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EAC 2001 Financial Report

PROFIT & LOSS STATEMENT

INCOME

Contributions\$ 70,31494.4 %
Investments & interest	..... 2,047	.....2.8 %
Special Events	..... 1,212	.....1.6 %
Poster sales	..... 900	.....1.2 %
Total Income	..... \$ 74,473	.....100.0 %

EXPENSES

Program	.....\$ 50,605	.....72.0 %
Management & General	..... 13,688	.....18.5 %
Fundraising	..... 6,491	.....9.5 %
Total Expenses	.....\$ 71,234	.....100.0 %

BALANCE SHEET as of December 31, 2001

Current Assets	..... \$ 20,165
Reserve Fund	..... 48,610
Fixed Assets: Computers	..... 2,455
Total Assets	..... \$ 71,229
Retained Earnings	..... \$ 67,989
Net Income	..... 3,239
Total Liability & Equity	..... \$ 71,229

New Members in 2002

Christopher Poehlmann: *Annapolis*. Nicholas Bogle & Gail Reitano, June & Alex Kleider: *Bolinas*. Jim & Mair Irvin-Vidal, John Stalp: *Fairfax*. Borah Hansen, Bob & Mary Kroninger, Kay McMahon, Melanie Stone & Paul Korhommel, Mark Switzer & Jennifer Merrill, Lisa Thompson: *Inverness*. Don & Nancy Barbour: *Kentfield*. Alice Beall, Dave & Ellen Elliott, Tom Flynn & Amy Sabel, Tony & Laurel Gilbert, Lee Martelle: *Marshall*. Juanita Brown: *Mill Valley*. Dick Eckel, Laura & Walter Thomas: *Oakland*. Iorca Rossman & Stephanie Quon: *Olema*. Molly Lynch, Bill Wolpert & Megan Donner: *Petaluma*. Barry & Barbara Deutsch, Chris Giacomini, Ann Sheree Greenbaum, Susanna Henderson, Jeri Jacobson, Burt & Carolyn Johnson, John Korty & Jane Silvia, Hanna Leigh, Dennis & Sylvia Luftig, David & Susan Miller, Lila Purinton, Mark & Andrea Riesenfeld: *Point Reyes Station*. Coleen Le Drew: *San Anselmo*. Richard Taylor, Jane Arrendell, Ed Ueber: *San Francisco*. Arthur & Deborah Ablin, Kathy Cuneo: *San Rafael*. Mary Turnbull: *Stinson Beach*. Jorge & Elena Presser: *Tomales*. Andy Robinson: *Tucson, AZ*.

For the latest on EAC activities & West Marin issues go to www.eacmarin.org

A

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Executive Director

Go Birding with Rich Stallcup--and help West Marin.

Tuesday October 29, 9-12:30. Join the best nature guide in America for an easy, fun, and informative walk to benefit Redwood Creek.

Limited to the first 15 who sign up.

Donation: \$30. Muir Beach residents and EAC members: \$25.

Call Kate at 389-1828 to sign up.

eac

Environmental Action Committee of West Marin

P.O. Box 609 • Pt Reyes Station, CA 94946

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County and Corps should go back to the drawing board

Bolinas dredging plan “seriously flawed”

A \$135 million plan to dredge Bolinas Lagoon is based on flawed scientific analysis, is legally questionable and could have dramatic unintended consequences, including severe erosion of Stinson Beach. These are the conclusions of State and Federal agencies that have reviewed the Bolinas Lagoon Ecosystem Restoration Plan, as well as of independent scientists consulted by EAC. Among the prominent scientists critical of the proposed project are Dr. Orrin Pilkey, Professor of Geology Emeritus at Duke University, Dr. Peter Raven, Director of the Missouri Botanic Garden and author of seminal works on the California flora, Dr. Rowan Rowntree, a leading researcher on the morphology of Bolinas Lagoon and currently Visiting Scholar at UC Berkeley's Department of Environmental Science, Policy and Management, and Dr. Roger Byrne, paleo-biogeographer and Associate Professor of Geography at UC Berkeley.

Under the plan, which is co-sponsored by Marin County and the US Army Corps of Engineers, dredges would run 24 hours a day, seven days a week for at least one month a year, for nine years. 1.4 million cubic yards of sediment would be dredged from the Lagoon and dumped in the ocean 55 miles offshore. In addition, thousands of cubic yards of dry soil would be trucked to the Redwood Landfill, necessitating at least 9,428 one-way trips on Highway One. 429 acres, or 40% of the Lagoon would be disturbed or

One of the country's most costly Corps projects

damaged by the proposed project. The dredging would eliminate key features of the Lagoon, such as Kent Island, whose high salt marsh vegetation is unique in California.

Though the plan is presented as a restoration project, the Draft EIS provides no evidence that Bolinas Lagoon needs to be restored. It is one of the most unspoiled and productive wetlands in the United States and is the only site on the West Coast to be recognized as internationally important



An aerial view of Bolinas Lagoon.

photo courtesy of USGS

under the Convention on Wetlands of International Importance. The project would actually destroy at least 100 acres of valuable wetland habitat, including haul-out sites for harbor seals. Among the other legally-protected species whose habitat would be destroyed or disrupted are California black rail, brown pelican, coho salmon, and steelhead. The plan would, in fact, result in the largest single loss of tidal marsh and mudflat in California since the passage of the Clean Water Act in 1977.

The proposal aims to restore the lagoon to the way it was at an earlier, unspecified “historic” period. However, the Feasibility Study for the project states that the Lagoon today looks “similar to the way it did in 1854,” before it was affected by human activities. Thus, it appears that the Lagoon is not in need of restoration to achieve a “natural” state. In fact the dredging plan would destroy a large percentage of the Lagoon’s most valuable habitat and harm its wildlife while offering no evidence or guarantee that the outcome would be equal to, much less an improvement on, current conditions.

continued on page 3

What's a Sustaining Member and why become one?

Sustaining members agree to regular monthly payments of at least \$10 a month (or \$30 per quarter) via credit card. Sustaining memberships provide a backbone of support for our work. By ensuring a regular income, they enable us to spend more time campaigning and less time scrambling for funds. Your ongoing partnership and support mean a lot to EAC—and to West Marin.

EAC is the only region-wide environmental watchdog in West Marin with an office and a staff. In the absence of local government in this unincorporated area, EAC plays an essential role in ensuring that county, state, and federal governments hear an environmental voice. West Marin is an unparalleled coastal and rural greenbelt for Marin County and the entire Bay Area.

With our thirty-year history in West Marin, EAC has a concern for and an intimate knowledge of the area that environmental groups based elsewhere cannot have. We value the financial support our members give us and we use it wisely.

Look for the sustaining membership option in the renewal letter we'll be sending you soon.

EAC's Bluff Easement Program

The Point Reyes Mesa bluff is valuable as a habitat for listed species, as a buffer for the Giacomini wetland, and as a visual break between the town of Point Reyes Station and Tomales Bay and its wetlands. These many important roles have resulted in many legal protections for the bluff, from the Federal Endangered Species Act, to Marin County's streamside protection ordinance, to the Point Reyes Station Village Plan.

All these protections, however, are only as effective as their enforcement, which varies according to the will of the authorities and the knowledge of local residents. Moreover, like all laws, they may be repealed or rewritten. In the case of the Mesa Refuge cabins, EAC had to marshal significant resources just to have existing laws enforced. To avoid future struggles over this small but important piece of land, EAC is organizing a program to allow property-owners on the Point Reyes Mesa bluff to give conservation easements on the bluff portion of their properties to the National Park Service.

These properties overlook Tomasini Creek and the Giacomini wetland at the south end of Tomales Bay, which is owned by the National Park Service. We have so far contacted owners of 11 of the 14 bluff properties, and all have expressed interest in entering into a conservation easement agreement with the Park. EAC volunteer and bluff property owner Tanis Walters is working with a lawyer to develop language for the agreement that is clearer and more straightforward than the Park Service template. ■

Introducing www.eacmarin.org

EAC's new website is up and running, thanks to the efforts of web designers Joel Hagedorn of Digital Fabric and Lisa Thompson of DuckDog Design. Lisa will also be our webmaster, keeping the site up-to-date.

We've created an easy-to-navigate site that is attractive and fast. On the site, you'll find a watershed map of West Marin, with issues sorted by watershed. You can also go directly to a list of our current campaigns and look at campaign summaries, plus relevant background documents.

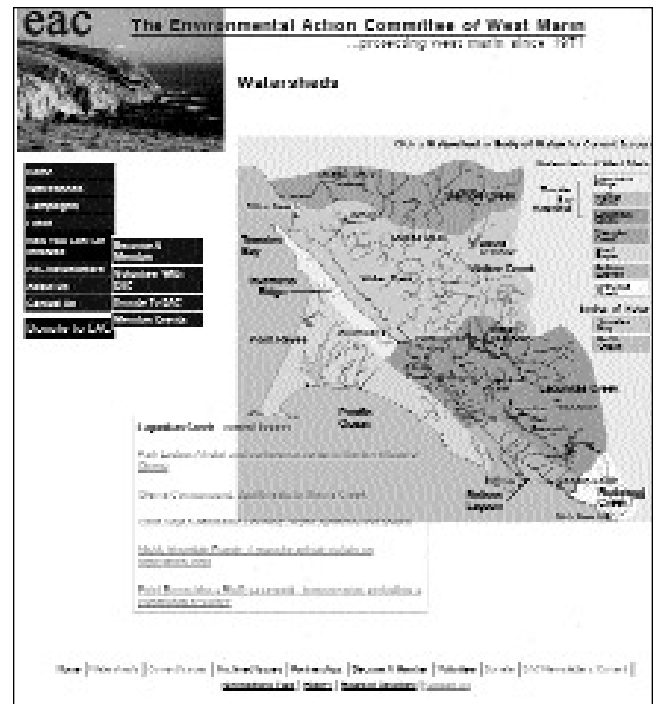
Our Home Page has information about EAC events, such as Piper on the Ridge. Here we also post occasional Nature Notes, in which West Marin's best birders, botanists, and outdoorsfolk tell you what to look for as the seasons change.

The website will give you information about volunteer opportunities, will let you download articles from the EAC newsletter, and provides links to the web sites of other local groups.

You can also learn about EAC's glorious history. The "About Us" button takes you to a brief account of our founding and some of our earlier work. The "Campaigns: archives" button takes you to a list of recently completed campaigns.

The web site makes it easy to signup for our email action alerts. If you want to donate by credit card, we make that easy too, with a link to a secure donation page.

Check out www.eacmarin.org! ■



On the Watershed page, click on a watershed to see a list of issues in that area. One more click takes you to a summary of each issue and access to the key background documents.

A shameful story: GGRNA and Redwood Creek

Redwood Creek runs from Mt Tam through Big Lagoon to Muir Beach and is home to a genetically unique population of coho salmon, a threatened species. Early settlers forced the creek into a man-made channel, which freed up the floodplain for farming and for more than 100 years contained all but the most extreme floods.

In the 1970s, the land came into the ownership of the Golden Gate Natural Recreation Area (GGNRA), which allowed nature to have its way with the creek. Trees have fallen into the channel, its berms have been breached, and sediment that once flowed down the channel is now more widely distributed across the floodplain. These changes have created more fish-friendly habitat, but also more flooding problems for people living in the floodplain. GGNRA also built a bridge and a parking lot that interfere with the flow of the creek, adding considerably to the flooding problem. Local residents and environmentalists warned GGNRA to pay attention to this conflict and find an environmentally sound way of resolving it. The obvious approach is to carry out the long-promised restoration of Big Lagoon, which should address issues such as the poorly-placed parking lot. GGRNA did nothing.

Suddenly this summer, without consultation with any environmental or fisheries groups, GGNRA announced a plan to use a bulldozer to deepen a 1100-foot stretch of the creek. GGNRA claims that this flood control project will also benefit the fish, but the bulldozing may result in the destruction of hundreds of coho, a significant portion of the creek's population.



Redwood Creek's natural flow is constricted by several man-made structures, including this bridge on Pacific Way.

The National Marine Fisheries Service (NMFS) and the Regional Water Quality Control Board (RWQCB) agreed that the project could harm salmon. Despite its concerns, the NMFS issued a permit for the project on the grounds that GGNRA faced a flooding emergency. RWQCB did not consider the flood problem sufficient to warrant the injury to the salmon and would not issue the needed permit. Rather than issuing a flat denial, however, and risking the ire of political forces pressing for the project, RWQCB attempted to fudge the issue by stating that it was simply too busy to consider the permit. GGRNA claimed that this constituted a waiver and made a permit unnecessary.

GGNRA then made some changes to the plan, which it said made the project acceptable to the RWQCB, but it refused to test this claim by re-applying to the RWQCB. We believe that both agencies have violated the law by ignoring RWQCB's obligation to issue or deny a permit.

We continued to press for a better project, right up to the moment when GGNRA moved its machinery into the creek, leaving us no time to ask for a temporary restraining order. We are lining up lawyers now so that we can take legal action more quickly if another such situation arises.

EAC is extremely concerned that GGNRA, which should be setting an example to other government agencies and private citizens, has adopted a flawed and short-sighted approach to both flood control and salmon protection. GGNRA should be protecting endangered species, not bargaining them away in a hurried attempt to make up for 30 years of neglect. ■

PHOTO BY Sharon Morgan

An hour a month can make a difference.

There are many interesting ways to EAC. Even a small commitment of time can be a big help to us. Here are some specific tasks EAC needs assistance with.. Please call us if any of these appeal to you.

- Keep EAC's brochure holder filled.
- Maintain our action alert list.
- Make a list of related organizations and web pages for us to link to from our web site.
- Build a weatherproof bulletin board for outside our office.
- Help with building chores in the office.
- Join a mailing party.

- Compile a list of agencies to which environmental problems and emergencies should be reported.
- Organize readings by environmentally-oriented writers.
- Create an overview of West Marin, including facts on population, creeks endangered species, land use, water quality, etc.

EAC Legacy Members

Legacy Members have provided for EAC in their estate planning. There are many ways to do this. Call EAC for a free Planned Giving Brochure or if you have any questions about how to leave a gift that will protect West Marin for future generations.

EAC Legacy Members

- Anonymous
- Gordon Bennett
- Tom Thornley

This newsletter was written by Catherine Caufield. All errors, omissions, and infelicities of style crept in after it left her hands and are the work of the devil. Pray for her.

Progress on Protecting West Marin's creeks and wetlands

Protecting our streams and wetlands, and the wildlife that depend on them, is a major focus of EAC's work. Marin County has excellent regulations and policies protecting local streams and creeks, but enforcement has been a problem. EAC, working with like-minded groups, has overturned several Planning Department decisions to allow illegal incursions into stream conservation areas or buffer zones. We are cautiously optimistic that the County is getting our message and improving its commitment to stream and wetland protection.

Here's a round-up of our latest activities.

Weber wetlands: Part of this organic farm on the edge of Bolinas Lagoon was diked off from tidal action, without the necessary permits, and put under organic row crops. Before it was diked off, much of the property was brackish tidal marsh, one of the most endangered wetland habitats in California. In its natural state, it provided habitat for several listed species, including the California Black Rail and the Saltmarsh Common Yellowthroat. Under an agreement with the US Army Corps of Engineers, the owner will remove the dikes. EAC advocates acquisition of the site so that it can be combined with neighboring County-owned parcels and managed solely to maximize natural resource values. However, since the owner intends to continue to farm the site, EAC has proposed a management plan that will protect the site's important natural values while allowing organic agriculture on less sensitive portions of the site. The owner must remove the unauthorized dikes, however, before restoration of any kind can occur.

Zeigler house: In October 2001, the Marin County Planning Department approved an application to expand a house on the bank of Nicasio Creek. The applicants wished to more than double the house size from 761 square feet to 1723 square feet, and add a 600 square foot garage, all within 50 feet of the creek bank. This was a clear violation of the Marin Countywide Plan, which calls for protection of a 100-foot Stream Conservation Area (SCA) on either side of a creek. EAC and five other environmental organizations appealed the Planning Department's decision to the Planning Commission.

In December 2001, the Planning Commission agreed with us that the planned expansion would violate the Countywide Plan. The Commission asked the applicants to submit a scaled-down plan that would minimize the impact on the Stream Conservation Area. EAC and our fellow-appellants proposed a compromise that would permit some building within the SCA: allowing a 50% expansion of the footprint of the existing home (in a direction away from the creek), allowing a second story, but eliminating a separate garage. This would result in a total living space of nearly 2300 square feet, close to what the applicants had originally sought.

The County Planning Department, the Planning Commission, and the Zeiglers agreed to our proposals and the matter was satisfactorily resolved at a meeting of the Planning Commission on September 23, 2002.

Changes at the County: This summer EAC met with Planning Department Director Alex Hinds and senior County planning staff to discuss ways the County could improve protection of Marin's streams. EAC presented a list of suggested changes, of which the County agreed to implement the following:

- Conduct aerial survey to identify blue-line and other salmon creeks.
- Identify parcels in Marin County within 100 feet of a blue-line creek.
- Notify owners of parcels within 100 feet of blue-line creeks of the restrictions on development within SCAs, of the importance of SCAs, and of resources that may be helpful to property-owners.
- Create fact sheet for permit applicants with information about County regulations on SCAs.
- Add question to the Environmental Review Checklist to determine if property is in an Stream Conservation Area.
- State in project notices if project is within an SCA.
- Inform applicants that damage to SCA cannot be justified by citing past injuries to Stream Conservation Areas.
- Make permit applications and information available on County web site to save paper and clerical time and make them more widely available. ■

CALIFORNIA'S DISAPPEARING STREAMS AND WETLANDS

] 88% of Bay Area wetlands have been destroyed.

] Every significant stream in California has been dammed.

] The U.S. Fish & Wildlife Service considers California's streams "endangered ecosystems."

] Since the 1950s, 89% of our riparian woodlands have been lost, California's salmon and steelhead populations have decreased by 80%, and 96% of our Pacific Flyway wetlands have been lost.

It's time to reverse these trends!

Bolinas Lagoon, from page 1

Public agencies have been unusually forthright in their comments on the plan's Draft Environmental Impact Statement (EIS). The California Department of Fish and Game (DFG) advises "against pursuing either of the [two] alternatives" put forth in the Draft EIS. The California Regional Water Quality Control Board cites numerous instances of bias in the EIS and recommended "leav[ing] the Bolinas Lagoon alone for another 5-10 years to determine" if any action is needed. The California Coastal Commission refers to the EIS's "pervasive misunderstanding of the significant and potentially significant impacts of the project." Several commentators echo the DFG's call for "an independent scientific review of the...feasibility and need of the project."

The project has its origins in local concerns that the lagoon is silting up and will eventually become a meadow if nothing is done. Many people are worried that even in the shorter term, the Lagoon's inlet will close up, making it impossible for boats to enter and leave. This has been a concern for nearly half a century: supporters of a 1960s dredging plan argued that the Lagoon "is rapidly silting in and will disappear as an open body of water within a very short period of time. To save the Lagoon, corrective dredging must be undertaken."

The Draft EIS takes the same position. It states that the lagoon will "fill in and gradually become transformed, first into wetland habitat and then into upland habitat." Dr. Peter Baye, a former Corps staffer who specializes in the study of coastal ecosystems, disagrees. "It is impossible for estuarine lagoons to convert to upland because sedimentation cannot raise the soil level above the level of the highest tides." It is true that the natural progression for most estuarine lagoons is toward marshland, but Bolinas Lagoon is an exception to this rule. It has survived for many centuries due to its position atop the San Andreas Fault and the earthquakes that periodically deepen and renew it. Moreover, in recent years, rising sea level has tended to counteract the effect of sedimentation in lagoons.

One result of casting the plan as a restoration project is that no cost-benefit analysis is required. By contrast, navigation and harbor improvement projects are subjected to cost-benefit analyses. At a current estimated cost of \$135 million (nearly 7 times the cost estimated only 2 years ago), this is one of the most expensive Corps projects in the county. Of the hundreds of Corps projects approved since 1999, only 15 have been more costly. Marin County must pay one-third the cost

of the project and 100% of maintenance and monitoring costs after the first five years.

The cost alone, not to mention the inherent value of Bolinas Lagoon makes this a project of national significance. The public comment period ended on October 1. EAC has urged the project sponsors to come back with a more carefully considered project, one that has undergone independent scientific review. ■

For more, including EAC's comment letter and background documents, go to our website, www.eacmarin.org.

EIGHT KEY PROBLEMS WITH THE EIR

1. It takes a mechanistic, engineering approach to the Lagoon, not a biologically-based ecosystem restoration approach.
2. It does not take account of the fact that dredging tidal depositions, such as Kent Island, will create a "sediment sink" that will be filled in by sand from Stinson and Bolinas beaches. The erosion of sand from Stinson Beach will damage a major local recreation area and put beachfront residences at risk.
3. It does not address the likelihood that the disturbed Lagoon will be colonized by exotic invasives, such as cordgrass (*Spartina sp.*) and green crabs.
4. It does not propose mitigation for many of its worst impacts. In some cases, no mitigation is possible. In others, the EIR states that mitigation would make the project prohibitively expensive.
5. It fails to provide evidence of the habitat loss that it proposes to correct. It mis-defines marsh and upland habitat and ignores the Corps' legal habitat definitions. As a result the amount of inter-tidal habitat is underestimated and upland habitat is overestimated, giving the false impression that the project would increase inter-tidal habitat.
6. It does not adequately survey the wildlife of Bolinas Lagoon, or discuss the project's impact on the many of the threatened or endangered species present in the Lagoon. Among the species ignored or poorly considered are the rare northern salt bird's-beak, a rare salt marsh Indian paintbrush, eelgrass, the threatened western snowy plover, the endangered tidewater goby, Pacific lamprey, and salmonids.
7. It acknowledges that toxic compounds may be present in some of the Lagoon's sediment, but fails to identify the toxic compounds that might be expected or to describe the effects they might have on the Lagoon's biological resources.
8. It fails to consider how Bolinas Lagoon will be shaped by earthquakes and sea level rise: such omissions are a violation of Corps policy.
9. It fails to consider a full range of reasonable alternatives, as required by law. It ignores several that might achieve more at less cost, including opening the artificial Seadrift Lagoon to tidal action, restoring Pine Gulch Creek, and moving the Park Service parking lot that blocks the flow of Easkoot Creek.