

**THURSDAY, JUNE 15 7:00 PM**

**Marin Audubon Society Properties**  
Jude Stalker



# The Rail

MARIN AUDUBON SOCIETY

## Habitat Protection Threatened By Upcoming Supreme Court Decision



Jude Stalker

### Marin Audubon's Bahia Property

Register for the June Speaker Series program on the MAS website's Speaker Series page.

For almost twenty-five years Marin Audubon Society (MAS) has been acquiring wetlands (or historical wetlands) and adjacent upland properties in Marin County; restoring, stewarding, and preserving the land as valuable wildlife habitat. Some of these properties were close to being developed but acquired by MAS due to the perseverance of those individuals who early on understood the value and importance of wetland habitat. Some have been stewarded by a dedicated group of volunteers and enjoyed for their beauty and bountiful birdlife by many throughout the years.

Jude Stalker will take you on a virtual tour of several of these properties and fill you in on the interesting ways that they were acquired and of how they have been restored, enhanced, and stewarded to support the many native plants and animals that are populating them now.

Jude is a wetland biologist who has worked in and around the SF bay wetlands for more than twenty years. She is a long-time member of the MAS board and spends much of her free time volunteering to help steward the MAS (and other) properties.

Since 2006, Marin Audubon Society has purchased and has been permanently protecting 22 valuable habitats by buying tax defaulted properties, through a program called the Chapter 8 Land Acquisition Program. That avenue, for us to protect wetland, riparian and adjacent upland habitats, is now threatened. A case involving sales of tax defaulted properties is currently before the U.S. Supreme Court due to apparent malfeasance in the use of the tax default sales in some states.

The case before the Court, *Tyler v. Hennepin County, Minnesota*, is over a practice whereby governments seize properties, including structures, on which taxes are owed and then sell the properties and keep all of the funds, those owed for taxes and funds over the tax amount owed. This practice has resulted in people losing their homes along with the equity in those homes in the 12 states that allow the practice. The Tyler case aims to end this predatory practice, referred to as home-equity theft.

Every year thousands of property owners lose everything because of aggressive tax-and-take practices. In Michigan, when properties were sold at auction, the government kept all the profits. In one instance, they took a retiree's house for an \$8.41 underpayment of property taxes, sold the house and entire property, kept the amount due for taxes and all of the remaining equity, and left him with nothing. In Nebraska, a resident lost his home when he underpaid his property taxes by \$588 after which the county sold his property to a private investment firm, eventually leading to the county's handing over his \$60,000 equity to the investment company.

The tax-defaulted properties Marin Audubon has acquired support tidal and/or seasonal wetland or riparian habitats, or uplands adjacent to these aquatic habitats. None have structures or other development. Most are undevelopable because they are too small and/or they support wetlands, riparian habitats or other protected natural resources. Our acquisitions protect the



Barbara Selzman

**Norton Pond. Marin Audubon Society has acquired multiple tax defaulted parcels here, including the pond itself.**

integrity, values and functions of the habitats and enhance the habitats.

Properties Marin Audubon has purchased through the Chapter 8 program:

- Most of **Norton Pond** (six parcels), a muted-tidal pond named after the street on which it is located in the Black Point area of unincorporated Novato. Norton Pond is

*continued on page 4*

### Join us for Tiscornia Marsh Community Meeting

**WEDNESDAY JUNE 21 AT 5:30 PM**

The Multicultural Center of Marin, in partnership with MAS and ESA, will present our sixth community meeting. Join us to learn about the current status and changes in our project, and about the city's new Restoration Authority Resiliency grant to investigate options to address sea level rise impacts.

The program will be held on Zoom. The link will be available closer to the event on the MAS website and on the Tiscornia Marsh website.

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## BOARD OF DIRECTORS

Phone numbers are in the 415 area code unless otherwise noted. Questions? Please contact the appropriate Board member.

President	Barbara Salzman 924-6057
Vice President	Doug Waterman 506-4675
Secretary	Lelia Lanctot 924-6138
Treasurer	Martha Jarocki 461-3592
Conservation	Roger Harris 510/710-9120 Barbara Salzman 924-6057
Field Trips	Doug Waterman 506-4675
Membership Chair	Bob Hinz 383-8688 Contact Bob for membership problems or questions.
Outreach, Website	Elyse Omernick outreach@marinaudubon.org
Speaker Series	Mike Anderson 990-9784
Special Projects	Jude Stalker 680-6291
Nominating	Martha Jarocki 461-3592
Editor, <i>The Rail</i>	Doug Waterman 506-4675
Property Management	Clint Kellner 895-8591
Volunteer Coordinator	Ellena Ochoa volunteercoordinator@marinaudubon.org
BAAC Reps	Barbara Salzman 924-605 Doug Waterman 506-4675
At-large Director	Lowell Sykes 388-2821

## DIRECTORS MEETINGS

Meetings open to members. 6:30 PM, First Tuesday of the month. Meetings are currently held online via Zoom. If you wish to participate please call 924-6057.

**MAS telephone:** 721-4271 (for messages only) Marin Audubon Society is a nonprofit 501(c)(3) organization. All memberships and contributions are tax-deductible to the extent allowed by law.

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**Website:** [www.marinaudubon.org](http://www.marinaudubon.org)  
Members can receive *The Rail* electronically instead of a hard copy by emailing [membershipsecretary@marinaudubon.org](mailto:membershipsecretary@marinaudubon.org).

## DONATIONS APPRECIATED!

Marin Audubon Society welcomes gifts of funds, stock, or property, and bequests in general, or in honor or memory of someone. Gifts may be directed to any MAS project. Unspecified gifts of more than \$500 will be placed in the Endowment Fund for conservation, the protection of wildlife species, and the preservation and enhancement of wildlife habitats. Since MAS is an all-volunteer organization, 100% of your donation goes to its projects. All gifts are tax-deductible and will be acknowledged in *The Rail*, as well as personally on behalf of the Society. Checks should be made out and mailed to: Marin Audubon Society, P.O. Box 599, Mill Valley, CA 94942.

## MISSION STATEMENT

To conserve and restore natural ecosystems, focusing on birds and other wildlife and their habitats, for the benefit of humanity and the earth's biological diversity.

# PRESIDENT'S LETTER

By Barbara Salzman

As our fiscal year ends, I would like to say a very special thank you to several folks who have volunteered their time to make special contributions to MAS and our members during the past year and for years before.

To **Noah Arthur** who has been composing our Birdlog since 2007. Noah does a spectacular job producing a most interesting, informative column delighting readers of his bird sightings column in *The Rail*. Noah's engaging writing style makes a reporting of birds seen during the previous month, which could be simply a list, an enjoyable adventure. Noah inspires readers to go out and go birding. Unfortunately, Noah is currently in a location (temporarily) where he does not have internet connection so his column is not in this month's *Rail*. He'll be back in our next issue.

To **Daphne Hatch, Diana Humple** and **Liz Lewis**, coordinators for the Breeding Bird Atlas 2, who pulled together a flailing Breeding Bird Atlas, reorganized and are now managing the Atlas with dedication, expertise, and professionalism.

To **Ann Thomas** our treasurer for the last three years, who saved us when we were in difficult times, organized our books, and has managed our finances, efficiently and dependably. Earlier, Ann served as our secretary and briefly as Membership Chair.

Congratulations to **Bob Hinz, Else Omernick, Mike Anderson**, and **Lowell Sykes** – our newly elected board members who were voted in at our May Annual meeting. We welcomed Mike to the Board a few months ago when he was appointed to a vacant seat. Now he has a full term and will be serving as Speaker Program chair. Elyse, Bob and Lowell are continuing Board members who fill roles essential to the functioning of Marin Audubon. Bob will continue as Membership Chair and manager of our Triangle Marsh property. Elyse will continue as manager of our website and of our Docent program for Northern Spotted Owl sites. Lowell does essential work to support our properties and will continue as an At-Large member. Our board terms begin in June. We look forward to a productive 2023-2024 with our new board.

We are still in the processes of negotiating legal issues on our Simmons Slough and Calpark properties. There are no updates as we go to press.

You should have received our Spring appeal letter by now. It has lots of information about our properties, what your donation funded last year and what we need your contribution for

this year. Your donation will help us continue our habitat enhancements and restorations and required monitoring studies. We hope you'll look favorably on our habitats and give generously.

This is last issue of *The Rail* until September. Our newsletter and programs take a vacation in July and August. Our other activities – conservation, property management, and field trips – will continue. We have fewer field trips in summer because there are not as many birds to see. Most of our waterbirds go north to breed in summer. Our conservation activities will continue during the summer and will include working to address the recreation impacts on Marin Water lands, the Battery Storage facility, and pursuing the Novato Creek Bayland Strategy. The purpose of the Strategy is to protect, restore and enhance the resources of lower Novato Creek and provide flood protection for that area. And, of course, we'll be tending habitats on our properties and managing our Tiscornia and other grants.

Have a wonderful summer, get out and enjoy our nesting and migrating birds. We'll see you in the September *Rail*.

## MARIN WATER RECREATION PLANNING UPDATE

Marin Water (MW, formerly MMWD) is now calling the recreation plan, it has been working on, a recreation framework. This feels like a way to avoid doing environmental review under the California Environmental Quality Act. Their approach of accommodating and encouraging recreational uses and users is completely contrary to that of other Bay Area water Districts that carefully regulate uses on watershed lands to protect quality of their water. They understand, more than MW appears to, that recreational use of watershed lands leads to erosion, sediment in creeks and reservoirs.

We are continuing to strategize and work with others concerned about the impact of recreational uses on the watershed.

### WHAT YOU CAN DO:

To tell MW you care about protecting the watershed, attend the MW Watershed Committee meeting on June 15, 2023 at 1:30 PM, and speak up for protection of the watershed and limits on mountain and ebikes. The meeting will be on zoom and in person. Check the MW website for the link. If you would like to join our effort to protect the watershed, please email me at [bsalzman48@gmail.com](mailto:bsalzman48@gmail.com).

## MAS FIELD TRIPS

Open to the public

MAS is providing a full schedule of free field trips for the 2023 season.

**Advance registration is required** for most of our trips, nearly all which have size limits to prevent overcrowding. Registration will open 10 days prior to the trip date on the Marin Audubon website's Field Trips page.

Trips can fill up quickly. Please register early to make sure you get a spot. If you won't be able to attend a trip that you have registered for, please use the "contact organizer" button on the Ticketbud trip description page so that the spot may be opened for someone else. If a trip is closed when you try to register, use the "contact organizer" button and request to be put on the waiting list.

### BEAR VALLEY AND FIVE BROOKS

#### Birding in Marin, Season 8 – Trip 6

Saturday, June 3, 2023

8:30 AM to mid afternoon

With Jim White and Bob Battagin

Registration required for this trip. Registration for the Bear Valley and Five Brooks trip will be open starting on May 24 at 8 AM on the MAS website's Field Trips page.

Join Jim and Bob on this trip as part of their yearly series of Marin walks. We will start our day at Bear Valley in search of nesting birds. Next, we'll travel to Olema Marsh and Whitehouse Pool for a look at some different habitats. Our final stop of the day will be Five Brooks where we have a chance of finding **Wood Duck** at the retired logging pond. We will also look for birds in the Douglas Fir forest.

**DIRECTIONS:** From Hwy 101 take Sir Francis Drake Blvd toward Point Reyes for about 20 miles. At Olema turn right onto Hwy 1. In 600 feet, turn left onto Bear Valley Rd. In approximately 0.5 mile, turn left at the entrance to Point Reyes National Seashore Headquarters at Bear Valley. We will meet at the picnic tables near the parking lot.

### KING MOUNTAIN PRESERVE, Larkspur

Friday, June 9, 2023

8 AM to 10:30 AM

With Rich Cimino and Janet Bodle

cell: 925/353-0266

All participants are welcome to join this trip. No registration required.

Join us on King Mountain for a bird walk that welcomes beginners as well as experienced birders. This accessible Preserve, rising above the main streets in Larkspur, is frequented by hikers, but not so much by birders. Janet and I survey King Mountain as part the Marin Audubon Breeding Bird Atlas project. We would like to introduce Marin Audubon birders to this location.

It's breeding season so any of the breeding migrants are probable, such as **Lazuli Bunting, Black-throated Grey Warbler, and Yellow Warbler**. Resident birds such as **Wrentit** and **Pileated Woodpecker** have been seen recently. While the steep trail provides some excellent views, it can get warm. Bring liquid and wear a wide brimmed hat.

**DIRECTIONS:** From the corner of Magnolia Ave and Ward St in Larkspur: coming from north, turn right on Ward (left from the South), right on Hawthorne Ave, left on Willow Ave. Park and meet at trail head gate (Citron Fire Rd.) on Willow Ave.

### BIG ROCK AND LAS GALLINAS

#### Birding in Marin, Season 8 – Trip 7

Saturday, July 1, 2023

8:30 AM to 3 PM

With Jim White and Bob Battagin

Registration required for this trip. Registration opens on June 21 at 8 AM on the MAS website's Field Trips page.

Trails at Big Rock, rather steep, allow us to view some of the expansive grasslands and forested ravines in Marin. Some of the grassland nesting birds we will be looking for include **Lazuli Bunting, Grasshopper Sparrow, Horned Lark, and Ash-throated Flycatcher**. We will also have a vast amount of sky visible so swallows, swifts, and raptors may appear, with a chance for a **Golden Eagle**.

At midday we expect to drive Lucas Valley Road to Las Gallinas where we will be looking for American and **Least Bitterns, Green Heron, Cinnamon Teal, Common Gallinule, and Great-tailed Grackle**.

**DIRECTIONS:** From Hwy 101 in San Rafael, exit on Lucas Valley Rd and go west approximately 5.5 miles (look for the big rock). We will be walking approximately 3 miles. Because this area can get quite hot this time of year, be sure to wear a hat, use sunscreen and carry plenty of water.

### SKY TRAIL AND LIMANTOUR BEACH

#### Birding in Marin, Season 8 – Trip 8

Saturday, August 5, 2023

8:30 AM to mid afternoon

With Jim White and Bob Battagin

Registration required for this trip. Registration opens on July 27 on the MAS website's Field Trips page.

The Sky Trail, called "the misty spine of Bear Valley," takes us through a maturing Douglas Fir/Bishop Pine forest. Forest birds are more active early and moving birds often follow ridges so I would like to look and listen on our walk through this habitat. We may see or hear a **Pileated Woodpecker, Band Tailed Pigeons, Stellar's Jays, Swainson's Thrush, Osprey, Nuthatches** and surely **Acorn Woodpeckers** and **Chestnut-backed Chickadees. Northern Spotted Owls, Western Screech and Saw-whet Owls** live here but we would need to be here at dusk or dawn to hear them.

After we leave, we drive down to the great beach of Limantour with its miles of sand, its tidal estuary the open expanse of Drakes Bay and the Pacific Ocean beyond. We will gather at 9:30 AM in the ample parking lot with restrooms nearby. We'll pack our lunches, shoulder our scopes

and head out and up the beach. We can hike far enough to find **Snowy Plovers** to get our exercise and to cross over to the estuary side for our walk back. Gulls, terns, cormorants, loons, grebes, pelicans, murres, and guillemots will garner our attention and I'm always interested what the Pacific will bring close to shore. Shorebirds too, some already back from their breeding excursion to the Arctic, may decorate the shore or be gathering along the estuary shores and shallows. Some ducks, hawks, and herons will show up, too.

**DIRECTIONS:** To Sky Trail – From Hwy 1 South, turn right (left from Hwy 1 North) onto Sir Francis Drake Blvd for 0.7 miles, left onto Bear Valley Rd for 0.5, then right onto Limantour Rd for 3.4 miles to the Sky Trailhead. Roadside parking is available near the trailhead.

From Sky Trailhead, the drive to the Limantour beach parking lot is 4.3 miles.

### RODEO LAGOON AND MARIN HEADLANDS

Wednesday, August 23, 2023

7:30/8:30 AM to noon

With William Legge and David Wiechers

Registration required for this trip. Registration opens on August 13 at 8 AM on the MAS website's Field Trips page.

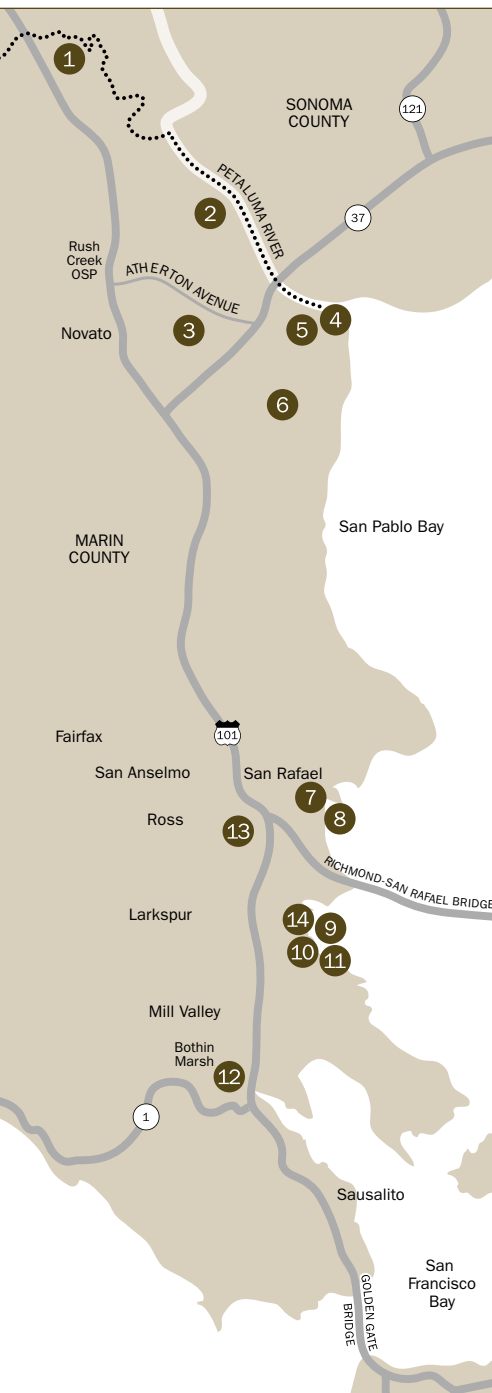
Join William and David for the first of four fall migration field trips at Rodeo Lagoon. This is their long-time "patch," which never seems to disappoint birders with daily variations in species and the chance of an unusual sighting. On this trip, our group will be targeting **Elegant Terns** and **Parasitic Jaegers**, migrating shorebirds, and western passerine migrants including warblers. We will begin the morning with a Sea Watch at 7:30 AM from Rodeo Beach. Those arriving later may join us at 8:30 AM for a circuit of the lagoon.

**DIRECTIONS:** Head south on Hwy 101 and take the last Sausalito exit just before the Golden Gate Bridge. At the exit stop sign, turn right and go under the freeway, then follow the road down to the left. Within 300 feet turn left at the sign to the Marin Headlands (This is the only available left turn before you begin the descent into Sausalito). You should see the tunnel with the five-minute light. Proceed through the tunnel on Bunker Rd to the Rodeo Lagoon Parking Lot at the end. Meet by the bridge over the channel to the beach or join MAS birders with scopes along the nearby beach area.

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# CONSERVATION

Marin Audubon Conservation Committee reviews critical issues related to wildlife habitats and comments to cities, agencies, and other jurisdictions. To attend, phone Barbara Salzman at 415/924-6057.



Barbara Salzman

## Property at Black Point Marin Audubon purchased through the Chapter 8 Land Acquisition program

### Supreme Court

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former tidal marsh that was converted to a tidal pond by building a dike, on which Norton Avenue is located. The Norton properties also include several nearby parcels that support tidal marsh.

- Thirteen parcels at **Black Point**. All of the flatlands in the Black Point area are historic tidal marsh converted to seasonal wetlands by the placement of dikes. Our parcels are seasonal wetlands and adjacent uplands located in coves that are formed by oak-wooded hills, similar to the topography at nearby Bahia.
- Two parcels of **Arroyo San Jose**, in the Bel Marin Keys (BMK) industrial park area, across BMK Boulevard from the Marin Humane Society. Our property consists of creek bed and banks vegetated with old oaks and understory vegetation.
- Sections of **Arroyo Corte Madera** in Mill Valley, adjacent to The Redwoods Senior facility. Our few parcels consist of tidal marsh and adjacent uplands at the mouth of the creek and along the Bay edge.

Marin's Chapter 8 Land Acquisition Agreement Sale program is designed to allow eligible taxing agencies or nonprofit organizations the opportunity to purchase tax defaulted property for public benefit. Because a completed sale deprives a person of property ownership

of the tax-defaulted properties, specific procedural requirements have been added to the Marin County statute to ensure that owners are afforded appropriate opportunities to retain their property.

A summary of the general process for the sale of a property that has become tax defaulted in Marin County:

- When a property owner fails to pay his/her property tax by the final due date and it becomes tax-delinquent, the tax collector sends the property owner, or assessed, a notice of impending default, followed by a declaration of default if the delinquency is not satisfied.
- The declaration of default opens a waiting period (residential or farmland 5 years; non-residential commercial 3 years), during which the defaulted taxes accumulate.
- Before the sale, the tax collector is required to notify the assessed and all parties of interest, by certified mail, of the tax collector's power and intent to sell the property for nonpayment of taxes. Only after all statutory requirements are met can the tax collector exercise his or her authority to sell the property.

As a potential buyer under this program, Marin Audubon is required to provide the county with its Articles of Incorporation showing that we are a non-profit (501)(c) (3) organization incorporated for the purpose of protecting property, an executed purchase agreement, and a resolution of our Board of Directors committing to acquire and protect the property as open space. In equity-theft the government confiscates the property, sells it for the taxes due plus equity in the property, to benefit itself, private individuals or businesses.

We are pleased to report that on May 25, the Supreme Court ruled unanimously that governments are not entitled to take more from a tax payer than is owed. A unanimous, very appropriate and fair ruling. Since Marin County does not retain amounts over the taxes due, we expect that we will be able to continue to purchase and permanently protect undeveloped properties with wetland and/or other valuable natural resources through the Chapter 8 acquisition program.

### MARIN AUDUBON PROPERTIES

1. Petaluma Marsh Expansion Site	180 acres
2. Bahia	60 acres
3. Simmons Slough	144 acres
4. Norton Avenue Pond	4 parcels
5. Black Point Parcels	many parcels
6. Arroyo San Jose	2 parcels
7. Tiscornia Marsh	20 acres
8. Tidelands and Murphy's Rock	34 acres
9. San Clemente Creek Tidelands	4.34 acres
10. End of Channel Drive	1 acre
11. Triangle Marsh	31 acres
12. Arroyo Corte Madera del Presidio	2 acres
13. Cal Park	<1 acre
14. Corte Madera Ecological Reserve Expansion Site	5.2 acres

## COASTAL COMMISSION DEVELOPS ACTION PLAN FOR SEA LEVEL RISE

Fundamental to the Coastal Commission's work is the public trust doctrine – a common law principle that certain lands are held in trust by the state for the benefit and use of the public. On the coast, public trust generally includes tidelands (lands subject to ebb and flow of the tides) and submerged lands, and lands that were tidelands at the time California became a state in 1850.

Public trust lands and adjacent uplands support a variety of socioeconomic and cultural values such as navigation, boating, shipping, ports; recreation activities such as public access, fishing, sunbathing, birdwatching; and ecosystem services such as nursery, nesting and foraging habitats for fish and birds, buffering wave energy, and recycling nutrients.

Sea level rise will push the public trust boundary (mean high tide line) landward in many locations. The mean high water elevation will ambulate as the shore erodes and accretes seasonally, causing the boundary between public tidelands and private interests to diminish. With sea level rise, increasing conflicts between public and private interests will result as residents want to construct sea walls to protect their properties. There have already been law suits in Morro Bay and Orange County about the Commission denying permits for sea walls.

As fixed structures on private property are encountered, assuring an appropriate balance of interests will become more challenging for the Coastal Commission.

To assist the Commission in addressing the challenges to come, it has adopted ten guiding principles as noted below in italics:

1. *Climate change and sea level rise are moving the public trust landward.*
  2. *Development decisions and sea level rise will impact public trust lands, uses and resources.*
  3. *The Coastal Act aligns with and implements the public trust doctrine.*
  4. *The Coastal Act decisions will incorporate protections for the public trust.*
  5. *Coastal Act decisions will be guided by the anticipated impacts of development on current and future public tidelands.*
  6. *Coastal Act decisions must be guided by the principle that owners of shorefront property may not unilaterally and permanently prevent the landward migration of public trust lands.*
  7. *Coastal Commission findings will be informed by interagency coordination.*
- Coordination with the State Lands

Commission is particularly important because it is the primary agency that determines the boundaries of the public trust.

8. *Public trust principles support the requirement that Coastal Act decisions advance environmental justice and access for all.*
9. *Coastal Act decisions must consider the adverse impacts of shoreline protective devices on public trust-related resources.* Hard shoreline protective measures, such as floodwalls, impede the movement of coastal resources, marshes and beaches landwards, which results in the loss of essential ecosystem services.
10. *Encouraging the use of nature-based adaptation strategies can better support public trust uses and values.*

Action Plan components to implement the guiding principles include:

- Coordinate with tribes local governments to update Local Coastal Plans
- Outreach/educate the public
- Analyze the impact of residential-related development on public trust resources and uses
- Identify development that results in “coastal squeeze” leading to the loss of public trust lands
- Consider mitigation for the adverse impacts of sea level rise on public trust lands
- Explore alternatives for determining the mean high water elevation
- Evaluate new technologies for locating the boundary between public trust lands and private lands.

## STINSON BEACH ADAPTATION RESPONSE COLLABORATIVE (ARC) DRAFT SEA LEVEL RISE VULNERABILITY ASSESSMENT

As part of its Sea Level Rise adaptation program, Marin County is updating the 2016 Vulnerability Assessment of the Stinson Beach Area. The purpose of the update is to assess the potential impacts of sea level rise by mid-century (2050-2060) and late century (2070-2100), identify potential risks to development and natural resources, and identify and consider a range of feasible measures that will avoid or minimize the impacts of sea level rise on the Stinson Beach community. This Assessment also will consider aspects that were not considered in the past assessment: flooding from the tides, impacts from storm wave runup, rising groundwater and upstream flooding from Easkoot Creek.

Even under existing conditions the

Stinson Beach community is vulnerable to coastal erosion, coastal storm flooding and wave runup as well as flooding from Easkoot Creek. With sea level rise, these hazards will worsen. Regular tidal inundation will encroach upon roads and development with as little as 1.6 feet of sea level rise. Residential development, access roads, septic systems and other utilities, beaches, marshes, and other assets west of Shoreline Highway will be increasingly vulnerable to these hazards as sea level rise increases. Sections of Hwy 1 will be increasingly exposed to flooding. Marsh habitats along Bolinas Lagoon will be squeezed as the transition between Easkoot Creek and Bolinas Lagoon converts from high marsh to mid- to low-marsh.

With a 6.6 foot rise in sea level (anticipated in 2080-2100) nearly all of the community will be exposed to regular tidal inundation and coastal erosion; nearly all of Hwy 1 along Bolinas Lagoon will be regularly flooded; marshes will convert to mudflat and open water; coastal storm wave runup will become more extensive along the beachfront and many of the homes in the community will be exposed to coastal flooding.

Measures need to be compatible and coordinated, otherwise water will be able to make it's way inland to cause flooding and flooding from upland must also be considered. Coordination and cooperation among adjacent property owners, State Parks, Water District, and Caltrans, is essential if any measures are to be effective.

The Stinson Beach ARC will identify and evaluate applicable adaptation measures, identify triggers and thresholds for action, develop and analyze potential adaptation pathways for the Stinson Beach community and outline a sea level rise monitoring approach. The findings will be documented in a Stinson Beach Sea Level Rise Adaptation Road map report.

### WHAT YOU CAN DO:

Sign up for the Stinson Study notification list at [bit.ly/3WzfhQz](https://bit.ly/3WzfhQz) to receive timely project updates and opportunities to participate. For more information go to the project website: [bit.ly/30CLSFw](https://bit.ly/30CLSFw). The Stinson ARC project kicked off in the summer of 2022 and will conclude by summer of 2025. Feedback will be solicited through popup workshops, surveys, stakeholder focus groups and public workshops. In addition, the county will have regular coordination with the local community during the three-year project.

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## HABITAT STEWARDSHIP

### HABITAT STEWARDSHIP PROGRAM

The long rainy season this year put water deep in the soil and the native grasses have grown tall. We will be cutting the troublesome non-native Harding grass before its seeds are fully mature. Italian thistles are maturing but cutting them now will still limit them for the next year. A few other non-native species in addition to Harding grass will be removed in July and August.

Join us on a workday. Doing the work with other folks makes the time go quickly and provides an opportunity to learn more about a native habitat of your county. Make a difference

#### Volunteer Workdays

##### Triangle Marsh, East Corte Madera:

First Saturdays: June 3, July 1, August 5

Meet at 10 AM on Paradise Drive directly across from the Ring Mountain Phyllis Ellman trailhead near the Montessori School.

##### Corte Madera Ecological Reserve:

Second Saturdays: June 10, July 8, August 12

Meet at the end of Industrial Way near Trader Joe's in Greenbrae.

For up-to-date information, contact Martha Jarocki, [marthajarocki@gmail.com](mailto:marthajarocki@gmail.com) or phone 415/461-3592.

##### Bahia, Novato:

If you'd like to help, please contact Jude at [judestalker@gmail.com](mailto:judestalker@gmail.com).

#### THANK YOU, VOLUNTEERS

Annette Anzalone, Bob Hinz, Martha Jarocki, Linda Nicoletto, Ed Nute, Sonya Suzuki, Lowell Sykes

#### THANK YOU TO SEA LAVENDER REMOVAL VOLUNTEERS!

Thank you to the following volunteers for helping to remove invasive sea lavender from the end of April through May 14, 2023.

Debbie Ablin  
Jessica Kurtz  
Susan Matross  
Grace McKenzie  
Dana Morawitz  
Terry Morawitz  
Ellena Ochoa  
Jude Stalker  
Skye Thompson

The staff from the **CP Lab Safety of Novato**: Pete Brodie, Aaron Dunn, Kelly Farhangi, Jessica Kurtz, Vanessa Link, Katelyn Moore and Michelle Walters

The staff from **CalTrans** with crew from the **Center for Employment Opportunities** (CEO)

### TISCORNIA

We've postponed our next Tiscornia community meeting from May 17 to June 21. Speakers at the hearing will give an update on the project and also discuss the city's new Sea Level Rise Resiliency grant. Delaying the meeting will enable us to give more complete, updated information on the project.

Postponement of the community meeting was necessary because of delays in our project. To accommodate the delay, we've renegotiated the end date of our Ocean Protection Council grant so that it now extends from June 30, 2023, to March 30, 2024. The delay resulted from the need to redesign the western end of the levee due to the city's lack of funds for the trash capture facility and the need to redesign a section of the coarse beach structure to be further away from the PG&E transmission tower. The geotechnical studies and other research necessary for redesign of the coarse beach and near the PG&E tower, are underway.

### Conservation

*continued from page 5*

### MARIN AUDUBON PROPERTIES PROVIDE MORE THAN HABITAT

Marin Audubon properties are helping to reduce flood insurance premiums for residents of Marin County, Community Rating System (CRS) rated community.

CRS is a voluntary incentive program that recognizes and encourages community floodplain management practices that exceed the minimum requirements of the National Flood Insurance Program (NFIP). The County has attained a Class 6 classification under the program which enables property owners in the unincorporated County with a 20% discount on all NFIP flood insurance premiums. Marin Audubon's properties are helping Marin County attain the Class 6 Classification.

Participating jurisdictions achieve a Class 6 classification by gaining credits in CRS categories. MAS's properties support the county's credits in the area of Open Space Preservation. Some of the other areas in which the County gains credits are: providing outreach about insurance to the public; enforcing regulatory standards that exceed FEMA's requirements; having stormwater

### BAHIA

It has been fifteen years after the Bahia marsh restoration was completed and this is the year our last monitoring report is due. Consultants Environmental Science Associates (ESA) will be conducting the field surveys beginning in June. Monitoring the progress is required by regulatory agencies for all restoration projects, except perhaps for the smallest.

We've also been arranging to have the plants that were planted this past winter to be irrigated during the summer months and we'll soon be ordering plants to be grown by The Watershed Nursery to be installed next winter.

### CORTE MADERA

Field work will also be done for monitoring of the tidal marsh restoration at our property adjacent to the Corte Madera Ecological Reserve and part of the Ecological Reserve property. It is five years since this marsh restoration was completed and this is the last monitoring required by agencies for this project as well. This monitoring will also be done by ESA.



Barbara Salzman

**One of the MAS properties at Black Point helping to lower flood insurance in zone 1**

regulations and floodplain management requirements; maintaining drainage system channels; and maintaining a robust flood warning and response system.

Nationwide more than 1,500 communities participate in the CRS program. Marin County is in the top 10% of communities in the nation. We're pleased that the properties Marin Audubon owns are contributing to the county's accomplishment and reducing flood insurance rates for residents, in addition to their many habitat benefits.

**FIELD TRIPS**, *continued from page 3*

**PT REYES LIGHTHOUSE TO DRAKES BEACH**

**Birding in Marin, Season 8 – Trip 9**

Saturday, September 2, 2023

8:30 AM to mid afternoon

With Jim White and Bob Battagin

Registration required for this trip. Registration opens August 23 at 8 AM on the MAS website's Field Trips page.

This is the place to be for fall birding. Many migrants like hawks, shorebirds and loons follow the coast south. Many songbirds, migrate at night and seem to have a compass. Millions of recently fledged birds undertake a journey of 2,000 to 4000 miles without a Google assistant and many without further parental guidance. Some get lost.

Imagine that you are a dyslexic Connecticut Warbler hatched in early June in the boreal forest of north central Canada. It is your second night flight, you are flying west instead of east or south, you crossed some mountains so that you are flying sort of high, morning is approaching so you descend through the clouds and there is nothing but water. A fog shrouded coast was not in your flight plan. You reverse directions when you see trees miles away on a point sticking above the fog. Relief, a place to land, to rest, and to find something to eat. These vagrant warblers and other eastern songbirds are the reasons that the tree islands of the Point Reyes peninsula are so popular with birders.

**DIRECTIONS:** Meet at 8:30 AM at the Light House parking area, at the west end of Sir Francis Drake. Going north thru Inverness follow Drake to the Lighthouse. Allow 30 min from Inverness or 1.5 hour from San Rafael.

**THE PONDS AT THE LAS GALLINAS VALLEY SANITARY DISTRICT (LGVSD), San Rafael**

Thursday, September 7, 2023

9 AM to noon

With Sande and Bob Chilvers

All participants are welcome to join this trip. No registration required.

Join old friends and meet new ones as we resume our regularly scheduled walks on the first Thursday of the month at Las Gallinas. We especially welcome beginning birders on this leisurely walk around the ponds. Special thanks to Bob and Sande Chilvers for volunteering once again to lead our monthly walks in search of waterfowl, waders, songbirds, raptors, and shorebirds. Among other birds, we will see various species of rails, swallows and teals. With fall migration underway, we are likely to spot some interesting species, so come assist in our search.

We welcome bird enthusiasts of all levels. We all help each other to find and identify the birds, and there are usually several experienced birders to assist. You don't even have to arrive on time because we spend the first 30-60 minutes studying the birds around the first pond, and our group is easy to find.

**DIRECTIONS:** From Hwy 101, exit at Smith Ranch Rd. Drive east on Smith Ranch Rd toward McInnis Park. Turn left immediately after crossing the railroad tracks and drive about 0.5 mile through the LGVSD gates and into the parking lot at the end of the road. Meet the group by the bridge just past the parking lot. There is an outhouse in the parking area for public use or you can use the bathrooms at nearby McInnis Park.

## The new Breeding Bird Atlas – How we can all help

Volunteers for the Marin County Breeding Bird Atlas project are out surveying at a critical time, gathering evidence of nesting birds in the County. Any and all are welcome to contribute to the valuable collection of information needed for a successful new edition of our Breeding Bird Atlas.

For example, if you are wondering:

**I see birds nesting in my backyard or on my walks. How may I report these?**

The answer is:

Anyone can contribute data on breeding birds. While you may do so by using eBird, a citizen science database and a great place to

capture such data in general, we will not be incorporating eBird data into the Atlas (or only very minimally). For your data to contribute directly to this project, please fill out the **MCBBA2 Incidental Breeding Behavior form**. The form can be found by visiting the MAS website: click on **Birds** at the top of the page, select **Marin County Breeding Bird Atlas 2** and scroll down the page to the third gray panel titled **Submitting your Data and Observations**, and selecting **online incidental data entry portal** ([bit.ly/43oS0kX](https://bit.ly/43oS0kX)) to provide reports of specific observations by location, species, and date.

### THANK YOU, DONORS

Jeanne Azen, Deborah Bertola, Mark and Bev Birnbaum, Leslie Brown, Heather Cameron, Christine Cuccia, Bonnie DeClark, Anice Flesh, Pauline Grant, Mick Griffin, Karen Guasco, Thomas Heinz, Jane Hick, William Jones, Lori Leighton, Marin Garden Club, Sarah Martin, Sandra Massen, Jane Medley, Michael Mooney, Tim Noonan, Marie and Peter Sullivan, Debra Pashilk, Stacey Pogorzelski, Ruth Pratt, William Richardson, Marianna Riser, Dean Thomas, Joan Vaughan, Jett Walker, Douglas Wallace, Nancy Warfield, Donna Williams, Kristin Womack, Karen Young  
Robert Battagin for the Marin Breeding Bird Atlas

#### In memoriam:

Roger Hooper III and Michael Tadlock in memory of Mary Anne Cowperthwaite, Richard Wells in memory of Gary Thompson, and Mary Frances Allen in memory of Lorraine E Bloomquist

### WELCOME, NEW MEMBERS

David Adams, Deborah L. Anderson, Issie Borenstein, Frances Bozdech, Linda Feldman, Rachel Jackson, Judith Rachel Levin, Leni Miller, Tim Noonan, Claire Vermillion, Lisa Webber

### ALERT

#### Report Barred Owl Spottings

Barred Owls have extended their range to the west coast and have been seen in Marin. There is increasing concern about their impact on Marin's Northern Spotted Owl population. Barred Owls are larger, more aggressive and occupy the same habitat type as Spotted Owls. See contact list at <https://marinaudubon.org/2020/09/01/alert-report-barred-owl-spottings>.

### DONATE YOUR CAR TO MARIN AUDUBON SOCIETY

Looking for deductions on your 2023 taxes? You may qualify for a write-off if you donate your unwanted car, truck, motorcycle, RV, or boat.

It's easy, just contact CARS. They will pick up your car, sell it, and after paying their costs, give the rest to Marin Audubon Society.

If you would like to donate your car, follow this Marin Audubon Society link <https://careasy.org/nonprofit/Marin-Audubon-Society> to the CARS website where you can start the vehicle donation process or call 855/500-7433.



# The Rail

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### SAVE THE DATE

September 20 **Field Trip:** Rodeo Lagoon  
7:30 AM With William Legge and David Wiechers

September 20 **Field Trip:** Vaux's Swifts and  
5:30 PM McNear Brick and Block  
With Rich Cimino

Check website for updates and details

♻️ Printed on 100% recycled paper

### SUPPORT MARIN AUDUBON SOCIETY — BECOME A CHAPTER-SUPPORTING MEMBER

We invite you to become a Chapter-Supporting member of Marin Audubon Society (MAS) to support our important habitat protection and restoration work, conservation advocacy, our full calendar of birding field trips and speakers and our newsletter, *The Rail*. Marin Audubon is a chapter of National Audubon (NAS). However, becoming a **Chapter-Supporting Member** of MAS is separate and distinct from a membership in NAS. While MAS works with NAS on issues of mutual concern, we are a separate non-profit Section 501(c)(3) all-volunteer organization. Marin-based NAS members do receive this MAS newsletter, *The Rail*, however we encourage all NAS members to also become Chapter-Supporting members of MAS to support our local work. Very little of our funding comes from NAS, and we rely on our MAS Chapter-Supporting members and donors to help us fund our land acquisitions, restorations, habitat protection, conservation advocacy, this newsletter and our local programs.

If you're not already a Chapter-Supporting member, we urge you to join MAS and urge your friends, neighbors and relatives to join us, too.

You can join MAS or make a donation on our website using your credit card or PayPal by going to [www.marinaudubon.org](http://www.marinaudubon.org). Alternatively, you can join by filling out this form and sending us your payment by mail.

### ALTERNATIVELY, IF YOU ARE LOOKING TO JOIN NATIONAL AUDUBON FOR THE FIRST TIME.

MAS will receive 100% of your initial membership if you enter **MAS's chapter code C04** on your application. To join, go to [www.audubon.org/join](http://www.audubon.org/join).

The best option for the birds: Join MAS **and** NAS.

## Join or Donate to the Marin Audubon Society

Please fill in this form and mail to the address below. If you are paying by check, please make it payable to **Marin Audubon Society**.

- Enroll me as a Chapter-Supporting Member
- Renewal
- New Member
- \$25 Annual rate for students (18 years and under) and seniors (65 and over)
- \$35 Basic
- \$50 Sponsor
- \$500 Patron
- \$100 Sustaining
- \$1,000 Benefactor
- Please accept my donation in the amount of \$ \_\_\_\_\_

- Master Card
- Visa

Fill out form and mail to:  
**Membership Secretary**  
**Marin Audubon Society**  
**P.O. Box 599**  
**Mill Valley, CA 94942**

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

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This is a Gift Membership from:

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CREDIT CARD NO. \_\_\_\_\_ EXPIRATION DATE \_\_\_\_\_

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