



Protecting Marin Since 1934

October 15, 2019

MMWD Board of Directors
220 Nellen Ave.
Corte Madera, CA 94925

By e-mail: lbragman@marinwater.org, mmwdboard@marinwater.org

Subject: Biodiversity, Fire and Fuels Integrated Plan (BFFIP) and Final EIR Certification

Dear Directors:

Marin Conservation League appreciates the opportunity to comment on certification of the Final EIR for the BFFIP. Due to a conflict with MCL's Board meeting, we have asked MCL member Priscilla Bull to represent our comments at tonight's meeting.

In general terms, we wish to thank District staff for many years of work to reach this point. A contemporary plan now can replace the outdated 1995 Vegetation Management Plan. The BFFIP contains useful management actions that address current issues, such as fuel buildup, invasive species, forest disease, and the ongoing effects of climate change on watershed lands. The EIR is thorough in analyzing the impacts of those management tools that will have an impact on the environment. Finally, we commend the District for having included analysis of the "Limited Use of Herbicides" alternative in the EIR at our request. The analysis is informative even though we do not agree with the final conclusion. Our specific comments are as follows:

MCL supports staff's recommendation to adopt a finding of Overriding Considerations with respect to two unavoidable significant impacts on air quality and greenhouse gas emissions. These two impacts would result only from prescribed burning as a management technique. The objective of prescribed burning is to restore ecosystems by emulating natural wildfire. No other techniques can accomplish this important objective. Therefore the ecological benefits justify overriding the unavoidable significant impacts.

MCL strongly disagrees with the staff's recommended rejection of the "Limited Use of Herbicides" as infeasible, for the following reasons:

- Numerous benefits and efficiencies come with this alternative: 1) It meets all the goals of the Plan; 2) It enables significant cost efficiencies in human and equipment resources ; 3) It also reduces air pollutant emissions by requiring less mechanical and manual equipment; 4) It reduces the risk of accidental fire by reducing the number of workers and equipment needed; 5) It reduces impacts to soils and erosion, in part by reducing equipment, and in part by reducing direct soil disturbance by mechanical methods; 6) It reduces and traffic impacts by reducing the number of workers needed.
- The EIR also identifies uncertainties as to the impact of herbicides on human health and the environment, but concludes that *impacts are less than significant due to limited use and the many restrictions placed on the use of herbicides that would greatly minimize exposure.* (emphasis added)

MCL recommends that the District "leave the door open" to future amendment to the BFFIP to include the Limited Use of Herbicides:

- The District has made the decision not to include limited herbicide use in the plan due to uncertain-

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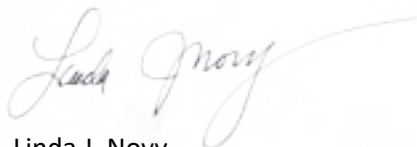
ties about whether such use presents risks to human health, habitat, and water quality and therefore is taking a cautious approach with respect to the limited use of herbicides. However, the Master Response in the Final EIR leaves the door open to reexamining this position, and the BFFIP contains language would support this reexamination, as follows:

- One of the BFFIP's three goals is to provide an adaptive framework for the periodic review and revision of BFFIP implementation decisions in response to changing conditions and improved knowledge.
- Management Action 13 states: "Review and update the Vegetation Management tool box program annually, including selection criteria for tools and techniques."
- Performance criteria for MA-13 states: "Complete as part of annual board report with recommended modifications. First annual board report is to be submitted in late May or June following Plan adoption and annually thereafter."
- Regarding MA-13, the BFFIP states: "the District will learn which tools in the vegetation management tool box work and do not work as those tools are implemented...To ensure that those 'lessons learned' are incorporated into the implementation of the Plan, the district will review and update management actions and vegetation management methods annually."

It is evident that Certification of the Final EIR and adoption of the BFFIP does not preclude future consideration of limited herbicide use. There are compelling reasons to do this. Without a full set of tools in the management toolbox, the District's ability to respond to emerging threats, such as the presence of Japanese Knotweed in the San Geronimo Creek tributary to its watershed, or the mounting wildfire risk of uncontrolled invasives like broom, will continue to be severely hampered. As it stands, the District is moving ahead with ambitious programs with "one arm tied behind its back."

In conclusion, MCL requests that the Findings Resolution specifically note: **"As further data or studies become available, or new threats to the watershed are identified, the District may reconsider whether to amend the BFFIP to allow the limited use of herbicides and conduct appropriate CEQA review to approve such an amendment."**

Sincerely yours,



Linda J. Novy
President



Nona Dennis
Chair, MCL'S Parks and Open Space Committee

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