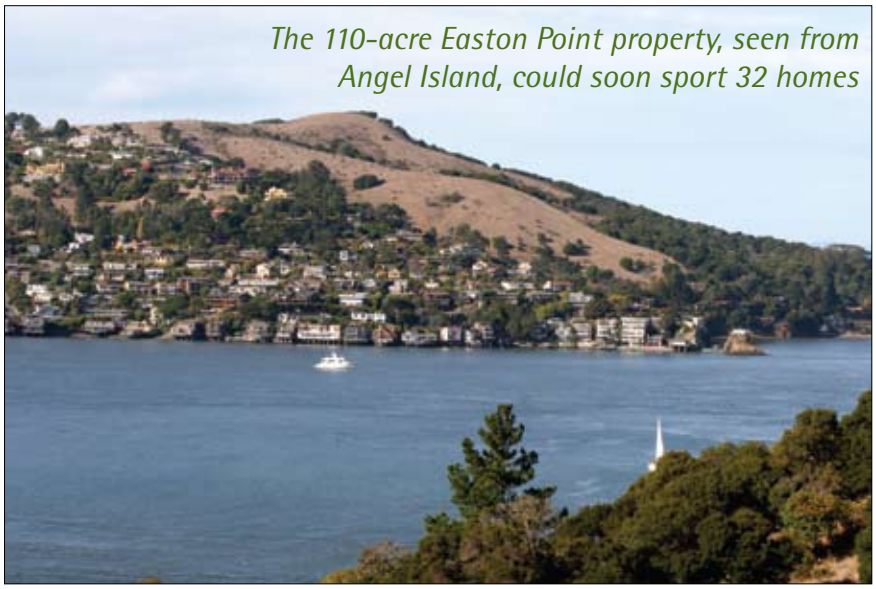
NEWS FROM MARIN CONSERVATION LEAGUE

November—December 2009

Land Use Committee Work Requires Long Memory



The 110-acre Easton Point property, seen from Angel Island, could soon sport 32 homes

Tim Rosenfeld

For 75 years, MCL's central focus has been on protection of Marin's land and natural resources. It should come as no surprise that MCL's Land Use Committee, which now includes Transportation, is the largest of MCL's committees. The issues with which the Committee deals range from one end of Marin to the other and from individual development projects, large and small, to broad issues of planning policy. These issues are constantly changing and repeating themselves, often demanding persistence and vigilance for years or even decades.

Here is a sampling of the Committee's work, highlighting several projects which, although current, have required years of attention and advocacy.

Whaler's Point Hotel was first proposed 30 years ago on the shore of Richardson Bay near Manzanita. Since then, the applicant has continued to pursue the project in successively smaller versions, none of which have yet fully complied with policies and standards in the Tam Valley Community Plan or Countywide Plan and Development Code. In the meantime, the 2.5 acre property is filled with unpermitted stored and discarded equipment, removal of which will not be enforced by the County as long as a permit application is still active.

Easton Point (Martha Company) has been a focus of MCL attention since the 1970s. This visually spectacular ridgeland (110 acres) at the tip of the Tiburon Peninsula adjoins the St. Hilary Open Space on one side and Marin County Open Space on another and its ridge trail has been used by generations for hiking. The property has unimpeded views of Angel Island and San Francisco Bay. A series of lawsuits filed as far back as 1976 resulted in a stipulated judgment that allows the owner, Martha Company, to develop 43 residences averaging 7,600 square feet. Half of the land would remain in open space. Although the parcel is now located

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Delta Panel IDs the Issues at October 1 Business Breakfast

"The Delta Next Door," October 1, was one of the outstanding events in MCL's 25-year long Business—Environment Breakfast Forum Series. Eighty-five people gathered to hear a panel led by Assemblyman **Jared Huffman** describe the demands and operational stresses that have brought this major confluence of the Sacramento and San Joaquin Rivers to the brink of ecosystem collapse. The 1,300 square mile Delta cannot continue to funnel water to two-thirds of the state without irreparable damage, a conclusion confirmed by the Governor's Delta Vision Blue Ribbon Task Force report in late 2008. Huffman outlined current bills in the legislature (now consolidated into one) that would create a seven-member Delta Stewardship Council, require aggressive water conservation statewide, monitor groundwater use, and establish a Sacramento-San Joaquin Delta Conservancy to protect the environment and economy of the in-Delta community. The most controversial proposals include a dual water conveyance system through and around the Delta – a variant of the "Peripheral Canal" defeated by the voters in 198—and expanded storage, i.e., more dams.

The Bay Delta Conservation Plan (BDCP), currently in process, assumes some form of modified conveyance but also designates areas in the Delta for wetland

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A Message from the President—

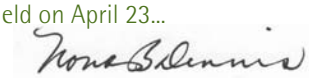
Events and Announcements

November marks the month of MCL's birth in 1934. You will find a special feature describing the League's origins in the next few pages... August's Walk Into History #2, **Samuel P. Taylor State Park**, was attended by more than 40 people. Led by Jean Berensmeier and Barry Spitz, the Walk included a side trip to the Taylors' gravesite as well as a special appearance by Bill Evers, son of MCL co-founder Sepha Evers... The Oct. 17 Walk. **Angel Island State Park**, highlighted a new interpretive sign and the newly re-planted Founder's Grove overlooking Ayala Cove. MCL was joined in the special ceremony by Supervisor Charles McGlashan, State Parks Supervisor Danita Rodriguez, Angel Island Superintendent Dave Matthews, Angel Island Association docents Alan Miller and Silvia Lange, Dr. Marty Griffin, Put Livermore, son of MCL co-founder Caroline Livermore, and others. The planting and irrigation of the Grove was graciously donated by MCL Business Member Gardeners' Guild. Now we just need a way to keep the deer from snacking on the new plants...

Many thanks to the more than 60 volunteers who worked diligently to clean MCL's two **Coastal Cleanup** sites in Novato and San Rafael at the 25th annual event on Sept.19...

State Parks has released its list of reduced hours and service cuts and Marin has not been spared the ax. **Tomales Bay**, **Olompali** and areas of **Mt. Tam State Parks** will be closed weekdays until further notice. Cuts in camping and other services are system wide. For more information, please go to **parks.ca.gov**...Want to help the parks? The California State Parks Foundation has just announced a special challenge grant. Your contribution will be **matched 100%** if you donate by December 31. Visit calparks.org to donate...

MCL's new **website** is up! You may now register for events, donate or renew your membership, and follow the latest hot topics at **marinconservationleague.org.** New features are being added every day so check back often...Save the date! The 2010 **Annual Dinner** will be held on April 23...



Delta *from Page 1*

restoration. **Greg Gartrell**, Assistant General Manager of the Contra Costa Water District (CCWD), provided the perspective of a major water district that draws its supply directly from the Delta. Perspectives differ radically among the state's water users depending on their location "upstream" of the Delta, "in-Delta," or "downstream," e.g., San Joaquin Valley, the Central Coast, or Southern California. **Tina Swanson,** Executive Director of The Bay Institute, reminded listeners that the health of the Delta ecosystem begins in the watersheds of the Sierra Nevada and Cascades and extends to the Pacific Ocean—40 percent of California drains through the Delta and San Francisco Bay estuary. **Cynthia Koehler,** Senior Counsel to Environmental Defense Fund, emphasized the need to reduce dependency on the Delta by strengthening conservation measures throughout the water systems that serve 24 million people of California.

The breakfast was held at the Embassy Suites and was generously co-sponsored by Bank of Marin.

Land Use *from Page 1*

in the Town of Tiburon, the current plan and Environmental Impact Report (EIR) are being processed by the County. Recently the owners presented a compromise plan, accepted by the Town, which would reduce the number of residences to 32 while increasing their average size. This project likely will be on MCL's plate for years to come.

Lucasfilm's proposal for expanding facilities on the Grady and Big Rock Ranches in Lucas Valley dates from 1988. The county approved a master plan in 1996 and the Big Rock complex was completed in 2002. This year a "second phase" of the master plan—262,728 sq. ft. of buildings and amenities on the 1,000-acre Grady Ranch—is back for new approvals.

The Committee completed work earlier this year on another project with a long history: the 19-acre **Sorokko** Land Division and Master Plan on the Tiburon Peninsula's Paradise Drive. This project began with illegal tree removal in the late 1990s. An application to subdivide the property into five building sites finally received Master Plan approval earlier this year from the County. The Plan integrates some of MCL's attempts to reduce the number of buildable parcels, the size of residences (projected to be 10,000 square feet), and the impact on woodland habitat, endangered plant species, and scenic views of the Bay.

Lawsons' Landing at Dillon Beach has occupied County planners and environmental critics, including MCL, for almost a decade. Last year the County certified a Final EIR and, after lengthy Planning Commission workshops and hearings, approved a Master Plan that would reduce operations of the camping and RV facility on Tomales Bay. This Plan was subsequently appealed by Environmental Action Committee of West Marin to the California Coastal Commission, pending hearings in March 2010.

On the Transportation side, committee members have attended endless meetings and submitted detailed commentary on **Marin-Sonoma Narrows** improvements to Highway 101. The Final Environmental Impact Statement (EIS) for this project took almost three years to reach its final form. MCL urged that the designs limit the overall

MCL...can make a difference in protecting valuable resources

"footprint" of the widening project to the existing right-of-way to avoid filling wetlands. As the design work moves on, MCL finds that many of our recommendations went unheeded. Almost 8 acres of wetlands and "other waters" will be filled by the enlarged footprint, and the mitigation measures are unsatisfactory. Committee members are

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Because of a Bridge—*The Early Days of MCL*

*Adapted from "*Legacy of the Land: Marin Conservation's League's First 75 Years*," currently being written by Barry Spitz and MCL.*

Marin Conservation League has been celebrating 2009 as the year of its 75th Anniversary—in Newsletter articles, at the Annual Dinner, in the *Marin IJ*, in a short video, in a series of Walks into History, and at the Founders' Day commemoration on Angel Island, October 17th. But what is the real anniversary date; when in 1934 did an impulse to preserve Marin become an organized action?

BECAUSE OF A BRIDGE. . .

If one can tie Marin Conservation League's birth to a specific date, it would be 75 years ago this month: November 6, 1934. The first entry in the organization's Minutes binders reads:

"At a meeting of the Marin Garden Club in the home of Mrs. C.H. Maggard on Tuesday, November 6, 1934, Mrs. Norman B. [Caroline] Livermore spoke about the Eastern Parkways she had just seen in Westchester County, New York, and along the Potomac River from Washington, D.C. to Mt. Vernon, and she expressed the wish that the Marin Garden Club might do some such planting and planning and zoning in Marin Co. The (Garden Club) President Mrs. Griffith asked Mrs. Livermore to be the Chairman of a committee. Mrs. John [Portia] Forbes, Mrs. A.J. [Sepha] Evers, and Mrs. [Helen] Van Pelt volunteered to serve on such a committee."

These minutes might suggest that Marin Conservation League (MCL) was born of a desire to emulate the green parkways in New York, but there is more to the story.

"The bridge was the catalyst [for the birth of Marin Conservation League]" says Bill Evers, son of co-founder Sepha Evers—"that, and the fear of 'Los Angeles-type development' once the bridge was opened."

Marin in 1934 was still pastoral. There were hundreds of dairy and beef ranches spread across the County, even along the corridor where the new Redwood Highway was taking shape but was far from complete. Indeed, until 1931, when the Richardson Bay Bridge was opened, the highway snaked over the maddeningly slow curves of Camino Alto, and through each town in the Ross Valley. Residents still traveled mostly by rail, with ferry connections to San Francisco and Richmond.

Golden Gate Bridge under construction in 1935

Courtesy of the Anne T. Kent California Room, Marin Civic Center

The County's population in 1930 stood at just 42,000, one-sixth of today's figure. County leaders had just completed a long, intensive lobbying effort to lure a military air base to Marin: Hamilton Field. It would be dedicated on May 12, 1935.

Outside of several municipal ball fields, there were only a few publicly-owned lands: Muir Woods National Monument, set aside in 1908 through the donation of land by William Kent; Marin Municipal Water District's watershed lands, secured in 1912; and Mt. Tamalpais State Park (less than one-sixth its present size), established in 1929. Most of Marin was undeveloped. All this was about to change with the anticipated opening of the Golden Gate Bridge.

The Golden Gate Bridge District, organized in 1930, encompassed San Francisco County and the five counties extending north. With the bridge's expected completion in 1937, Marin County and the four counties to the north would become extensions of San Francisco and the Peninsula to the south. In 1934, the group of Marin Garden Club women was among those few who foresaw how extensive the change in Marin might be when the bridge was completed. They were among an even smaller number who recognized the need to plan for this change. And they were basically the only ones who actively and effectively did anything to make that planning a reality.

THE FIRST MARIN COUNTY PLAN OF 1935

The birth of MCL is inextricably tied to creation of the initial Marin County Plan, hence the organization's original name: "Greater Marin Planning Survey Committee for the research of recreation, land uses and resources." On her 1934 trip east, Caroline Livermore had been impressed with a presentation by New York highway and park builder and planner Robert Moses. The conflicting visions of highways and conservation—with planning to mediate them—was no less an issue in Marin, particularly with the Golden Gate Bridge about to finally connect the County to San Francisco. Livermore anticipated the need for a long-range County Plan, never before done in Marin. She later said, "I could foresee what would probably follow [the Bridge and highway]

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History *from Page 3*

—hot dog stands and billboards."

A month before that first meeting of the Marin Garden Club committee in November, the need for a plan for the county had been recognized. Albert Evers, husband of Sepha Evers, president of the Northern California Chapter of American Institute of Architects as well as the California Roadside Council, wrote in a letter to his partner:

"Marin County should have a definite program for its growth. It should immediately begin to plan for future recreational development, and it should have a county building law and zoning ordinance which is enforceable and practical.

"The construction of the Golden Gate Bridge will place Marin County in a markedly different relationship to other parts of the metropolitan area than has heretofore been the case. There will inevitably result increased population and the development that follows population... Without (a plan), Marin County...has no conception of the requirements of this population... the things that make up well-balanced community life...where it will locate its requirements for water supply, sanitation, streets and highways, schools, recreation facilities, and other essentials."

The newly formed committee worked rapidly to organize. Actual work on a "plan" for Marin County began at the first meeting of the new committee of women chaired by Livermore on November 22, 1934:

"Mrs. Livermore had a dinner at her home [Canyon Road, Ross] followed by a meeting to discuss with her Committee ways and means of carrying out these planning and zoning ideas. Attending the dinner were Mr. and Mrs. A. [Albert] J. Evers, Mr. and Mrs. John Forbes, Mrs. Helen Van Pelt, and Mr. Hugh Pomeroy, the County Planning expert. After dinner Mr. Pomeroy advised us as to methods of other Counties and Committees. He suggested that a survey of the whole County should first be made, as to land uses, and that uniform maps of the County should be made and a report on this work before zoning could be done. The members present decided to form a County-wide Committee with men and women representatives from every section of the County."

Hugh R. Pomeroy, in the Bay Area working with the Civilian Conservation Corps, was then California's foremost municipal planner. He had recently authored a regional plan for Los Angeles (which, unfortunately, was rejected). Later, after serving in World War II, Pomeroy became Commissioner of Planning for Westchester County (New York). Today, Pomeroy is acknowledged as a founder of land use planning in the United States.

As testament to the new Committee's energy and influence, it gathered an impressive group for its next meeting, three weeks later on December 12, 1934. Included in the group were Fred Croker, a real estate broker who would be appointed the committee's first Treasurer, and Fred Meyer, Albert Evers' business partner. It was Meyer who suggested hiring out-of-work local draftsmen with funds from California's depression-era State Emergency Relief Administration (SERA), to do a planning survey.

Marin Supervisors had already created a County Planning Commission in 1932. Supervisor Thomas T. Kent, a son of William Kent, was Chairman, and local real estate magnate Frank Howard Allen, Jr., Secretary. But the commission lacked means to produce a comprehensive plan. So the founding women dug into their own pockets, raised funds from friends, and all but singlehandedly secured the grant from SERA, for $4,108.50.

County Supervisors approved the project for a plan, and in late December 1934, issued an invitation to "all the Women's Clubs, Service Clubs, and Chambers of Commerce" to attend an organizational meeting on the proposed Plan. It was held February 1, 1935, in the County Courthouse in San Rafael. Sepha Evers chaired the 35-member Marin Planning Survey Committee. Portia Forbes was Secretary. Helen Van Pelt and Caroline and Norman Livermore were committee members. Pomeroy stressed that this first comprehensive survey of Marin lands would become "the basis for future planning efforts that are never complete or static, but a living, growing piece of work."

Caroline Livermore

Courtesy of the Anne T. Kent California Room, Marin Civic Center

Work on the Plan began immediately. Draftsmen's tables were set up in the Hotaling Building in downtown San Rafael

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in space donated by Jacob Albert. Pomeroy and his "technician," Haskins Huntington, were in charge. In all, 27 workers, mostly draftsmen, were employed over the course of the project mapping the County. When SERA funds ran out, the "founding four" again provided funds to complete the project. The *Marin Journal* of November 5, 1935—one week before the final report was issued—wrote: "The financing of this work has been made possible by popular subscription raised by the Citizens Planning Committee." (In later years, this phrase would often come to mean that the money came directly from personal checking accounts of MCL directors.)

> *"Then we started intensive work on saving some of our beauty spots and beaches."*

As Hugh Pomeroy's work progressed during 1935, the growing Greater Marin Planning Survey Committee also looked toward the permanent future and, within a year of its first gathering, began to draft a plan to carry on the work of conservation in the county when the "Pomeroy Plan" had been completed. That such a conservation organization was needed was apparent from Caroline Livermore's report on a meeting of the Board of Supervisors:

"Mr. Pomeroy rendered a report on the (planning) survey (to the invited public). . . .the room was filled to capacity. Mr. Pomeroy showed lantern slides depicting problems to be solved, such as soil erosion, unsightly signs and dumps – also, bay shores that should be acquired by the county."

Pomeroy issued his landmark report, "A County Planning Program for Marin County, California," on November 12, 1935. It had 63 pages of text, plus photographs and detailed maps of the County, in some areas, parcel-by-parcel, block-by-block. The report was organized in eight sections: Land Use and Cover, Population Distribution and Density, Subdivision of Lands, Sanitation, Building Regulation, Highways, Transit, and Recreation.

Recreation was much the largest section. (The document was often referred to as a "Recreation Plan.") Specifically mentioned for public acquisition were: Stinson (Willow Camp) and Drakes beaches, the Corte Madera Bay shore, the west shore of Tomales Bay, the ridge west of Olema, a parkway corridor along Papermill (now Lagunitas) Creek, and other special lands. These all immediately became League targets for acquisition. (Only one known copy of this first Marin Plan survives. It was donated by the Marin Conservation League to the Anne T. Kent California History Room at the Civic Center library.)

Sepha Evers wrote,

"The survey was presented to the Supervisors by the League, and they approved the zoning ordinance. Mr. Huntington was kept on as the first county planning director....Then we started intensive work on saving some of our beauty spots and beaches."

Upon its adoption by the County in 1935, this Plan represented that Committee's (and, thus, Marin Conservation League's) first triumph, and an abiding legacy.

By the following year (1936), the survey committee had adopted a constitution bearing the new name "Marin Planning and Conservation League" and had identified prospective lands for recreation, based on the Pomeroy Plan. Drakes Beach was the League's first successful acquisition. Minutes from July 1, 1938 note that the League planned to recommend to the Board of Supervisors that a system of land acquisitions be set up, with an annual budget to fund purchases of land in accordance with the plan. That "system" eventually became the Marin County Open Space District – 35 years later!

Marin Girls Having Fun in the Fog—Golden Gate Bridge Opening Day

The name 'Marin Conservation League' was formally adopted on January 14, 1938, and the League was incorporated May 20, 1940. MCL's first attempt to define its mission in March 1936 included, among other purposes:

". . . to preserve, protect and enhance the natural assets of Marin County."

The change foreseen by the early League was evident on the Golden Gate Bridge opening day, May 27, 1937. With no vehicles permitted, more than 200,000 people walked, skipped, or danced their way across the bridge (E. M. Radford, *The Bridge and the Building*). "Paradise was lost the day the Golden Gate Bridge was opened in 1937. This structural masterpiece made Marin accessible to the developer..." (Venture Magazine, April 1971). Almost overnight Marin had become a bedroom community of San Francisco.

Caroline Livermore, Sepha Evers, Portia Forbes, and Helen Van Pelt are recognized as the "Founding Four" of the League. Each played an important role in those initial years, as their stories and biographies attest. However, it is clear from the anecdotal record that Livermore and Evers were the key players. Neighbors in Ross, they would share the MCL leadership for nearly 30 years, until 1962. Sepha Evers became the first president of the organization; Caroline Livermore would lead the organization for 20 years—from 1941 to 1961. Many years later, Boyd Stewart, long time Olema rancher said: "MCL ran because of Sepha Evers and Caroline Livermore. Put it any other way you want – that was the only reason at all."

"Walk Into History" Hikes Celebrate MCL's 75th Year

Samuel P. Taylor State Park, August 29th

photos by Tim Rosenfeld

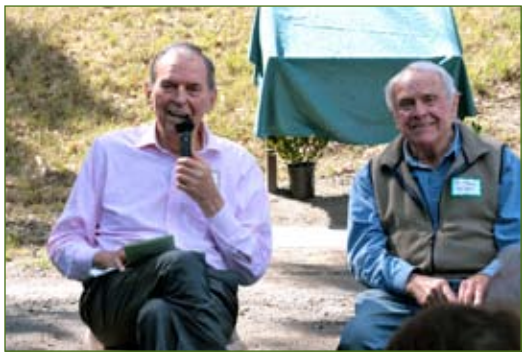
Left: MCL Co-Founder Sepha Evers Commemorative Plaque; Above left: One of the two groups of hikers enjoying a beautiful, sunny day at Samuel P. Taylor State Park; Above right: Bill Evers, son of Sepha Evers

Founder's Grove—Angel Island, October 17th

photos by Tim Rosenfeld

Gardeners' Guild

Gardeners' Guild Preparation Oct. 12th



Brett Powell

Put Livermore and Dr. Marty Griffin before the unveiling of the new sign

Supervisor Charles McGlashan

Meet MCL: Your Neighbors Working to Make a Difference!

VICKI NICHOLS, Director, Sausalito. Vicki is a new member to the Marin Conservation League this term. A native Californian, she moved from Southern California in the early 1970s after having becoming transfixed by the Bay Area's beautiful lands, diversity and clean air! Now living in Sausalito for the past 27 years, her previous work experience includes corporate budgeting and analysis. For the past ten years she has taken an active role in city government by serving on city council appointed committees to help update a city ordinance, working with the Planning Commission to protect historic resources, and researching land use issues that involve Sausalito's waterfront.

In her spare time she enjoys hiking, gardening and exploring the many places still to be discovered.

TIM NARDELL, Legal Counsel, Fairfax. Tim is a litigator with experience in cases involving business torts, breaches of contract, partnership and corporate disputes, intellectual property rights, unfair competition, and trade secrets. Tim's experience encompasses all stages of the litigation process and appeal, in both state and federal courts.

He serves as a board member for the Marin Child Care Council and has served as Adjunct Professor of Law at Golden Gate University. In 2006, Tim received an Outstanding Volunteer in Public Service Award from the San Francisco Bar Association.

A graduate of University of California at Berkeley, Tim received a master's degree in Political Science from the New School for Social Research in New York in 1992 and graduated from the Boalt Hall School of Law in 1996.

DRU PARKER, Operations Manager, San Rafael. Dru is a third-generation Marin County resident with a background in production management and mortgage finance. Although her great-grandfather was the chief engineer responsible for the construction of Tiburon Boulevard in the 1920s, Dru is a life-long environmentalist and is currently participating in Environmental Forum of Marin. As Operations Manager, she is responsible for all staff duties, including events, publications, bookkeeping and the website. Dru is a Tam High grad, attended College of Marin and received her B.A. from Mills College. She lives in Terra Linda and is an avid hiker and runner.

You're Invited to MCL's Annual Holiday Party

Friday December 4th, 4:00—7:00 pm
MCL office at 1623 A Fifth Ave., (at F St.) San Rafael

This event is free to all. We ask that you join us in helping the hungry by bringing non-perishable food items or cash donations for the Marin Community Food Bank.

MANY THANKS to the following for their support of MCL's Founders' Grove project and Walk Into History

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Tiburon

Angel Island Association

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Board of Directors meetings are held the third Tuesday of the month at 7:30 PM and are open to all.

Staff: Dru Parker, Operations Manager
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Monthly Committee Meeting Schedule (subject to change):

Land Use and Transportation:
1st Wed. of the month, 8:00 - 10:00 AM

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

North Marin Unit (NMU):
Call 415.485.6257 or see our website for meeting details.

Meetings (except for NMU) are at 1623-A Fifth Avenue, San Rafael

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.

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Celebrating 75 Years

Land Use *from Page 2*

also closely monitoring the progress of the Greenbrae Interchange Improvements and its various alternative access configurations, as well as the state legislation and regional plans for HOT Lanes throughout the Bay Region, including Marin.

Many other issues being tracked by the Land Use and Transportation Committee have the potential for longevity. The economic downturn has put on temporary hold plans for a **Target** store, between San Rafael's Home Depot and Starkweather Shoreline Park. Also on hold are a 12-unit residential development at **650 North San Pedro Road** and a massive Indoor/Outdoor Sports Complex near sensitive tidal marsh and endangered Clapper Rail habitat at the mouth of **Gallinas Creek**. These projects are sure to return to the Committee's plate.

The extended time tables for review of projects are most often due to the requirements of the California Environmental Quality Act of 1970 (CEQA). CEQA requires public agencies to identify significant environmental impacts and consider how they might be mitigated or eliminated by feasible alternatives before approving a project. CEQA is one of MCL's (and the public's) most useful tool for analyzing proposed developments. A current example is the Draft EIR on the proposed **Alta Robles** land division on Paradise Drive, Tiburon. This Draft EIR identifies sensitive plant populations, protected ridgelines, and concludes that 18 landslides would have to be repaired to accommodate 14 residences ranging from 6,500 to 8,000 square feet.

Observations: What is the "payoff" for tracking this oft-repetitious, stream of development activities in the County? For the most part, gains are modest but eminently worthwhile, however. It means hours of reading massive documents, visiting sites, writing comments, meeting with and/or appearing before planning commissions, boards, or councils to argue that impacts can be avoided, mitigations improved, alternatives considered, and obviously "bad" projects simply be denied approval. Although the battle for resaonably-sized residences along Paradise Drive seems to be lost, we have found that when MCL speaks, commissions and boards listen – and what MCL recommends can make a difference in protecting valuable resources.