

May 3rd, 2023



Protecting Marin Since 1934

Marin Water Board of Directors
Marin Water
220 Nellen Avenue,
Corte Madera, CA 94925

Subject: Response to Recreation Planning Workshops from Marin Conservation League (MCL)

Dear Marin Water Board of Directors,

MCL is devoted to preserving the clean water and healthy biodiversity of the Marin Water watershed. We specifically request that Marin Water:

- 1) Change the perspective that appears to have guided the 6 public workshops for the Marin Water Recreation Management Plan (WRMP). As the MCL letter of June 29, 2022 identified, the plan should begin with the environmental values of the watershed and then determine what types and levels of human uses like recreation can be accommodated in the various areas of the landscape without damage. Marin Water's approach has been socially driven; it needs to be nature driven. It's almost a visceral difference in perspective. We refer you to the Environmental Working Group letter sent to you on March 23, 2023.
- 2) Provide site-specific environmental analysis pursuant to CEQA that identifies potential impacts and mitigations before any physical actions ("projects") or trail reclassifications or visitor classifications under the WRMP are implemented. Please refer to the Marin Audubon and California Native Plant Society letter sent to the Marin Water Board of Directors on April 7, 2023.
- 3) Provide data and maps of the existing natural resource habitats, wildlife migration routes, creek corridors, and other sensitive areas with an overlay of the existing trails, both system and non-system.
- 4) Finish the work called for in the Marin Water's 2005 road and trail plan to restore the 70 miles of non-system trails that, in varying degrees, are affecting soils, water quality, vegetation and wildlife before creating more official approved trails.

The "environment first" approach we are requesting is validated in the Marin Water Board Policies:

- *Marin Water Mission: It is the purpose of the Marin Municipal Water District to manage our natural resources in a sustainable manner and to provide our customers with reliable, high-quality water at a reasonable price.*
- *Marin Water Value #1 - Promote environmental stewardship and sustainability.*

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

- Two Marin Water Goals:
 - Provide responsible stewardship of land under district management, balancing existing mandates to safeguard ecological integrity, protect against wildfire, and maintain water quality
 - Provide for visitor access and activities (passive recreation) on watershed lands consistent with the constraints of watershed stewardship
- And Policy 7. *The Mt. Tamalpais Watershed is one of Marin's most valuable natural resources, providing and protecting the major source of domestic water for Marin Municipal Water District ("District") residents. Besides this primary purpose, the watershed is held in trust as a natural wildland of great biological diversity, as scenic open space and as an area for passive outdoor recreation for Marin and much of the Bay Area. Passive outdoor recreation is defined as those activities that are based on nature and that require little or no development or facilities. (And specifically, regarding recreational use) The District will ensure that public recreation activities on watershed lands are consistent with the district's mission to safeguard water quality and protect natural resources.*

In addition, the “environment first” approach is consistent with the 2005 Mt. Tamalpais Watershed Road and Trail Management Plan (RTMP), which lists the impacts of recreational uses in describing the environmental effects of the road and trail network:

*“Roads and trails can have many undesirable effects on the environment. They can increase the number of visitors and intensify human use in seldom-visited areas. They can provide migration routes for non-native invasive plants into previously un-infested areas and facilitate the spread of Sudden Oak Death syndrome. They can fragment habitats (in some cases environmentally sensitive habitats) by creating migration or foraging barriers to some wildlife. They can physically remove habitat or a portion of it. Moreover, construction of roads and trails can disturb or destroy, directly or indirectly, plants or animals that are legally protected. Wetland areas, riparian areas, serpentine soils (which are fragile, erodible soils that can contain a host of endemic, rare and endangered species of plants), and active nesting or roosting areas, are all sensitive habitats that require protection in one form or another. **Furthermore, an increase in the density and amount of human presence in previously untrammled or seldom visited areas leads to an increase in the severity of effects and a proliferation of additional effects.**” (Emphasis added)*

The 2005 RTMP and accompanying EIR identified over 50 miles of unrecognized roads and trails. It recommended decommissioning trails when there are impacts to water quality, rare and endangered species, the route is no longer needed, or the route causes excessive maintenance or patrol needs. The plan included the following elements:

1. Conduct a comprehensive inventory of the condition of all the roads and trails in the Watershed;
2. Conduct a water quality, or sediment production, risk assessment for all the roads and trails;
3. In consultation with biologists, Watershed management staff, fire agencies, other open space land managers and affected user groups, analyze sensitive and fragmented habitat, wildlife corridors, maintenance needs, and patrol and route connectivity/redundancy issues surrounding the roads and trails;

4. Conduct an environmental analysis on the proposed management plan and prepare the appropriate environmental documentation.

In the early years of the plan almost 10 miles of non-system trails were decommissioned and returned to natural habitat. That effort appears to have been abandoned. In recent conversations, Marin Water staff have identified that there are now over 70 miles of unrecognized trails on the Watershed. This is a dramatic increase in unsanctioned trail development and an unevaluated environmental impact to watershed resources. These trails have not been addressed in the WRMP workshops, yet they are clearly related to recreational activity. Regardless of any new trail development, an update of the 2005 RTMP and EIR should occur. Eighteen (18) years have lapsed and there has been an increase of 30 miles of non-system trails due to recreational use.

We believe that Marin Water needs to recommit itself to an active program of decommissioning non-system trails before considering establishing new trail routes. This effort should include hiring additional rangers, employing effective tactics to monitor illegal use and trail construction, and ensuring that restoration efforts are not reversed. Further, we request that the Recreation Plan identify “primitive” or “wilderness” and “semi-wilderness” areas within the watershed that should be priority for non-system trail closure and protected from any new roads and trails.

Furthermore, the “environment first” approach is used by at least two large water utility watersheds in the bay area as discussed in the April 13 Marin Conservation League Parks and Open Space Committee meeting. Both East Bay Municipal Utility District (EBMUD) and the San Francisco PUC’s Crystal Spring Watershed have carefully approached recreation in order to protect water quality and biodiversity. They employ docent led or permit only recreation in the most wild and fragile areas of their watersheds, which are fenced, to protect them from wildfire, erosion, rare species loss and unintended off-trail use. The EBMUD permits are issued at trailheads and also enable tracking of visitor use. It is supported by enforcement actions. Both agencies measure their recreation approach with costs to ensure resource protection. A Marin Water Board Director and staff were present at this meeting and can provide more detail. We would be happy to share a recording of the meeting at your request.

In conclusion, the preservation of the existing rich watershed natural resources – including but not limited to clean fresh water, vegetation and sensitive plant species, and fish and other aquatic species, birds and mammals, amphibians and reptiles, and invertebrates including pollinators, and the ecosystems that support them – needs to be the baseline for the management plan. Existing degraded conditions, such as the over 70 miles of non-system trails, need evaluation and a plan for mitigation/restoration where necessary, with phased funding guaranteed and implementation initiated. Advancing any new improvements for recreation should be considered only after all resource values and threats are evaluated.

This Watershed Recreation Management Plan needs to be evaluated pursuant to CEQA to identify and mitigate the potential for impacts, such as those identified in this letter. In addition, the plan needs to be able to “work” in concert with data inventories and unfinished work from the 2005 Mt.

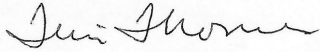
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Tamalpais Watershed Road and Trail Management Plan, and also with the 2019 Biodiversity, Fire and Fuels Integrated Management Plan. These documents need to be synchronized.

Thank you for considering our comments,

Sincerely,

A handwritten signature in black ink, appearing to read "Terri Thomas", is centered on the page.

Terri Thomas
President, Marin Conservation League

cc: Shaun Horne, Watershed Manager