NEWS FROM MARIN CONSERVATION LEAGUE

November—December 2017

Environmentalism, Environmental Justice, and MCL's Mission

Photo courtesy of Shore Up Marin

San Rafael's Canal neighborhood is one of Marin's most vulnerable communities to sea level rise.

by Nona Dennis

Raise almost any environmental issue these days that impacts people and their health and well-being, and it will contain an element of equity: is a neighborhood or community bearing a disproportionate burden of harm, as from industrial air pollutants, or receiving fewer benefits than other communities from an environmental "good," such as access to clean water or affordable housing? Terms like "social justice," "racial justice," and "environmental equity" come to mind, along with terms that signal inequity such as "disadvantaged" or "underserved" communities. How do these concerns fit into MCL's traditional mission to "preserve, protect and enhance Marin's natural assets"? The mission has remained essentially unchanged since the 1930s, with an interesting shift at the end of the 1990s, discussed below. For that matter, how has traditional environmentalism incorporated concerns over equity into agendas that are often more attentive to the natural world – protecting rare plants, endangered wildlife, and wilderness – often considered the purview of a well-off, predominantly white public? Where are the points of intersection between equity and environment?

It is instructive to review the origins of "environmental justice" as a recognizable term and to chart its evolution into the mainstream of environmentalism.

A very brief history

The convergence of traditional environmentalism with "environmental justice" is

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Status update

Point Reyes National Seashore — ranch lawsuit settlement

Those who have followed developments on Point Reyes National Seashore "("Park" or "Seashore") are aware that on July 12, the National Park Service (NPS) and three environmental nonprofits announced that they had reached a settlement in a lawsuit filed against the Seashore in 2016. The plaintiffs maintained that NPS' Ranch Comprehensive Management Plan (RCMP) process was taking precedence over the Seashore's obligation to update its thirty-five-year-old General Management Plan (GMP). The plaintiffs contended that the Park Service should prepare an Environmental Impact Study (EIS) pursuant to the National Environmental Policy Act (NEPA). The apparent goal of the suit was to block the NPS from extending long-term leases to the ranchers who operate within the Seashore, many of whom have been operating under one-year letters of authorization.

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A Message from the President—On "resilience"

We've been surrounded by environmental, societal, and political threats lately. At times, it's too much. Like many, while trying to find ways to be of help or proactive, I also find myself wanting to insulate and tune out. That's when I retreat to my backyard. But rather than tuning out, I tune in.

As I fill a water dish for our urban wildlife visitors, I see a hummingbird territorially zooming toward the reflection of sunlight off water droplets squirting from the hose or observe a scrub jay picking berries off the hawthorn tree that may have grown from a seed dispersed by one of the jay's ancestors. I hear birdsong from species resting from migration in nearby trees, and watch a grey squirrel trying with great effort to hide acorns in spot after spot of dry dirt that, years ago, was a lawn. There are deer lying beneath the apple trees down below. I see a sliver of the blue of San Pablo Bay and watch the sun recede off the hilltops of the Terra Linda Sleepy Hollow Divide and I feel grateful.

Resilience is an individual's, a community's, or an ecosystem's ability to rebound, to cope and recover, to transform, adapt, and persist. Planning for resilience on a community or ecosystem level is an interactive process. Efforts to preserve and protect are always in the context of a natural world that is dynamic with complex interactions and relationships between species, the environment, and the communities of people who live nearby. Managing for stressors, like climate change, requires intentional building of capacity that will allow for positive adaptation and absorption of change. Planning for resilience is most critical where stressors or disruption will have the most impact, both in at-risk communities and in sensitive ecosystems.

We live where resilience is not only an aspiration, but an outcome that is actively being planned for, framing threats as challenges that county and other public agencies and community stakeholders are working together to solve. MCL appreciates the many county, city, and district elected officials and agency staff whose work addresses the complex challenges we face. MCL also appreciates our environmental partners with whom we work together to achieve shared goals.

We hope you will renew your MCL membership and join us for our annual holiday party on December 1st. Our thoughts are with those who have suffered devestating fires and those who worked hard to contain them. Donations at the door of cash or checks to "RCU Community Fund" will benefit the 2017 North Bay Fire Relief effort. We wish you the very best as we enter the holiday season.

Kate Powers

Editorial (MCL's letter to the Independent Journal)

Opportunity knocks as County eyes San Geronimo Golf Course

by Ann Thomas

Marin County's acquisition of the San Geronimo Golf Course for community use would be a welcome gift for the entire county. The property, which this summer seemed destined to be sold to a developer, has instead been purchased by Trust for Public Land (TPL), a national conservation nonprofit. It will be transferred to the county if the intent to purchase process, which was approved at the October 10 Marin County Board of Supervisors meeting, is successfully concluded.

The 157-acre golf course sprawls along both sides of Sir Francis Drake Boulevard in

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Strawberry Seminary site

A plan for redeveloping the former Golden Gate Baptist Seminary site on Strawberry Peninsula as an academic institution, along with housing open to the general public, is once again on the active list and continues to prompt community concerns.

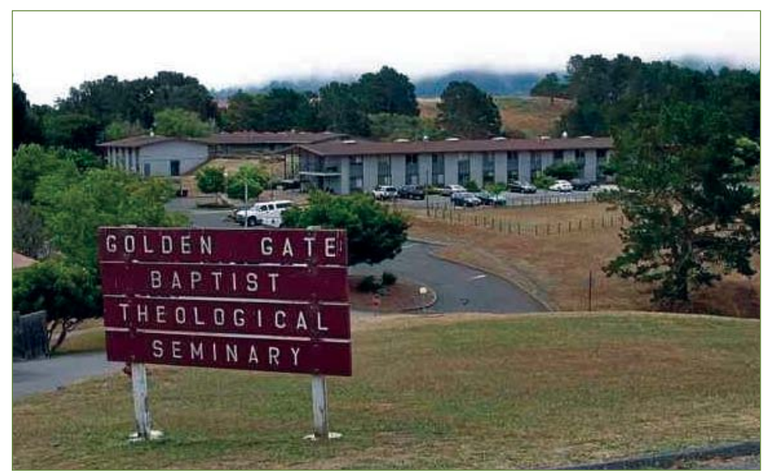
After more than 55 years occupancy, the Baptist Theological Seminary sold the site to North Coast Land Holdings Inc. in 2014, and the seminary relocated to southern California. North Coast partnered with the Branson School of Ross with a plan to relocate the school and expand its current student body of 320 to an eventual 1,000, rehabilitate the seminary's academic buildings, expand the sports program, build a new theater, and develop housing on the site, among other plans. The Branson School abandoned their involvement in the project due to overwhelming public opposition.

In a revised proposal submitted in August of this year, North Coast has continued to pursue a plan for academic use of the campus, consistent with the original use permit and approved 1984 Master Plan for the Baptist Seminary. As before, the recent plan envisions a student population of up to 1,000, and proposes a 1,200 seat auditorium, 17,000 square foot health center and multiple other buildings on the campus. The most controversial component of the project, however, is the rebuilding of existing student and faculty housing units, retention of 13 existing residences, and construction of new residences, for a total of 304 units. Together with an allowable 35 percent state-offered density bonus for affordable housing, the total could add up to 410 residential units. Most of the housing would be unrelated to school uses. This latter provision alone requires amendments to both the Strawberry Community Plan and the Master Plan for the Seminary site.

At its October 2 meeting, the Strawberry Design Review Board heard the revised proposal presented before an audience of approximately 200, virtually all opposed to the project. The community's response reflects their primary concerns over the intensity of the project and the associated impacts of traffic in an already highly congested area.

The typical next step in plan review would be for the County to select a consultant to prepare a Draft Environmental Impact Report on the project. Instead, the Design Review Board voted to recommend denial of the proposed amendments to the Strawberry Community Plan and Master Plan and other requested entitlements for the project. Further, the Board recommended, pursuant to Guidelines to the California Environmental Quality Act, that an EIR not be prepared (Section 15270 provides for ". . . an initial screening of projects on the merits for quick disapprovals prior to initiating the CEQA process, where an agency can determine that the project cannot be approved.") The Board also recommended that the Board of Supervisors start the process of revising the Strawberry Community Plan with the participation of the Strawberry Community.

At this writing, a hearing before the County Planning Commission was scheduled for October 30. MCL will continue to track this project, which could have significant impacts on Southern Marin.



The Seminary recently served as an evacuation shelter for Sonoma and Napa County wildfire evacuees.

Transportation Vision for Marin

by Doug Wilson

Ever wonder who decides how our public transportation money gets spent? Or by what criteria and by what processes those decisions are made? These are questions that may come to mind as you idle in 101 traffic on a typical, congested morning commute.

Marin's recently released draft Strategic Vision Plan of 2017 addresses those and other questions. Prepared by the Transportation Authority of Marin (TAM), the draft plan updates an earlier planning effort from 2003, which preceded the passage of a twenty-year ½ cent sales tax and a $10 vehicle registration fee in 2004. The new 2017 Strategic Vision Plan accounts for how that money has been used. It also records the results of recent polling efforts to identify the public's priority concerns and provides an opportunity to revisit Marin's transportation planning needs. Probably most important is its outline of priorities for future planning and spending.

Electric vehicles lined up to charge. Kirsten Nolan

The 86 page document provides a concise snapshot of current transportation infrastructure and travel modes in Marin. Marin's options are limited by terrain and by availability of funding. A variety of tables, graphs and accompanying text provide such basic demographic information as population growth, jobs, commute patterns and travel modes, including foot, bike, auto and school bus.

How are these decision made? In preparing the Vision, TAM staff engaged the public in a workshop, through an online survey, and by seeking feedback at numerous public events. Not surprisingly, the public singled out major highway projects as high priority, such as a direct 101/580 connector, and completion of the Marin Sonoma Narrows. Relieving congestion on local streets and intersections such as Sir Francis Drake, Tam Junction and East Blithedale in Mill Valley were also cited as high priorities for improvement, as was completion of SMART with shuttle connectors to transit hubs and ferries. There was strong support for bike and pedestrian projects, such as completion of the North-South Greenway, including reopening the Alto Tunnel, and completing the full SMART bicycle/pedestrian pathway. Particular constituencies pushed for other projects, such as more convenient options for senior transportation, school buses and other transportation options for children, and more parking near transportation hubs. How feasible are these projects? Notably, the Plan makes a special effort to show how the patchwork of funding sources determines which of these projects can or may not be funded.

As stated in the Vision, TAM's three main goals are to: support the economy, promote environmental health and safety, and ensure equity. The Vision Plan sets out strategies to support these goals. These are intended to form a flexible framework for making choices about how to spend limited resources. Work on Highway 37, for example, may strengthen the economy as a major thoroughfare for workers and affect equity when costs are allocated among highway users and/or the various levels of government. It also may help protect the environment by adapting the heavily used route to rising sea levels.

Marin Conservation League is paying particular attention to the environmental aspects of the Vision Plan, as they relate to both preserving Marin's natural beauty and minimizing damage to the larger environment from a changing climate. Marin County's Climate Action Plan update of 2015 found that about two thirds of the greenhouse gasses (GHGs) generated within County limits are caused by transportation – the majority of which still consists of single occupant vehicles with combustion engines. Emphasis in 2004 was on reducing congestion. In 2017 the vital need is to reduce GHGs, and TAM is urged to do much more to promote that effort.

The Vision Plan acknowledges the fluid and difficult-to-predict future of transportation, and it calls for innovation in response. Electric busses, various shared mobility services, even autonomous vehicles are considered. Electric cars and charging stations are mentioned but not in much detail.

TAM's Strategic Vision Plan of 2017 presents a complex array of transportation options. Perhaps the central challenge will be finding the right balance of priorities as we try to plan for the future.

Status update

Easton Point (aka Martha Company) – Will the gate open?

The long-pending proposal to develop home sites on the 110-acre "Martha property" at the tip of the Tiburon Peninsula returned to the County's active list this Fall, with critical consequences. On October 3, the Board of Supervisors reluctantly voted (3 to 2) to certify a Final Environmental Impact Report (EIR) that has languished uncertified since 2015, and to approve a Master Plan for Easton Point that had been modified recently in an attempt to mitigate significant environmental impacts. Supervisor Kate Sears, in whose District the property lies, aptly captured the feelings of the Board as she voted to deny the EIR certification and Master Plan: "There are profound environmental issues that will never be overcome with this proposal. . ." Supervisor Damon Connolly joined Sears in a No vote. The other supervisors shared her concerns but voted in favor of the staff-recommended actions, citing the County's limited discretion imposed by a stipulated judgment that allows the property owner to build 43 homes on minimum half-acre lots. Many details remain to be debated, but no one in the supervisors' chamber, except the family-owners and their consultants, wanted to see the project edge forward through the approval process in spite of numerous unavoidable constraints.

360-degree views

The MCL Newsletter has recounted on more than one occasion the 40-year history of attempts to develop an acceptable plan for an incomparable site. For those who have not been tracking the Easton Point development, some history bears repeating.

The property is in the unincorporated County, but lies within the Tiburon Planning Area. From the 600-plus foot elevation of the upper ridges, views encompass Angel Island in the foreground and the Bay Area beyond, forming an almost 360-degree arc. The property adjoins Old St. Hilary's Open Space Preserve to the northwest and shares rare serpentine-associated plant species with the Preserve. It is one of the last pieces of undeveloped land in southern Marin. Until locks were installed recently, the gate marked "Private Property" was open to runners and walkers and their dogs for many years. Otherwise it has remained relatively undisturbed.

Jocelyn Knight

The legal history goes back to 1974 when the County tried to downzone the property to reduce development potential "in visually sensitive areas" in accordance with the new 1973 Countywide Plan. Owners of the property for many decades, the Reed family (dba Martha Company) sued the county for an unlawful taking, and in 1976 agreed to the stipulated judgment that would allow 43 home sites on minimum half-acre to be constructed on the site. The County also agreed. The rest is history.

Two applications and two EIRs were submitted to Tiburon, but twice Martha walked away when the environmental impacts became clear. In 2005, Martha submitted an application to the County, but the County rejected it, claiming that too much time had passed for the 30-year-old judgment to remain valid. In 2007 a federal court upheld the original judgment, and ordered the County to process a new application in accordance with the 1976 judgment.

The family resubmitted plans for development to the County in 2008. The proposed 43 residences varied between 5,000 and 8,750 square feet in size. The Draft EIR revealed numerous environmental problems, including 27 landslides, insufficient water pressure, endangered plants, traffic safety hazards on Paradise Drive, and a steep (up to 25 percent grade) new "temporary" construction route to carry equipment and vehicles to building sites. The project also had the potential to degrade a productive spring, owned by a neighbor, in the middle of the property and owned by a neighbor. The Final EIR was completed in 2015, but the Board of Supervisors declined to certify it pending resolution of at least two remaining issues: a suitable site for a water storage tank and the ability to provide adequate pressure for fire flows; and the need to mitigate loss of a population of the rare Marin dwarf flax.

The recent action by the Board of Supervisors came in response to a modified plan submitted by the Martha Company in

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SB 5 (DeLeon) Parks and Water Bond to go to voters in June 2018

Voters in the June 2018 election will have an opportunity to pass a $4 billion parks and water bond measure, the first substantive park bond measure in 15 years. Senate Bill 5, authored by Senate Leader Kevin de Leon, was one of two similar bills in play when MCL last reported in the September-October Newsletter (AB 18 [Garcia] was the other). SB 5 garnered the support of both legislative bodies and was signed by the Governor. If approved, SB 5 will give voters the opportunity to make badly needed investments in California's water infrastructure, parks, recreation facilities, and protection of the state's natural resources. "California's aging infrastructure is in dire need of new investment, from our parks to our dams and reservoirs," said de León.

Expenditures would be distributed across broad categories, including water infrastructure, flood protection, regional and start parks, and local parks, notably in disadvantaged communities. MCL is particularly interested in its provisions for investment in California's state parks. Marin County can boast the first park under the state park system authorized in 1928 (Mt. Tamalpais State Park). In total Marin hosts seven State Park units; all are suffering from aging infrastructure and lack of staff and resources to make repairs.

According to Sempervirens Fund, decreased and unpredictable annual operating funding has left the state parks system with a more than $1 billion backlog in deferred maintenance and repair needs. It is also nearly impossible for the Department of Parks and Recreation (DPR) to adequately steward the natural, cultural and historic resources in its care, or to ensure access by all Californians to state, regional or local parks. The statewide Comprehensive Outdoor Plan of 2015 found that 38 percent of Californians live in areas with less than 3 acres of parkland per 1,000 population – a recognized standard for adequate parks – and 9 million people do not have a park within a half mile of their home.

SB 5 attempts to remedy the challenges of stewardship and access by including more than $200 million to restore and preserve California state parks and over $700 million for local and regional parks, as well as critically-needed funding to protect the state's coast, wildlife and drinking water. Sempervirens Fund summed up the need to pass the bill: "Californians from all walks of life love, and need, parks. After 15 years of neglect, it is time to again infuse some funding into our parks to ensure they are safe and accessible to all and to ensure that park agencies are able to properly manage the incredible resources we entrust to their care."

Opportunity *from page 2*

a prominent central location in the valley, and it has been a well-regarded recreational asset in Marin County for many years. The zoning designation for the property is resort and commercial recreation, so its imminent closure raised the threat of development that could alter the valley's rural character, and add vehicular traffic to access roads from San Rafael and the Ross Valley. With the property in public ownership this risk would no longer exist. Final action is scheduled for Supervisors' October 31 meeting, and final approval at that time would start the planning process for reuse.

Suggestions for reuse have included a fire station location, public park, continuation of the golf course, creek improvements for coho salmon, and many more. As the site adjoins Roy's Redwoods and French Ranch open space preserves, restoration of open space lands could improve the habitat connectivity that is so important for native wildlife. Major transformations of soils, vegetation, and the water regime that were done over the years to create and maintain a golf course would present challenges to native habitat restoration, if that becomes a preferred option, but these challenges can be thoroughly studied. In any event, the list of possibilities will grow, and each deserves careful scrutiny.

Thank you to Supervisor Dennis Rodoni and the entire Board of Supervisors, Marin Parks Director Max Korten and Acquisition Chief Carl Somers, the entire Parks department, staff members in other county departments who assisted with this project, and to TPL for being willing to act quickly, when time was short, to secure this land for the people of Marin County. Marin Conservation League looks forward to the broad and open community process ahead to decide the future for this keystone property.

Marin Conservation League Business Member Profile

R & J McClelland Dairy and the L Ranch—the next generation of farmers

If you plan to marry and operate a dairy some day, the dream might as well begin in a show ring at a county fair. Two future dairy ranchers, Jolynn Mendoza and Robert McClelland, were fourteen when they met as Future Farmers of America (FFA) while exhibiting the animals each had raised. Jolynn was a fourth generation of dairy ranchers on her father's side and sixth or seventh on her mother's. She grew up helping her parents and grandparents run a traditional dairy on the B Ranch on Point Reyes National Seashore. Robert McClelland was the third generation son of dairy farmers (his grandfather came from Ireland), first in Novato and then in Sonoma County. Like other FFA teenagers, they had fed, groomed, and cared for their animals, and were now competing for the blue ribbon. Competition led to friendship and eventually to marriage.

Photo courtesy of olynn McClelland

Both Robert and Jolynn knew that they wanted to be dairy ranchers. It was in their blood. In 2005, Robert was able to start up his own dairy in the Valley Ford area of Sonoma County by renting land from his father. In exchange for wages from working for his Dad, he gradually built up a herd of 150 cows. They now milk 250. Then in 2009, the historic L Ranch, one of the oldest intact dairy ranches on the Seashore – listed on the National Register of Historic Places – became available, and they made the decision to restart the ranch dairy as an organic operation. Robert had become acquainted with organic farming – his father had converted the family's dairy to organic several years earlier. They began by moving some of their animals from Valley Ford and purchasing others from various sources. They started milking in 2011 and continue to milk 150 cows.

There was much work to be done initially to "go organic" – clearing weeds, renovating pastures and installing fences and making other improvements on the 1,200-acre property. They were committed to keeping their cows in pasture as much as possible. Jolynn explains, "We grow good grass because of the coastal climate. Farms in this area have always been more pasture based than in other places."

The McClellands live on the Valley Ford ranch with their two sons Collin, 10, and Luke, 6. They are able to manage the two ranches with aid of experienced hired help who live with their families on the ranches. There are significant differences between the two operations. L Ranch is larger at 1,200 acres (about 800 acres useable for pasture), compared to 220 acres in Valley Ford. Soils are different. Pasture is different. Infrastructure is different. The cows are managed in separate herds, but calves are all raised in Valley Ford. Managing on the National Seashore brings its own particular demands. "There are plusses and minuses," Jolynn admits. A major challenge shared by both ranches is the problem of cyclic milk prices; right now prices are down. Robert and Jolynn are determined to farm and to raise their family in the life style of the farmer, however. "We're going to do it one way or another," says Jolynn. Collin has already shown his first cow at the county fair; Luke will follow suit when he's nine. That's how multi-generational dairy farmers pass on the family legacy.

McClelland Dairy's business membership in Marin Conservation League comes largely through the L Ranch operation, rather than the Valley Ford Ranch. When the McClellands established their dairy business in Marin County they wanted to become part of the community. They welcomed the support of local non-profit organizations like MCL and wanted to contribute. MCL is proud of the McClellands' interest in conservation and MCL and delighted to encourage a new generation of farmers – with another generation to come – in carrying on Marin's agricultural heritage.

Events

MCL Business-Environment Breakfast: Wildlife Corridors

Kirsten Nolan

Bella Monarch

MCL members and community guests filled the McInnis Park Club Restaurant for the September 15th Business-Environment Breakfast on Wildlife Corridors which featured speakers from Wildlands Network, Pepperwood Foundation, and the Golden Gate National Recreation Area. Visit www.conservationleague.org/events for all upcoming MCL events.

Photos Clockwise from left: Guest speakers flanked by MCL 1st VP Linda Novy and MCL President Kate Powers. A robust Q&A session followed the presentation, and guests continued discussions at the conclusion of the event.

It's time for a party! We look forward to seeing you December 1st.

Environmentalism

from page 1

not new, but accounts of the origins and history of events that led to the convergence vary. The early roots of the environmental movement are complex and decades old, but we commonly trace the origins to the 1960s. The publication of Rachel Carson's Silent Spring in 1962 created a widespread awareness of pollutants in the environment that was heightened at the end of the decade by the Santa Barbara Oil Spill, leading to the first Earth Day in 1970.

In a parallel fashion, the history of civil rights has deep roots but was particularly marked in the mid-1950s by Rosa Parks and the Montgomery bus boycott, and in the 1960s, by the Birmingham protests and Martin Luther King's "I have a Dream" speech in 1963, the march from Selma to Montgomery in 1965, and Kings' assassination in 1968.

The more recent origins of the branch of environmentalism known as "environmental justice" (EJ) are generally traced to a protest in Warren County, North Carolina in 1982, when the state tried to deposit 6,000 truckloads of PCB-contaminated soils in a newly constructed hazardous waste site in the small, predominantly black community of Afton. For six weeks, residents marched and staged non-violent street protests. The 500 arrests made at that time became the first arrests in the U.S. over the siting of a landfill.

The protestors of Afton lost their battle, but the story gained nation-wide attention and became a first milestone for people of color to engage in an environmental protest. It also energized and set a new direction for the civil rights movement, applying many of the same tactics. Veterans of the 1960s civil rights movement joined the growing campaign, among them the United Church of Christ's Commission for Racial Justice (CRJ). The CRJ undertook a national study of the racial and socioeconomic characteristics of communities with hazardous waste sites. Not surprisingly, their report published in 1987 found a strong statistical correlation between race and the location of hazardous wastes sites in communities of color – a correlation that was not a coincidence but rather the intentional result of local, state and federal land-use policies.

The Environmental Justice (EJ) movement was born primarily out of this report. With powerful voices like that of the Bay Area's Carl Anthony, who founded Race, Poverty & Environment in 1990, the EJ movement picked up momentum and looked for allies among the traditional, predominantly white environmental organizations that were engaged in protecting wilderness, endangered species, clean air and water, but had no involvement in the siting of hazardous waste facilities. Under pressure, some mainstream environmental organizations (known as the Big Ten and including the Sierra Club, Natural Resources Defense Council, Environmental Defense Fund, and others) developed new EJ initiatives that acknowledged the intersection of environment with public health and race.

William Reilly, head of EPA in the first Bush Administration, recognized the need for government action at the federal level and agreed to meet with EJ activists, leading to the creation of the EPA's Office of Environmental Equity. In the Clinton administration that followed, EJ became official federal policy with Clinton's signing of Executive Order 12898 in 1994. EO 12898 directed all federal agencies to "identify and address disproportionately high adverse health or environmental effects of their policies or programs on low-income people and people of color" and to look for ways to prevent discrimination by race, color or national origin in any federally funded programs dealing with health or the environment.

California was one of the first states to codify environmental justice in statute in 1974, defining it as "the fair treatment of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. Environmental justice programs are now integrated into all state agency programs with the basic aim of lifting the unfair burden of pollution from those most vulnerable to its effects.

Fast forward, and emerging differences

EJ has come a long distance as a free-standing environmental discipline and now permeates governance at all levels. The convergence of EJ with traditional environmentalism, however, has not always been easy. Long-active environmentalists have found EJ's distinctly human-centered agenda to clash on occasion with the need to protect the biological and physical systems that sustain the earth and are felt to transcend (and undergird) human needs or demands. Debate about population control has all but disappeared from environmental discourse with the widening influence of EJ and the complimentary advocacies for social and racial justice. The more recent "sustainability agenda" has merged social interests with biophysical initiatives to a degree, but also is primarily human centered. Although these apparently conflicting values need not represent either-or choices, priorities for environmental action often do not agree.

MCL's traditional yet shifting mission

MCL's history does not reveal specific references to civil or human rights. Nor has MCL been confronted with the siting of many hazardous or noxious facilities. (A proposed nuclear power plant on Bodega Head, the threat of off-shore oil drilling, and the expansion of Redwood Landfill are exceptions, but equity was not at issue.) MCL's interest in people within the environment was manifest from the beginning, however. In 1934, protecting nature *per se*, was not as critical as protecting scenic beauty and the recreational opportunities of Marin's coastal lands for the public. That is what prompted the founders to embark

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Point Reyes

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At a July 28 meeting of Marin Conservation League's Agricultural Land Use Committee following the announcement, a packed crowd of 30, including ranchers from the park, had an opportunity to learn from park officials about the terms of the agreement and their planned course of action and to ask questions and express concerns.

Kate Stuart, Flickr

Some background

As reported in previous Newsletters, MCL convened a meeting in December, 2013, to hear from ranchers about the impacts of a growing herd of free-roaming tule elk on the Seashore competing with cattle for scarce forage and water. California was at that time experiencing an extended drought. Other issues were on the horizon, however. At a second meeting convened by MCL in early 2014, Seashore Superintendent Cicely Muldoon announced that the NPS was undertaking a Ranch Comprehensive Management Plan (RCMP) and Environmental Assessment (EA). The Plan and EA would address issues involved in extending ranch leases for up to 20 years, as had been authorized by then-Secretary of the Interior Ken Salazar in 2012. The RCMP and EA would take about two years and would address a broad range of ranching matters, including but not limited to management of the elk.

Then, in early 2016, prompted by the park's pursuit of ranch planning, three environmental groups – Resource Renewal Institute, the Center for Biological Diversity, and the Western Watersheds Project – filed the lawsuit claiming the Park Service was violating NEPA by considering extension of ranching leases without first analyzing the environmental impacts in an EIS. In addition to demanding that the park update its GMP, the suit criticized the impacts of ranching on water quality and restrictions on public access to national park lands. Further, it criticized the Park's management of tule elk and questioned the Park's decision to undertake a ranch management plan that prioritized ranching over wildlife. The NPS unsuccessfully sought to have the lawsuit dismissed. During the following two years, the legal action took place largely out of public view.

Settlement Agreement

In July 2016 the parties to the lawsuit announced that they had settled it. The settlement agreement requires the park to prepare an amendment to the GMP and an EIS that focus on 28,000 acres that are actively engaged in agricultural production, including grazing livestock and dairy operations. This includes 18,000 acres in the Park's Pastoral Zone and 10,000 acres in the northern district of Golden Gate National Recreation Area that are managed by the Seashore. The settlement requires that the EIS include three alternatives for management in addition to a "no action" option: a no-ranching alternative, a reduced-ranching alternative, and a no-dairy ranching alternative. Other alternatives that continue ranching on the park will also be considered in the EIS. Under terms of the settlement, while preparing the GMP Amendment and EIS, Park officials can begin issuing five-year leases to ranchers, many of whom have been operating with one-year letters of authorization. Both the GMP Amendment and EIS must be completed within four years of July 2016.

When the settlement was announced, both sides claimed some degree of success. It was greeted largely as a victory for the three environmental nonprofit litigants. The Center for Biological Diversity said in a press release: "The public will get its long-overdue opportunity to weigh in on whether native wildlife and public access should trump commercial cattle ranching on Point Reyes national park lands." Park Service officials were relieved that they could finally move forward with planning after two years of virtual paralysis. The ranchers' response was more guarded. Five-year leases, while certainly a step in the right direction, would still fall short of the long-term security needed by families who have made their livelihood for generations sustaining the park environment and a thriving working landscape. Further, it would continue to limit their ability to make significant capital investments in positive environmental practices such as new manure management practices or carbon sequestration.

Next steps outlined at meeting

At MCL's July 28 meeting, acting Park Superintendent, Steve Mietz, outlined the Park's next actions and preliminary timeline). After publishing a Notice of Intent in

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Point Reyes

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the Federal Register this fall, NPS planned to hold public scoping meetings to gather input on alternatives to be considered in the EIS, in addition to those required by the settlement, and what issues should be addressed. As this Newsletter went to press, public meetings had been scheduled for October 25 and 26 to gather input on alternatives, including those required by the settlement, to be considered in the EIS. Comments were due by November 15.

Attendees at the MCL meeting voiced their continued support of ranching in the park but expressed concerns that local voices would not be heard. They worried that opinions will come from throughout the U.S. from people who are uninformed or have been persuaded by large organizations, while the voices of local people, who are well informed and have deep roots in the community and more at stake, might be overlooked.

Mr. Mietz responded that ". . . the key is understanding the impacts of the alternatives that will be analyzed through the NEPA process, including the economic, conservation, cultural, and ecological impacts . . . There will be opportunities to discuss particular issues with park staff in one-on-one meetings over the next four years." He also announced that Cicely Muldoon will return later this fall to the post of superintendent of the Park from her interim assignment as Acting Superintendent at Golden Gate National Recreation Area.

Last year, to help inform the anticipated RCMP process, MCL convened four workshops that featured the history of ranching in the park, issues the ranchers face, and the park's natural resources that warrant protection. The workshops also stimulated a constructive exchange between environmentalists and ranchers that will be beneficial as the new planning process goes forward. MCL will continue to participate as events unfold.

Easton Point

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June. The modified plan resolves the issues of water storage and adequate fire flow. It sets aside roughly 75 acres as open space, including a six-acre parcel to preserve the rare Marin dwarf flax and avert mitigating off site, as originally proposed, but it leaves questions unanswered. No public agency has stepped forward to assume responsibility for managing the open space. In its absence, could a Home Owners Association (HOA) be relied on to protect in perpetuity sensitive resources on the site, such as rare plant populations and habitat for the endangered California red-legged frog? The proposal also would burden the HOA with onerous long-term responsibilities for slope stability, site drainage, and the quality of runoff. The proposed HOA arrangement is unconvincing at best – unreliable at worst.

Opening the Gate?

What would it take to permanently open the Martha property gate to the public? Taken together, the constraints and the values of the site add up to a picture in which acquisition as open space offers the most rational solution. The Martha property has been identified as a "Priority Conservation Area" in a Bay Area-wide regional study of potential development and conservation areas. It is targeted as one of ten potential land conservation areas in the Marin County Parks and Open Space Strategic Plan. It has also been in the sights of the Tiburon Open Space Trust Committee members, which was successful in acquiring the lands that make up Old St. Hilary's Open Space Preserve.

The Trust for Public Lands (TPL) has offered to meet with the owners and begin discussions of a fair market value that reflects not only the value of the real estate, but also the real world costs to build on this difficult site. MCL has twice urged the Reed family to consider public acquisition of all or part of the site, facilitated by TPL – an opportunity for the family to receive a return on their family estate and at the same time leave a legacy in their name for future generations to enjoy.

Environmentalism

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on 40 years of acquiring lands for the public, an interest that continues today. The mission of MCL for many decades was to preserve, protect, and enhance Marin's natural assets *for all people* (emphasis added).

Environmental issues involving human needs and interests, such as quality of life, housing, transportation, parks, agriculture, have always been among MCL's preoccupations. In later years, as "ecology" and "biodiversity" became familiar concepts and threats to the natural environment intensified, MCL increased its focus on protecting ecosystems such as wetlands and other sensitive habitats from destructive human activities. At the end of the 1990s, the Board embarked on a study that reexamined MCL's fundamental environmental obligations and questioned the mission statement itself. After considerable discussion, the Board agreed that MCL should be more "earth centered" and therefore agreed to drop "for all people" from the mission statement.

MCL's priorities have fluctuated over the years, but that version of the mission statement has remained untouched for almost 20 years. The MCL Board is again examining its mission. In a community (Marin County) that has its own obvious inequities, where and how might "environmental justice" fit into MCL's long-standing commitments to Marin's environment?

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Issue Committee Meeting Schedule (subject to change—check website)

Land Use and Transportation:
1st Wed. of the month, 9:00 AM—11:00 AM

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

Invasive Plant Subcommittee of POS:
3rd Wed. of the month, 3:00—5:00 PM

Climate Action Working Group: 3rd Fri. of the month, 9:00 AM—11:00 AM

Agricultural Land Use: meets quarterly; Water and Watersheds, North Marin Unit: Check website for times and locations

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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