



October 26, 2005

Meg Caldwell  
Chair, California Coastal Commission  
45 Fremont St.  
San Francisco, CA 94105-2219

Re: Tomales Dunes, Dillon Beach, Marin County

Dear Ms. Caldwell,

I am writing on behalf of the Board of Directors and the 1200 members of the Environmental Action Committee of West Marin to bring your attention to a troubling situation regarding one of the richest and most vulnerable coastal sites in California

Tomales Dunes, located at the mouth of Tomales Bay, is a complex of mature mobile dunes, central dune scrub, dune prairie, and dune wetlands. It is also part of a rich coastal environment that includes coastal prairie, coastal scrub, salt marsh, tidal flats, bay and ocean. This is an extraordinary site that supports at least 14 listed species and the richest collection of seasonal dune wetlands in central California. Tomales Dunes is the largest unprotected dune system in central California and one of the few dune systems in the state that still has a vital population of native dune grasses and some true mobile dunes.

Tomales Dunes has survived despite having been subject to intense--and largely unpermitted--exploitation for many years. It is the site of Lawson's Landing, the largest RV campground on the coast of California, and the Lawson family's cattle and sheep ranching operation and sand quarry, which has removed millions of tons of sand from the mobile dunes over the years.

Though still a magnificent natural resource, the dunes are suffering from over-exploitation. The mobile dunes have shrunk from 390 acres in 1954 to less than 170 acres today. The 233-unit travel trailer park is served by substandard, unpermitted waste disposal systems that put coastal and ground waters at risk. Testing by Marin County reveals that the water quality does not meet standards for recreational contact, though it is a popular spot for swimming, boating, fishing. There is a large expanse of wetlands on the site, but campers park their cars and RV on the fragile wetlands. Concerned by these threats, 27 local, state, and national organizations have come together to form the Coalition to Protect Tomales Dunes.

Lawson's Landing lacks the required Marin County and Coastal Commission permits to operate an RV campground. Since 1962 the owners have been on notice from Marin County and the State that they are not in compliance with existing regulations. In the late 1960s and 70s, the owners submitted several applications for a Use Permit, but none came to fruition due to their failure to supply requested information or to make changes requested by the County. In 1991, in response to a County notice of violation for operating a trailer park and campground without permits, the owners began the process of applying for a Master Plan, Use Permit, and Coastal Permit that would allow intensification of existing uses.

For decades, the Coastal Commission and other public agencies have declined to act to protect the environment and public health and safety on the grounds that a permit process was underway. We believe, however, that there are several reasons that make immediate action essential.

1. The environment is deteriorating at a dangerous rate and difficult problems, such as damage to wetlands and the spread of invasive European Beach Grass, are growing more intractable and more expensive or even impossible to correct. As the years have passed without enforcement, the owners have steadily expanded their uses of the property (from 46 campsites in 1989 to 1000 today, for example).
2. The planning process is not addressing immediate problems.
  - a. This Master Plan application was begun 14 years ago and is dragging on due to delays by both the County and the applicants. Environmental studies alone have already taken more than 6 years and are still not completed. Based on the quality of the Draft Environmental Impact Report (DEIR) and the comments from agencies, including the Coastal Commission, independent experts, and the public, it is very possible that the Final EIR will fail to meet CEQA standards, resulting in a long revision and recirculation period or a legal battle.
  - b. Once the CEQA question is resolved, environmental protections will not be in place for another 3 to 8 years. The County's decision on a Use Permit will likely take another year at least, after which the matter will come before your Commission. If approved, the project foresees an additional 1 to 5 years before the new septic system is implemented. Thus it could be 2015 or later before the property is brought into compliance through the planning process. Since the violations were first brought to the owners' attention in 1962 by the State and in 1965 by the County, this may set a record.
  - c. The DEIR's No Project Alternative (which forecasts future conditions if the proposed Master Plan is not approved) actually predicts continued failure on the part of public agencies to enforce regulations. The Modified No Project Alternative envisions these agencies taking enforcement actions but finds that the owners are unlikely to comply. Both No Project Alternatives project continuation of existing unpermitted uses into the future.

- d. The DEIR uses a baseline that is identical with the proposed project against which to measure the proposed project. Therefore there is no evaluation of such potentially serious impacts as parking and camping in the wetlands.
3. Failure of the relevant agencies to enforce their regulations even while the intensity of use has increased has encouraged the owners—and users—of Lawson’s Landing to think that they are entitled to these uses and to regard the need to go through the permit process as an abuse of their rights. As the No Project Alternatives in the DEIR indicate, it appears that even some agencies are assuming that enforcement is out of the question.
4. Failure to enforce has brought agencies, including the Coastal Commission, into disrepute in the public estimation, and is unfair to individuals and businesses who have complied with regulations.

While we appreciate that Tomales Dunes is a valuable recreational resource, we are concerned that the continuing and intensifying uses in conflict with environmental and health and safety regulations, are doing irreparable damage to the Dunes, water quality, wetlands, and the wildlife that depend upon these habitats, as well as posing risks to recreationalists.

The environmental community and neighbors have been waiting patiently for decades for the State and County to take appropriate action to remedy these violations. Camping and parking in the wetlands are illegal activities and a continuing problem that should be addressed now. We appeal to the California Coastal Commission to use all available tools to protect this unique and valuable state coastal resource before it is too late.

I am including with this letter a list of Coalition members and a Lawson’s Landing Chronology, compiled by Marin County planning staff, which is a helpful background document. I would be happy to discuss this with you or provide more information. I also invite you to tour the dunes with us at any time that is convenient for you.

Sincerely,

Catherine Caufield  
Executive Director  
cc: Peter Douglas