the environment, and will press for

Continued on page 8

Events

~~Walk Into (Conservation) History #14: Old St. Hilary's Open Space Preserve~~

This event has been canceled—it will be rescheduled for a later date.

Jocelyn Knight

Enjoy unsurpassed views of the Bay Region from the southern ridges of Tiburon Peninsula when Marin Conservation League's **Walk into (Conservation) History** series continues with our fourteenth walk at Old St. Hilary's Open Space Preserve on Saturday, September 7, from 9:30 a.m. to approximately noon.

Old St. Hilary's Open Space Preserve, saved by local activists in the 1990s, adjoins the Tiburon Uplands Nature Preserve and privately-owned lands of the Martha Company, currently threatened with major residential development ("Easton Pt") and prime target for public acquisition. Learn how its conservation could work!

Join MCL for a walk led by MCL Board Members Nona Dennis and Jill Templeton with resource information provided by Jerry Riessen, President of Tiburon Open Space Committee and Randy Greenberg, MCL Board Member.

This moderately strenuous 1-mile hike is free and open to the public. The optional Uplands Preserve "loop" trail is available for hardy hikers. Wear layers, sunscreen and comfortable shoes, and bring a snack, water and camera.

Directions from 101: Take Tiburon Blvd. east about 3.5 miles. Turn left at Lyford Drive and drive to the end. Park at the trailhead gate.

Picnic on the Patio

On July 27, more than a hundred picnickers of all ages enjoyed a cool, southern Marin day at the annual Summer Picnic. Formerly Picnic on the Porch, this year's party was held on the patio of the charming Tamalpais Valley Community Center.

The barbecue featured grass-fed beef from **Marin Sun Farms**, fruit pies from **Upper Crust Pies**, **Marin Brewing Company** beer, and a diverse and delicious array of salads, appetizers and desserts provided by MCL directors and staff. Many thanks to **Film Night in the Park** for the door prizes (won by **Veronica Geretz** and **Gail Grasso**), to **Tamalpais Community Services District** for the use of their fantastic facility, and to all the volunteers who helped make this picnic a success.

Next up: MCL's **Holiday Party** on Friday, December 13, 4:00–7:00. Save the date!

Clockwise from top left—Picnicking on the lawn; Fred Holden tends bar; Grillmaster John Templeton; Nic and Josh Foley.
More photos page 5.

Picnic *from previous page*

Top—Assembly Member Marc Levine with son Wyatt and daughter Meredith; Bottom—new MCL member Veronica Geretz peruses the bounty.

Picnic photos by Molly Foley

Business-Environment Breakfast, Friday, September 20, 7:30 A.M.

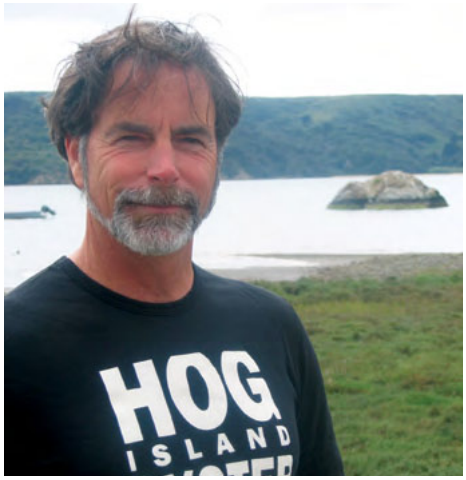
Backstage at the Hog Island Oyster Company:

Climate Change, Ocean Acidification and Shellfish Production

Oysters are the proverbial canary in the coal mine that is the ocean. The world's oceans soak up atmospheric carbon dioxide causing ocean waters to become acidic. This has significant ramifications for marine ecosystems. In addition to being major commercial food crops, oysters and mussels are members of a very diverse suite of marine organisms whose growth and survival could be disrupted by ocean acidification.

On Friday, September 20, the Marin Conservation League Business-Environment Breakfast will feature Hog Island Oyster Company biologist and co-owner **Terry Sawyer** giving an in-depth look at how the slow upwelling of water off the West Coast, which creates a particularly nutrient rich environment for shellfish, is now carrying carbon dioxide absorbed from the air in the 1960s and 1970s. Hear what this foretells for the future of marine ecosystems and shellfish cultivation on our coast.

Terry Sawyer was born and raised on the Indian River Estuary on Florida's Atlantic Coast. He began his career with



Terry Sawyer

the Monterey Bay Aquarium as a specialist in Marine Animal Husbandry.

The program take place from 7:30 a.m. to 9:00 a.m. on Friday, September 20, at the Embassy Suites Hotel, 101 McInnis Parkway, North San Rafael. Tickets are $25 for MCL members and $30 for the public. A full breakfast buffet will be served. Pre-registration is required: by mail with the form below, by phone at 415-485-6257, or online at www.mclsawyerbreakfast.eventbrite.com.

REGISTRATION FORM Business—Environment Breakfast: Climate Change and Oysters, Sept. 20, 2013

Name(s) _____

Title/Org. _____

Street _____

City _____ State _____ Zip _____

Phone _____ Email _____

❒ MCL member $25 ❒ Non-member $30 Total Due $ _____

❒ Check enclosed, payable to MCL ❒ Charge my Credit Card the amt. shown

card # _____

exp. date _____ name on card _____

card sec. code _____ signature _____

Ticket price includes full breakfast buffet.

Pre-registration required by September 13th.

Make checks payable to **MCL** *or pay total due by credit card. Mail form to:*

MCL, 175 N. Redwood Dr., Ste. 135, San Rafael, CA 94903, or call 415-485-6257 or register online at mclsawyerbreakfast.eventbrite.com.

Refunds given only if the event is canceled.

Pine Gulch Creek, a West Marin Organic Farm, and a Restoration Project: Two Views

This *Newsletter* recently featured the watersheds of Marin and the non-profit "Friends" groups who look after them (March-April, May-June, 2013). Space did not permit recognizing an important watershed in West Marin that is being restored by a different sort of "friends" group—that is Pine Gulch Creek, which is one of two main watersheds that drain into Bolinas Lagoon. (The other, Easkoot Creek, descends the steep western slopes of Bolinas Ridge through Stinson Beach.) The "friends" in this case are three farmers who are growing organic row crops in the rich alluvial "bottom-land" of Paradise Valley and Bolinas Lagoon delta soils of this otherwise densely forested watershed.

A small group of MCL Board members enjoyed a visit on July 2 to one of those farms: 22-acre Fresh Run Farms, owned and farmed by Peter Martinelli and his family since before the time of his grandfather Judge Jordan Martinelli. It was an opportunity to see a coastal organic farm in operation, observe a variety of vegetable and fruit crops under cultivation, irrigation practices, and view an important creek and endangered fishery restoration project in process. Following are two views of that restoration project—the MCL visitors' view, and a response by farmer-owner Peter Martinelli.

Photo courtesy Marin Agricultural Land Trust

Peter Martinelli on his Fresh Run Farm

MCL's Observations

Pine Gulch Creek is particularly notable in that it supports a small population of the endangered coho salmon and the threatened steelhead trout. The 17 square-mile watershed, which enters Bolinas Lagoon near the town of Bolinas, also provides habitat for the Northern spotted owl and a diverse community of other birds as well as the endangered California red-legged frog.

The National Park Service Coho Salmon and Steelhead Trout Restoration Program staff has been monitoring fish populations along seven-and-a-half miles of mainstem Pine Gulch Creek since 1997. Coho salmon had been documented in the watershed in 1968 but were not evident again until 2000, when they again were observed. Since that time, a few adults or their redds (spawning hollows in the gravel) have been observed annually.

One of the greatest threats to young salmon is low creek levels, especially loss of deep pools where juvenile coho seek refuge in the summer. Peter explained that the local farms in the watershed (the other two are Paradise Valley and Star Route) have traditionally irrigated their crops by pumping directly from the creek, a practice that can reduce summer flows substantially. They are in the process of a voluntary effort to change that regime and restore normal summer flows to the creek. They will do this by constructing holding ponds on their properties, which will receive and store high winter-time flows, to be delivered for irrigation of crops as needed in the dry season. The power necessary to pump water into the ponds and deliver it for irrigation will be provided by a small roof-mounted solar array.

Under the aegis of the Park Service and supported initially by design and permitting funds from State Coastal Conservancy administered by the Marin Resource Conservation District, a key partner, the project requires numerous permits from government agencies, a process that is taking several years. Costs associated with the development of the storage ponds could run up to $1 million, and are supported by farmer contributions, government grants and private sector support. The farmers also will agree to temporarily abandon their riparian rights. In exchange, they will receive temporary, seasonal rights to water storage for more than 30 days—something they are not currently entitled to do.

Under the plan, a viable population of coho will eventually be re-established in Pine Gulch Creek. The project demonstrates that with knowledgeable and caring land stewards and community support, coho salmon and steelhead trout habitats can be restored and co-exist with sustainable agriculture.

Peter Martinelli responds

While the basic facts (in the above account) are accurate and the message is generally positive, I have trouble with the implied message that somehow the fish population will rebound once the project is complete, but without the project, the farmer's pumping has been the cause of low fish populations. This is a common

Continued on page 7

Pine Gulch Creek *from page 6*

presumption I've heard before and it is inaccurate. Many factors have contributed to fish declines, and it is all too easy to point to one cause and suggest that fish will rebound once it is altered. We must also consider changing ocean conditions, the heavy siltation of Bolinas Lagoon over the decades, the condition of the riparian canopy, and the growth of a hungry seal and sea lion colony along the channel where spawning fish hold for weeks and sometime months before running upstream.

The fact that coho salmon disappeared from Pine Gulch in the 1960s, but re-established naturally during our (current farmers) "watch" in 2002 says something about the quality of our stewardship. I›ve walked the creek with various fish biologists over the years and they have consistently told me that the habitat conditions were excellent and that the fish populations were relatively robust and healthy. One such fish expert who was observing the steelhead in the creek told me that Pine Gulch resembled creeks he had surveyed in Alaska with great conditions and multiple generations of fish thriving in the creek.

If MCL had toured the watershed 70 years ago they would have observed strong populations of steelhead, some salmon and tremendous water use and watershed degradation all at the same time. My father told me how the creek ran green in some places where one of several dairies perched on the creek bank washed manure out of the barn and into the creek. Up until the 1950s there was significant logging upstream and downstream of Dogtown. Farmers were heavily irrigating (magnitudes beyond today) vegetables and pastures. After all the logging, grazing, and heavy irrigation had ceased in the 1960s, the watershed began to recover significantly. Yet, all though this period there were abundant fish. I know this because for decades my family and others were out there in fishing season catching them.

During the late 1970s there was a sudden and dramatic loss of fish populations in Pine Gulch and up and down the Northern California coast. One theory is that the cumulative impacts of logging, ranching, combined with the severe drought of '76-'77, struck a knockout blow to already struggling fish populations. No doubt this sequence of events did great harm. Another theory is that in the 1970s Russian and Japanese factory fishing fleets were violating the off shore boundary in Northern California and fishing in close to shore. They may have scooped up coho and steelhead, which apparently don›t venture as far out in the ocean as the Chinook salmon, leaving their populations decimated. There is even some record of these catches from Russia and Japan.

All of this is to say that it is somewhat irresponsible to suggest that the relatively small amount of water diversion today is the immediate cause of fish decline and the water project will bring about a measurable increase in the fish population. Frankly, I believe in the project as a win-win to optimize the fish habitat in the dry season, while providing the farms with a reliable water supply for agriculture. With or without the project, I believe that Pine Gulch Creek will continue to host healthy fish populations. *—Peter Martinelli*

A coho salmon spawing in Lagunitas Creek

Dru Parker, 2009

Ordinance *from page 2*

of a county ordinance to protect streams in unincorporated areas. After waiting in vain for the Board to pass an ordinance, SPAWN sued the county in 2010 for its failure to protect Marin's salmon. The trial court imposed a ban on new development in San Geronimo Valley pending adoption of the ordinance Marin had been promising to enact since 1994. The case is currently on appeal.

MCL believes that further amendment of the 2007 Countywide Plan is both unnecessary and unwise. A great deal of thoughtful effort, with input from all sectors of the community, went into both 1994 and 2007 plans, and no good reason has been offered for amending it now. Instead, the decision appears to be based on political expediency. Amending the plan now will result in a significant further delay before Marin's streams are protected.

Land use restrictions to protect streams have successfully been implemented elsewhere in California and around the U.S. Santa Cruz County, which has extensive geographical, ecological and demographic similarities to Marin, has a strong ordinance in place. Economic studies have shown that such ordinances enhance rather than reduce property values. Marin's failure to take action is all the more disturbing when you consider that other counties and cities have enacted stream protection measures while Marin officials continue to "study" the issue. The failure of the Board to embrace a strong stream ordinance is highly disappointing.

Status updates *from page 3*

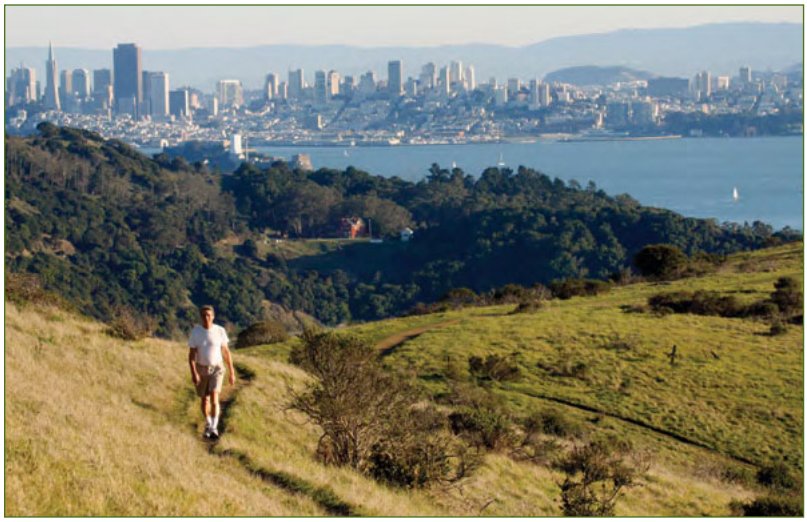
higher fees. There are now almost 60 single-use bag ordinances in place around California, including in San Francisco, Alameda, San Mateo and Santa Clara counties. Almost all of these impose at least a ten-cent bag fee, and some impose fees as high as 25 cents. Almost all of these impose at least a ten-cent bag fee, and some impose fees as high as 25 cents. *—David Schnapf*

Martha Company ("Easton Pt.") development and a deficient Final EIR

The slow-moving proposed Easton Pt. residential development on the 110-acre Martha Company property on Tiburon Ridge reached another milestone in its almost 40-year history: the release of the Final Environmental Impact Report (FEIR) in late July (see also MCL *Newsletters* November-December 2009, May-June 2011, January-February 2013, and May-June 2013). The FEIR responded to more than 100 comments submitted on the Draft EIR in 2011; however, the consensus of those reviewing the 800-page document was that many comments were ignored or given short shrift.

In an unusual public process circumscribed by a federal court stipulated judgment that would "allow" a minimum 43 residences on the visually prominent and highly-constrained property, the County Planning Commission was permitted to hold just one public hearing on the Draft EIR (March 10, 2011). An extra "unofficial" meeting on the FEIR was held on July 22 this year as an opportunity for the Commissioners to write to the Board of Supervisors with their recommendations on whether to certify the FEIR.

The outcome of the meeting was an unexpected unanimous decision by Commissioners not to recommend certification! Their recital about the defects in the FEIR closely followed the comments of MCL and many others. The DEIR offered no alternative that could "substantially" reduce the impacts (e.g., grading, construction traffic, visual, tree removal, and landslide repair-related) by reducing house and lot size, and the FEIR ignored the request by many to consider an alternative featuring smaller residences that could also meet the court-ordered minimum half-acre lot size.



A view looking south of the proposed Easton Pt. development site from the Old St.Hilary Preserve on the Tiburon Ridge.

Jocelyn Knight

The FEIR failed to fully evaluate the risks associated with use of a proposed "temporary" construction vehicle-only road with a 25 percent grade, or the use of the narrow, winding Paradise Drive for construction traffic that could continue for as many as 10 to 20 years. Mitigations for construction traffic through Hill Haven and Old Tiburon neighborhoods were not sufficient to eliminate hazard to pedestrians on narrow streets with poor sight-lines. In addition, the DEIR indicated that as many as 20 homes would not have adequate water pressure for firefighting and recommended mitigating the impact by increasing fire flow or reducing some of the house sizes. The FEIR did not explain how these mitigations might be achieved, or what additional impacts might result.

The FEIR ignored the request to consider an alternative featuring smaller residences

Although the DEIR described the 28 landslides that occur on the property and their necessary repair within 100 feet of residences, the FEIR failed to explain how the remaining unstabilized (non-engineered) portions of the property might be accessed in the event of slides below homes.

On the southeast-facing portion of the property, a half-acre area containing a spring is owned by the Keil family who live below the Martha Company site on Paradise Drive. For many decades the spring has fed a pond within the Keil garden that is under Garden Conservancy easement and is also breeding habitat of the endangered California red-legged frog. The engineering of slides and other development activities on the Easton Pt. site could compromise both flow and water quality of the spring. Neither of these impacts is adequately mitigated in the FEIR. The FEIR also failed to mitigate the visual impacts of a water storage tank and 65-foot MERA tower that would be placed on the highest ridge top on the property.

Among the most egregious of deficiencies in the FEIR is its reliance on a currently non-existent Property Owners' Association (POA) to manage complex surface water management systems and implement a resource conservation plan to maintain open space habitats and trails. Placing the burden of significant financial responsibility on the POA is unrealistic and does not ensure that critical mitigation measures will be carried out over many years.

The FEIR goes to the Board of Supervisors on October 22, at which time the Board will decide whether to certify the FEIR or send it back for more work. It is unlikely that hearings on the merits of the project will take place before the end of the year. In the meantime, MCL continues to hope that once a realistic net value can be placed on the property (i.e., value of the entitled property minus likely costs of developing the project and mitigating impacts), negotiations for acquisition of all or part of the land for open space can move forward.

—Nona Dennis and Randy Greenberg

VBMP *from page 1*

wildlife species. Scattered throughout the county, the preserves also separate and define communities. Many of them are contiguous with other publicly-owned open space lands. All are within easy reach of people and their homes, especially those within the wildland-urban interface of Mt. Tamalpais, Mt. Burdell, and other ridges and valleys of Marin. Along the way, the District inherited more than 250 miles of unpaved roads and trails accessed from several hundred other access points and used for walking, hiking, biking, dog-walking, and relaxing by thousands of visitors every day.

The challenges that the District faces in managing these lands into the future are evident: preserving the legacy of native biological diversity, preventing further infestations of invasive non-native species, providing access to open space for recreational enjoyment, reducing fire fuels (vegetation) that could threaten the preserves and the thousands of homes abutting open space, while also maintaining long-term ecological health and planning for anticipated climate change.

A 2007 Strategic Plan articulated a vision and laid out goals for the future of the open space preserve system. The following year the County adopted a Resource Management Plan Framework that outlines four plans for long term management of the preserves. MCL's *Newsletter* of January-February 2011 discussed these plans as they were beginning to take shape. This year, two of these plans, the Vegetation and *Biodiversity Management Plan (VBMP)* and *Road and Trail Management Plan (RTMP)*, initiated in 2008 and 2009 respectively, have been introduced to the public in preliminary form. In this and the next *Newsletter*, MCL will review each plan.

Part I: Vegetation and Biodiversity Management Plan

The fundamental challenge facing the District, as stated in the opening pages of the VBMP, is a more than 500 percent increase in vegetation management responsibilities over the past two decades. Most of the increase is related to the removal and modification of vegetation to create wide fuelbreaks along roads and preserve boundaries for the purposes of fire protection and access for emergency vehicles. From an estimated 100 acres prior to 1994, fuelbreaks now encompass 528 acres within the preserves, a number that is expected to almost double as the Marin County Fire Department's *Marin County Fire Management Plan* (2008) is implemented. That Plan will add 70 more miles of planned fuelbreaks across the county. As a consequence, major infestations of invasive nonnative species have quickly exploited the bare fuelbreaks at a rate far beyond the District's ability to control them, crowding out native species and contributing an ever-increasing buildup of fuel sources. The result has been a degradation of the environmental quality and the loss of biodiversity in the preserves.

Major infestations of invasive, nonnative species have quickly exploited the bare fuelbreaks at a rate beyond the District's ability to control them

The fact that the VBMP implicates Marin's major fire departments' and districts' basic approach to wildland-urban fire and fuel management (i.e., fuelbreaks) as the main cause of vegetation management problems on the preserves has agitated Marin's fire professionals, who claim that the VBMP would protect habitat at the expense of people's fire safety. This is a false dichotomy, as the VBMP makes clear. It takes a long view and considers how the fuelbreaks are working, or not, and considers shifting away from classic fuel management (such as primary and secondary fuelbreaks in the wildland *interior*) toward other strategies such as defensible space zones along the wildland-urban *interface*, that is, along the outer edges of preserves that abut thousands of residences, perhaps in combination with other types of fuel modification zones. This topic, although a key piece to the Plan, is one of several topics in the comprehensive Plan that shows how the natural resources and fire risks on the preserves are interrelated and can be managed for the benefit of long-term ecological health as well as human safety and well-being.

The VBMP framework

To address mounting problems that go along with managing public lands, the District sought the insights and experience of a dozen other local and Bay Area public land management agencies. The District also consulted with wildland fire scientists who had recent experience in the effects of various forms of fuel (vegetation) modification to reduce risk of wildfire on communities.

Based on these queries the VBMP focuses

Map courtesy Marin County Parks

Continued on page 10

VBMP *from page 9*

on five main areas of concern that form the planning framework:

1. **Protection and restoration of natural resources, including special-status species**
2. **Invasive plant management**
3. **Fuel modification and management**
4. **Forest health management**
5. **Management of vegetation's response to climate change**

Using current science in conjunction with information gleaned from other agencies and experts, and with detailed knowledge of the plants, habitats, and other characteristics of the preserves in the District, the VBMP sets management goals for each preserve. It also includes a set of "best management practices" for each type of vegetation. Rather than prescribe "one size fits all" strategies for management, it instead describes decision-making tools that will enable the District to prioritize efforts and make informed decisions on issues such as habitat restoration, treatment of invasive weeds, fuel breaks, and annual projects. It also will serve as a foundation for evaluating recreational uses in the Road and Trail Management Plan and other management decisions.

Challenges to be addressed

Shifting fuel reduction strategies on the preserves to align with current science and the experience of other land management agencies that manage for both fire risk and biodiversity has aroused deep concern among county fire professionals. Discussions involving Parks staff, local fire chiefs, and a subcommittee consisting of Supervisors Kate Sears and Katie Rice are ongoing, with hope for facilitated agreement.

Strategic use of herbicides as a "last resort" continues to be a essential part of the Integrated Pest Management (IPM) toolbox used by the District to tackle invasive, nonnative weed populations. This also arouses controversy. District staff continues to maintain that the major threat to biodiversity on the preserves and cause of management problems is in the invasion of "broom" populations that take over within large fuelbreaks cut through the middle of preserves. Resolution of this threat must be addressed in some effective manner.

The District took feedback on the Preliminary Draft through August 16. An Environmental Impact Report process with opportunities for public comment will begin once the Parks Department has a draft Plan in hand, possibly late September, and will conclude sometime in mid-2014. The Preliminary Draft Plan is available on the Marin County Parks web site.

New Director Profiles

Marin Conservation League elected six new Directors at its April 19 annual meeting. Two are introduced here.

Pamela Reaves, San Rafael

Pamela Reaves has been a Clinical Psychologist in private practice in San Rafael and Berkeley for over twenty years. She has been an MCL member since 2003.

In 2003 she completed the Environmental Forum of Marin training and went on to facilitate several of its workshops, including Toxins Reduction Day 2004 and 2005, Advocacy Day 2004–2009, and the Saturday Seminar Series: Water Day Committee 2012. She is a member of the Gallinas Creek Watershed Council, and serves on the Marin County Miller Creek Watershed Restoration Committee.

Pamela co-founded Safe and Healthy San Rafael in 2003 which was successful in partnering with the City to implement its first Integrated Pest Management Policy in 2007. She served on the Marin County Integrated Pest Management Commission for three terms. While serving, she was appointed as one of two public members on the committee that successfully overhauled the IPM Ordinance and Policy. The County's move to more transparency and accountability led to the County IPM program receiving a state IPM Innovator Award from the Department of Pesticide Regulation in 2011.

Pamela also has a passion for local sustainably grown food, starting in her own yard of fruit trees and multiple vegetable beds.

Jill Templeton, Mill Valley

Jill Templeton is a native of Marin County who "spent a golden childhood living free-range in the wilds of southern Marin". She graduated from the 40th Environmental Forum of Marin class and has recently taken classes at College of Marin in botany, entomology, park stewardship, biology, environmental science, plant identification, landscape design and GIS.

She has worked as a cognitive specialist helping preschoolers connect with nature. She has volunteered extensively in her sons› schools and for the Mid-Peninsula Open Space District. She has also worked for technology start-ups in Silicon Valley and England. She received a BA from UC Santa Cruz in Sociology.

Jill is a member of the Marin Conservation League Organizational Development Committee and is known as an active, contributing participant. She lives in Strawberry and enjoys drawing, painting, gardening and writing.

MCL weighs in on new approaches to operating State Parks

by Susan Stompe

The Little Hoover Commission issued a report on State Parks, *"Beyond Crisis: Recapturing Excellence in California State Park System,"* which identified major recommendations that could have a significant impact on Marin State Parks as well as on many other California state parks (May-June *Newsletter*). The thrust of the report was that the current operation of the Parks is "irretrievably broken" and should be replaced with a more enterprise-based management model, in collaboration with partners, and with the addition of appropriate management skills on staff.

It also recommended that individual parks be evaluated as to whether they have state-wide significance or are of primarily local interest with the latter posssibly turned over to local public entities. The Report also recommended that, after this evaluation process, the Department should seek commitment of General Fund support for thos parks remaining under the Department's management. MCL has concerns about how this operating model, which appears to be based heavily on revenue-generating capacity, might penalize individual parks, to the detriment of the system as a whole.

The capacity of a park to generate revenue should NOT be the major criterion for determining "statewide significance."

One of the first steps taken by the Parks Department in Sacramento was to announce an initiative called "Parks Forward," to be led by a special commission. This independent commission, which includes people with deep park experience as well as some newcomers with business experience, is charged with assessing the management of parks, the shape of the state parks system, potential sustainable funding tools, new approaches to revenue generation and a host of other issues.

MCL recently submitted a letter to the new commission expressing its concerns and offering suggestions as to how the Little Hoover recommendations might be evaluated and implemented in phases to avoid disruption of operations and to ensure public input at each stage. MCL also made the following specific recommendations:

Visitors from around the Bay Area visit Tomales Bay State Park in the summer months.

Dru Parker, 2011

• **That a "vision," developed by the Director, Maj. Gen'l (ret.) Anthony Jackson, be the first basic decision made.** The Department must allow time for distribution and public discussion prior to hearings by either the Parks Forward Commission or the Parks and Recreation Commission. It will take diplomacy to gain the public's confidence, and existing park personnel must buy in to the new vision.

• **That criteria for evaluating the "statewide significance" of each state park be developed in an open and public process.** Each park should be assessed as to *why* it was originally acquired and *how* the acquisition was achieved. Some parks given to the state may include reversionary clauses if no longer used for a state park. Many parks were acquired to preserve habitat for wildlife and plants, or historic or geologic uniquenesss–goals that should be recognized and promoted. Entrepreneurial exploitation is typically not compatible with preservation. The carrying capacity of each site also should be assessed. For example, how much traffic can safely be accommodated without losing or degrading the special resources that were to be preserved. These park evaluations must be made prior to training staff with skills designed for the enterprise model since some parks may not be appropriate for that model.

• **That the state legislature commit financial support for the state park system.** General Fund support will continue to be required, especially for those parks which do not have the capacity to generate revenues but harbor special habitats, unique ecological or geological features or historic treasures. The capacity of a park to generate revenue or to attract a large number of visitors should NOT be the major criterion for determining "statewide significance".

MCL believes that State Parks are a treasure for the entire state population and should be accessible to everyone. Continually raising fees for access is an easy way to generate revenue, but discourages more and more people from the parks. Providing affordable access should be included as one of the goals in the reorganization/restructuring of state parks.

Contact Information
175 N. Redwood Dr., Ste. 135
San Rafael CA 94903
415.485.6257
www.marinconservationleague.org
mcl@marinconservationleague.org

Committee Meeting Schedule

Land Use and Transportation:
1st Wed. of the month, 9:00 AM—Noon

Parks and Open Space:
2nd Thurs. of the month, 3:00—5:00 PM

Water and Watersheds: Last Thurs. of the month, 4:00- 5:30 PM, San Rafael Corporate Center

Climate Action and North Marin Unit: Varies, check website or 415.485.6257.

Marin Conservation League was founded in 1934 to preserve, protect and enhance Marin County's natural assets.

MCL is a non-profit 501(c)3 organization. All contributions and memberships are tax-deductible to the extent allowed by law.

Newsletter Editor: Nona Dennis; Newsletter Design / Production: Dru Parker. Printed in Marin on recycled paper. Please share and recycle.

EarthShare California

NEWS FROM MARIN CONSERVATION LEAGUE

Non-Profit
Organization
U.S. POSTAGE PAID
Permit No. 151
San Rafael, CA

September—October 2013

175 N. Redwood Dr., Ste 135
San Rafael, CA 94903

RETURN SERVICE REQUESTED

Coastal Cleanup is Saturday, September 21st

Join Marin Conservation League on Saturday, September 21, from 9 a.m. to noon for the 29th Annual California Coastal Cleanup. Last year, 1,915 volunteers in Marin collected more than 19,000 pounds of trash and nearly 3,000 pounds of recyclables from our beaches and waterways.

MCL will host three locations for the annual cleanup: Novato volunteers meet at the Scottsdale Pond Gazebo; San Rafael volunteers meet at Mahon Creek, behind San Rafael Corporate Center; and the Southern Marin site will be at the Sausalito Waterfront, meeting at the Bay Model.

The Sausalito Lions Club and Friends of the Bay Model provide a free BBQ for all volunteers following the cleanup at the Bay Model Visitor Center. Visit marinconservationleague.org/events for more details.