

**THURSDAY, NOVEMBER 14 7:00 PM**

**Christmas Bird Count**

By Josiah Clark



Alan D. Wilson

**The secretive nature of Rails presents a challenge to bird counters**

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

Josiah will speak to us about the upcoming Christmas Bird Count (CBC), the annual early-winter bird census conducted in December. Josiah will be discussing counting strategies and best practices for counting birds and covering areas on the count, including the virtues of the count circle, methods for preventing undercounting, tips on note taking and how good CBC coverage and data collecting habits set the stage for increasing numbers of detections and the accuracy of counts. He will also discuss strategies for promoting the CBC and attracting younger birders.

Josiah Clark grew up steeped in the natural history of the Bay Area, where he has been birding for more than 20 years. Josiah runs Habitat Potential which is dedicated to interpreting, preserving, and creating productive wildlife habitats in the Bay Area human landscape.

**THURSDAY, DECEMBER 12 7:00 PM**

**Colombia: South America's Birding Mecca**

By Benny Jacobs-Schwartz

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# The Rail

MARIN AUDUBON SOCIETY

## MAS and Other Conservation Groups File Suit Against MMWD

After careful consideration, on Tuesday, October 1, 2024, the California Native Plant Society, the Marin Audubon Society, and the Marin Conservation League filed a lawsuit against the Marin Municipal Water District ("District") for its failure to conduct any California Environmental Quality Act (CEQA) review in its adoption of two pilot projects that will expand bike use on Mt. Tam watershed trails. We took this unusual action because of the potential for these projects to cause significant adverse impacts to wildlife and habitat resources in the watershed. Additionally, our organizations sought and obtained a temporary restraining order from the Marin County Superior Court on October 3, 2024, the day before the District was planning to open the new trails, temporarily stopping opening of the trails to bicycles.

The projects would change the current uses of the Mt. Tam trails by allowing two "self-titled" pilot projects. The first, called the Trail-sharing Pilot Program, would authorize, for the first time, non-motorized vehicles on



David Long

**Bicycle use on this section of Madrone Trail will destroy grassland habitat.**

single-track trails. Nine trails were chosen. The second project, referred to as the E-bike Class 1 Trail Project, would authorize class 1 e-bikes on all service roads in the watershed and on all single-track trails where bicycle use is allowed. Both projects would last for two years, and some monitoring would be conducted. This would be a significant change in use. Currently, e-bikes are not allowed on any roads or trails, and

*continued on page 4*

## CalPark Suit Settled

We're thrilled to announce, after more than a year of negotiations, the settlement of our case against Roger Pierce, the owner of the CalPark properties adjacent to ours. The settlement conveys two parcels on either side of our parcels to the Marin Audubon Society, doubling the size of our property. It also assures that we have access to our property by conveying title to a section of the street (now a paper street) adjacent to our property and an easement to the nearest actual street, Auburn Street. In exchange, we gave up rights to the

paper streets in other areas of the property.

We took legal action several years ago to counter a suit brought by Pierce Co. that sought to quiet title over all of the paper streets in the old subdivision. If we had not countersued, we could have and/or would have lost access to our property.

The CalPark community is located in unincorporated San Rafael, west of Highway 101, off of Woodland Avenue. It consists of seasonal wetlands, flatlands that were once part

*continued on page 7*

## 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
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BAAC Reps	Barbara Salzman 924-605 Doug Waterman newsletter@marinaudubon.org
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.

*The Rail* is published ten times a year by the Marin Audubon Society on 100% recycled paper; edited by Doug Waterman, [newsletter@marinaudubon.org](mailto:newsletter@marinaudubon.org), 506-4675; assisted by other members of MAS; and designed by Studio NaCl ([www.studionacl.com](http://www.studionacl.com)).

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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

Legal action is not a common approach taken in our habitat protection advocacy work, but it is an important tool in our toolbox. We are pleased that our CalPark lawsuit was settled this past month. As a result of our counter-suit, our property ownership has been doubled and our access is assured. See article on page 1 for more information.

This past month we also decided that legal action was warranted against the Marin Municipal Water District (otherwise known as Marin Water) for their failure to comply with the California Environmental Quality Act (CEQA). We tried, literally for years, to get the District staff to adequately consider natural resources in their quest to expand recreation. We and other environmental organizations, particularly our partners in the lawsuit, California Native Plant Society and Marin Conservation League, repeatedly brought up wildlife, vegetative habitat and public safety impacts. The District never gave more than a cursory mention of important natural resources. There was no public review of the potential impacts of adding bicycles and e-bikes to nine trails. If they did any analysis at all, they kept it to themselves, in violation of CEQA. The intent of CEQA is to disclose projects and potential impacts of projects to the public. Instead, the District chose to put the very resources they are responsible for protecting at risk. We felt we had no other recourse but to take legal action. Thanks to all who have sent messages of support. And to those who have written that we are preventing their families from recreational activity, I can only say that people can still enjoy their bicycling in other locations; the Mt. Tam watershed is not the only place in the county to ride bikes. MAS's mission is to "conserve and restore natural ecosystems, focusing on birds and other wildlife..." MMWD's responsibility is to protect the watershed.

We have a volunteer opportunity: We need someone to do the technical part of our outreach. The work includes making routine

changes on our website for our activities (we have a webmaster who does the more complicated technical work), sending out monthly activity notices through MailChimp, and enable registration for our field trips. This is a board position. Contact Nominating Committee members, Mike Anderson or Alison Pence. Their contact information is in the first column of this page.

Although December 30 may seem a long way away, we're already planning for our Christmas Bird Count, which will take place on our usual date, the Saturday between Christmas and New Years, December 28, Pt. Reyes Count on December 14, and Cheep Thrills Count in North Marin December 19. We're trying some new activities to encourage participation this year. Our November Speaker Series Program is focused on the Counts. And we're also planning field trips to prepare attendees for Christmas Counts in December.

A huge "thank you" to our members for being members and convey apologies again for any difficulties you may have had renewing your membership. Our troubles have lasted far too long, but we believe we have the PayPal problem solved. We've opened back up and are now considering other options for joining, making donations or any other payments other than through PayPal.

Members are the heart of our organization and make our work possible. We are noticing that some members are not renewing their memberships promptly. Yes, it is easy to put your renewal reminder aside and then forget about it. Please try to renew your membership as soon as you get your renewal notice. That would greatly help us keep our records accurate and save paper, too. Thank you for promptly renewing your membership.

We have more field trips scheduled this year, so do join us to learn more about our overwintering birds. Waterfowl and shorebirds should have fully returned by the middle of November, so enjoy!

## Vote "YES" on Proposition 4!

Proposition 4 provides funding for many purposes and to many agencies. Marin Audubon Society recommends a YES vote on Proposition 4 because it will provide funds that will benefit San Francisco Bay habitats, ecosystems, and coastal resiliency—protect coastal lands and natural resources from sea level rise, protect biodiversity, and acquire and/or restore important wildlife habitats, including wetlands, grasslands, oak woodlands. It will fund enhancing and restoring habitats

as well as enable other projects to benefit our environment (e.g., air and water quality. Funding for habitat benefits will be allocated to the State Coastal Conservancy, the Wildlife Conservation Board, California's State Parks system and other agencies for distribution through grants. The measure includes funding for many other purposes.

Without this bond measure, there will be no state funds for Marin Audubon Society and Bay Area wetland and habitat restorations.

## MAS FIELD TRIPS

Open to the public

MAS is providing a full schedule of free field trips for the 2024 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. If a trip is closed when you try to register, use the "contact organizer" and request to be put on the waiting list. **If you are unable to attend a trip you signed up for, use "Contact Organizer" to cancel so that someone on the waiting list will have an opportunity to attend.**

**In some instances, trip signups aren't available precisely at 8 AM but it doesn't mean the trip is full. Please try to register again 2 or 3 minutes later.**

### LAS GALLINAS VALLEY SANITARY DISTRICT AND HAMILTON WETLANDS

#### Birding in Marin, Season 9 – Trip 11

Saturday, November 2, 2024

8:30 AM to mid afternoon

With Jim White and Bob Battagin

Registration required.

Join Jim and Bob on an easy walk of 1.5 miles around the Las Gallinas ponds where we are likely to see ducks, herons, raptors, sparrows and rails.

After lunch we'll visit the Hamilton Wetlands which have become the winter home of some 10,000 birds. We will try to find 10 species of shorebirds here while staying alert to many other possibilities.

**DIRECTIONS:** From Hwy 101 north San Rafael take the Lucas Valley/Smith Ranch Rd exit east. In about 0.5 miles, immediately after crossing the RR tracks, left turn and follow the road another 0.5 mile to the Las Gallinas parking at the end.

To the Hamilton Wetlands return to Hwy 101 north, take the second exit, Nave Dr toward Hamilton. Stay on Nave Dr, heading north, to Main Gate Dr and turn right. Go east to Hanger Ave and park along the levee behind Hanger 7.

### RODEO LAGOON AND MARIN HEADLANDS

Wednesday, November 6, 2024

7:30/8:15 AM to noon

With William Legge and David Wiechers

Registration required. Registration opens October 27 at 8 AM on the MAS website's Field Trips page.

Join William and David for this fourth fall migration field trip at Rodeo Lagoon. This is their long-time "patch," which never seems to disappoint birders with daily variations in species and a good chance of an unusual sighting. On this trip, our group will be targeting scarcer passerines and other mid-fall migrants. We will begin the morning with a Sea Watch from Rodeo Beach at 7:30 AM. Those arriving later may join us at 8:15 AM for a circuit of the lagoon. A brief mid-morning 'coffee-stop' is planned at Headlands Center for the Arts and it would be appreciated if participants contribute via the onsite 'tip-jar' as a thank you for accommodating our group. This field trip is less suitable for beginners.

**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 signal light. Proceed through the tunnel on Bunker Road to the Rodeo Lagoon Parking Lot at the end and meet by the bridge over the channel to the beach.

### THE PONDS AT THE LAS GALLINAS VALLEY SANITARY DISTRICT (LGVSD)

#### San Rafael

Thursday, November 7, 2024 and

Thursday, December 5, 2024

8:30 AM to noon

With Mark Clark

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

We welcome bird enthusiasts of all levels, especially beginning birders, to join leader Mark Clark on our monthly walk around the ponds at Las Gallinas. On our search we'll be looking for waterfowl, waders, songbirds, raptors and Rails. With fall migration underway we are likely to spot some interesting species, so come assist in our search.

The packed dirt paths around the ponds are wide, flat and easy to navigate. Heavy rain cancels.

**DIRECTIONS:** 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 a portable restroom in the parking area for public use.

### BLACKIE'S PASTURE, Tiburon

Saturday, November 16, 2024

8:30 AM to noon

With Lisa Hug

Registration required. Registration opens November 6 at 8 AM on the MAS website's Field Trips page.

This field trip is an eBird workshop for those participating in the CBC in Marin County. We will start our walk on Tiburon's Old Rail Trail, making observations using eBird. We will see waterfowl and shorebirds in the estuary as well as upland suburban residents. Tiburon is a count area on the South Marin CBC coming up on December 28. Experienced birders and Christmas Count leaders as well as eBird newbies can enjoy counting and compiling together in an informal and fun setting.

**DIRECTIONS:** From Tiburon Blvd take a right on "Blackie's Pasture." There is plenty of parking and facilities. Meet at the Harvey Rogers Garden at the Old Rail Trail trailhead.

### SAN LUIS RESERVOIR STATE RECREATION AREA AND MERCED WILDLIFE RESERVE Overnight Trip

Saturday, November 16, 2024

10 AM to early evening

Sunday, November 17, 2024

8:30 AM to mid afternoon

Registration required. Registration opens November 6 at 8 AM on the MAS website's Field Trips page.

We will explore the San Luis Reservoir State Recreation Area with John Fulton, an experienced birder from Stanislaus Audubon. At 4 PM we will move on to Merced NWR for a walk with the Park Naturalist who is also giving a Sandhill Crane Fly-In Presentation to the public at 5 PM. We will be staying overnight in Merced. Sunday morning will find us back at the Reserves for more birding!

San Luis Reservoir State Recreation Area is about a 3-hour drive from San Rafael. We will meet at 10 AM on November 16 at the Recreation Area parking lot on CA-33, one half mile north of CA-152.

For further information, contact Field Trip Coordinator is Alison Pence, [alipence9@gmail.com](mailto:alipence9@gmail.com).

### TENNESSEE VALLEY TRAIL

Saturday, November 23, 2024

8:30 AM until after lunch

With Durrell Kapan

Registration required. Registration opens November 13 at 8 AM on the MAS website's Field Trips page.

This field trip is a workshop for those participating in the CBC in Marin County. We will start with an eBird refresher based on the MAS November 14 Speaker Series program and then practice taking data to the beach and back. Time permitting, we'll climb to the coastal battery for a sea watch and sit, rest, and have a snack or sandwich. This will be great scouting for the CBC!

Don't forget to be prepared for all weather—bring warm layers, a light rain shell, and sunscreen!

**DIRECTIONS:** From the SOUTH, take Hwy 101 north to exit 445B for Hwy 1 north toward Mill Valley/Stinson Beach. Continue onto Hwy 1 north. Turn left onto Tennessee Valley Rd. Continue 1.7 miles. The parking lot will be on the right.

From the NORTH, take Hwy 101 south to exit toward Hwy 1 south. Keep right at the fork, follow signs for Hwy 1 north/Stinson Beach/Muir Wds/Mt Tamalpais and merge onto Hwy 1 south. Turn left onto Tennessee Valley Rd. Continue 1.7 miles. The parking lot will be on the right.

### BAHIA, HORSESHOE POND & RUSH CREEK Birding in Marin, Season 9 – Trip 12

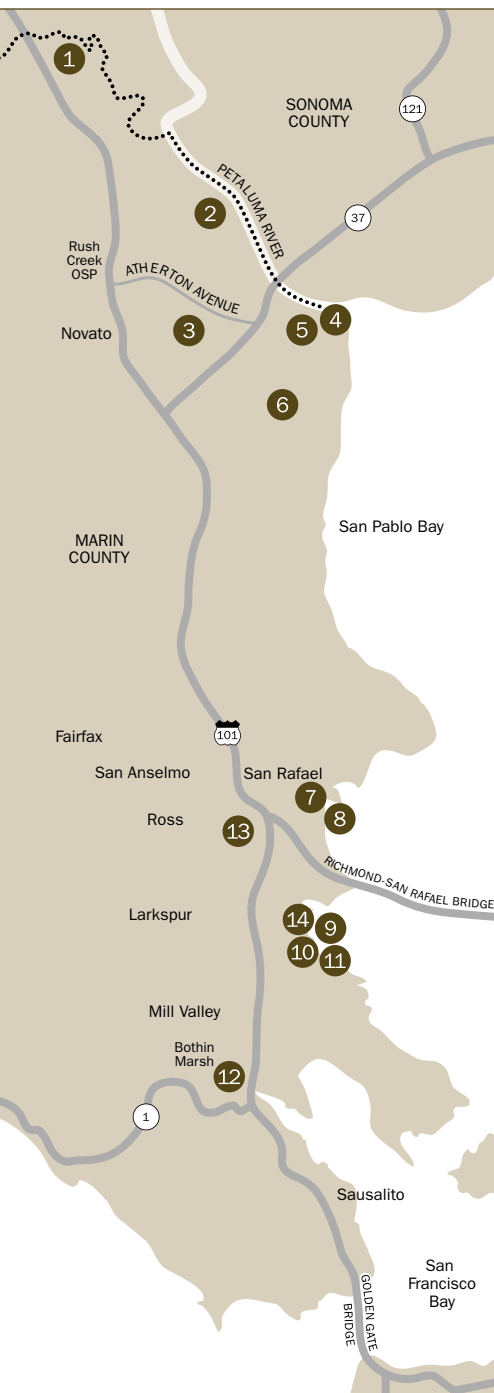
Saturday, December 7, 2024

8:30 AM to mid afternoon

With Jim White and Bob Battagin

Registration required. Registration opens November 27 at 8 AM on the MAS website's Field Trips page.

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## MMWD Lawsuit

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non-motorized bicycles are allowed only on fire roads. Both vehicle types are currently being operated on trails because, basically, there is no enforcement.

Most of the nine chosen trails are narrow, steep, eroded, with cliffs forming from exposed switchbacks, significant drop-offs, retaining walls in disrepair, and generally in poor condition—in no way are they suitable as multiuse trails, which raises safety issues for human users. As we discussed last month, among the numerous biological resources that could be irreparably harmed are the federally listed Northern Spotted Owl (NSO), eight special-status species of bats, and many species of rare plants. The entire watershed was listed as critical habitat for NSO by the USFWS in 2012. Five of the nine trails included in the project area are near NSO nesting sites and activity centers. The high-frequency noise emitted by e-bikes, which is inaudible to humans, has been shown by studies to adversely affect multiple species of bats that inhabit the watershed. One study revealed a bat maternity colony abandoned its roosting site due to a high frequency sound emitted by e-bikes. Bicyclists going off-trail damage and destroy special-status plants and create social trails that further fragment wildlife habitat; bicyclists and hikers going off trail to avoid each other will also destroy vegetative habitat.

The number of visitors to the Mt. Tam watershed has dramatically increased in recent years and can be expected to continue significantly should the pilot projects be pursued. The intensified usage will directly or indirectly disturb or destroy sensitive resources, fragment or remove habitats, impede migration, cause noise disturbance, and trample vegetation.

Despite the potential for significant impacts, the District chose not to conduct a CEQA review. Instead it relied on CEQA exemptions for: minor construction or continuing use of existing facilities which does not rely on significant expansion of recreational use, and allowing an agency to collect research information. It is our position that these exemptions do not apply. The latter exemption does not apply when the project might result in serious disturbance to environmental resources, as is the case here. The former exemption clearly does not apply because the project would significantly expand recreational use.

CEQA also provides a series of “exceptions” to the utilization of CEQA exemptions. Three CEQA exceptions apply in this case,

precluding the District from using the exemptions:

1) The Sensitive Location exception applies where a project “may impact” an environmental resource of critical concern, the location of which is designated, precisely mapped, and officially adopted by a federal agency (14 Cal. Code regs 15300.2[a]). The project is within the NSO’s critical habitat and activity centers; 2) The Cumulative Impact exception applies where the “cumulative impact of successive projects in the same place, over time and in the same location, is significant.” Here, the cumulative impact of the mountain bike and e-bike projects have the potential to cause other impacts that have not been considered. Allowing bikes and e-bikes to have access to new areas, and to predictably create new trails with such access, would have the potential to cause significant impacts; and 3) The Unusual Circumstances exception applies where there is a reasonable possibility that the project will have a significant effect on the environment. The introduction of fast-moving motorized and non-motorized bikes into sensitive habitats and the creation of unsafe trail conditions are clearly unusual circumstances so this exception applies.

The District claims it did a thorough environmental review in preparation for approving the project; however, it presented absolutely no evidence of any analysis it conducted.

The above information is a condensation of the information presented to the court in our brief. As the pilot project was scheduled to begin on October 4, we had no choice but to petition the court for a temporary restraining order and preliminary injunction, which were granted by Judge Sweet. A court hearing is scheduled for November 1.

## BCDC REGIONAL SHORELINE ADAPTATION PLAN

As we reported last month, California Senate Bill 272 requires cities and counties to prepare plans for adapting to sea level rise (SLR) by 2034. Oversight of the local planning processes along the coast will be the responsibility of the California Coastal Commission, and within the bay, the Bay Conservation and Development Commission (BCDC) will be responsible. BCDC has released a guidance document to aid local planners in preparing their local adaptation plans: the Regional Shoreline Adaptation Plan (RSAP).

Building on previous documents, the RSAP offers guidance, standards, and requirements for elements that must be addressed in the Subregional Shoreline Adaptation Plans. It also promises resources to assist with what will be a

### 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

challenging task: producing these local plans. Jurisdictions must define their local areas, identify areas expected to be impacted by SLR as well as groundwater and storm surge, identify methods of addressing the SLR impacts under the predicted 2050 (.08 ft.) and 2100 (3.00 ft.) SLR scenarios, and they must coordinate with other jurisdictions in the process. Ultimately, the plans must be approved by BCDC. In Marin, the County of Marin, Sausalito, Belvedere, Tiburon, Mill Valley, Corte Madera, Ross (optional), Larkspur, San Rafael, and Novato must prepare subregional plans.

The RSAP sets forth a “Vision for the Region” that is expressed as a series of visions to guide subregional plans to reflect the regional vision: “Communities are healthy and vibrant, Healthy baylands ecosystems thrive, Places are designed for changing shorelines, Bay shoreline is accessible to all, Critical services are reliable, and regional collaboration drives efficient and effective adaptation.”

Subregional Shoreline Adaptation Plans must ensure community safety, equity, and bay ecological health, and meet state-mandated housing goals while preserving public trust uses of the bay and identifying adaptation approaches for reducing flood risk. Community assets must be described and include developments, infrastructure, parks, public access, recreation, transportation, and bayland habitats, including subtidal, intertidal, tidal marshes, diked baylands, beaches transition zones, adjacent uplands, wetlands, migration space, creeks, endangered species, and others.

Potential adaptation approaches to address SLR are:

- Accommodation—either modifying existing development or designing new development to accommodate flooding (designed to be moved later).
- Required Protection—such as installing barriers from nature-based to hard infrastructure. Although standard “hard” options (e.g. sea walls, riprap levees) for protecting shorelines will be acceptable, nature-based methods, including ecotone levees, are preferred and encouraged.
- Avoidance—protecting existing undeveloped lands and limiting, de-incentivizing, or restrict development in at-risk areas.
- Relocation—removing assets, using buy-out programs, or rerouting (which may be more appealing in the future); and
- “Prepare” approaches—these can include phased actions and planning for triggers to provide adaptation changes.

The following are required elements in Subregional Shoreline Adaptation Plans:

- 1) Existing Conditions, with descriptions of biological resource endangered species and shoreline ecosystems, including marshes, tidal marshes, diked marshes, and other habitats;
- 2) Vulnerability Assessment, describing the exposure of people, assets, and services to SLR scenarios;
- 3) Adaptation approaches/Pathways proposed, including timing and phasing;
- 4) Preferred Adaptation Strategy, and the effectiveness of the Adaptation Approaches/ Pathways chosen under the SLR scenarios for 2050 and 2100 must be demonstrated;
- 5) Land Use and Policies that would need to be changed to carry out the proposed Implementation Plan and Project List;
- 6) Local vision and goals for the planning area must be described; and
- 7) Equitable inclusion of underserved vulnerable communities.

Identifying adaptation methods that protect natural resources and the community while providing for sustainable growth in their subregional plans will be a challenge. It will require collaboration, perseverance, possibly compromise, and money, if it is possible at all. Heavy emphasis is placed on involving underserved communities, but outreach and involvement of all of the community and interested organizations is also required.

At the October 17 public hearing on the RSAP a number of issues and concerns were raised. Many representatives from local governments expressed concerns about the burdens the requirement to produce Subregional Shoreline Adaptation Plans places on their cities and counties, particularly financial. It was revealed that local jurisdictions will be responsible for CEQA environmental review and that BCDC’s environmental review is through another process that will be completed as part of the approval of the RSAP in December. Finally, it was revealed that BCDC does not have authority to enforce requirements of the RSAP or even to produce Subregional Adaptation Plans. Staff committed to continuing to work to resolve and clarify the issues that were raised to reduce the burdens on local governments.

**WHAT YOU CAN DO:**

The comment deadline for the RSAP will be passed by the time this issue of *The Rail* is published. So if you live in one of the communities at risk due to SLR, keep on the alert for your community’s process to develop a Subregional Shoreline Adaptation Plan and participate in it. Jurisdictions are required to conduct one public meeting noticed on its website.

**SEA LEVEL RISE ADAPTATION EFFORTS IN MARIN**

Marin jurisdictions are at vastly different levels of addressing sea level rise. Some have not begun while others have been studying the issue for some time. Below are the sea level adaptation efforts that we are aware of in Marin County:

Marin County has produced vulnerability assessments for all areas in both West and East Marin. The County has been in the process of addressing local problems such as Stinson Beach and Santa Venetia.

The City of San Rafael, with grant funds from the Coastal Conservancy, has been sponsoring a vulnerability analysis for the Canal area. It recently conducted a community meeting to obtain input on adaptation methods to address SLR along the San Rafael Canal. The Canal area is vulnerable to flooding and presents a challenge to identifying adaptation methods because some residential structures are built over the creek, and many others on low-lying land where, historically, some residents have not wanted their views lost by constructing the recommended flood walls. Marin Audubon’s Tiscornia project would raise the elevation of a section of low levee and restore marsh to fortify a levee, among other benefits.

The Town of Corte Madera has just concluded an eight-month effort to engage the community and obtain feedback on flood vulnerabilities in Marina Village. The top priority identified through the effort is fortifying and raising of the existing Marina Village Flood Berm; due to the vulnerability of the berm to overtopping. A 20-year storm event occurring during a king tide could flood the entire neighborhood and even portions of Highway 101. The Town was recently selected for a FEMA Flood Mitigation Assistance grant to start community outreach, design, engineering, and environmental review for this project, at which time community involvement, including collaboration with agencies and organizations, will be resumed.

# Habitat Stewardship

## HABITAT STEWARDSHIP PROGRAM

Bristly oxtongue is one still-flowering invasive species that we can work on. It not only has flowers (and seeds), but it is growing new leaves in the cooler days of autumn. Harding grass, too, is growing again. It might be too late to do more about Salsola, but we might have removed the few *Dittrichia* (stinkweed) plants that grew at Triangle Marsh. *Dittrichia* is a big problem at Bahia.

Hayfield tarweed (*Hemizonia congesta*), a native species, was widespread and in full bloom in October on our relatively new Corte Madera Marsh restoration.

Earn community service hours. Help our native plants reclaim their home. It is an opportunity to learn more about a native habitat of your county and be a part of making it better. Make a difference.

### Volunteer Workdays

#### Triangle Marsh, East Corte Madera:

First Saturdays: November 9, December 14

Meet at 10 AM on Paradise Drive between the Ring Mountain Phyllis Ellman trailhead and the Montessori School.

#### Corte Madera Ecological Reserve:

Second Saturdays: October 12, November 9

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, Stewardship Volunteers

Debbie Ablin, Annette Anzalone, Bob Hinz, Susan Meffert and Eiden Metcalfe, Linda Nicoletto, Alison Pence, Martha Jarocki, Lowell Sykes

### THANK YOU, DONORS

Anonymous, Bud Alderson, Sharon Barnett & Kevin Stockmann, Donal Brown, Burkhard Braun, Christine Cuccia, Dianne Fowler, Sharon Hampton, Clint & Madeline Kellner, Lois Lane, Debra Jo Newman, Frank Noonan, On Point Land Management, Amy Rodney, Susan Ryan, Richard Scott, Ann Shaw, Lori Yarnall

## BAHIA



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### *Dittrichia graveolens* (stinkwort)

Watering was delayed due to an inoperable recycled-water hydrant, the result of a problem with the water line inside the cemetery. But it's back on track now. We'll be making an effort to remove *Dittrichia* that is on adjacent properties and some on ours. *Dittrichia* highly invasive plant that would take over the habitat if not removed.

According to the California Invasive Plant Council, *Dittrichia graveolens* (stinkwort) is a fall-flowering, sticky aromatic annual (*Asteraceae* family) that is native to southern Europe, northern Africa, and southwestern Asia. It was first recorded in California in 1984 and has rapidly spread across many parts of the state. Stinkwort has glandular-haired leaves and stems, and grows to a height of up to 0.2 to 1 m; its flowers are clustered in small yellow flower heads. Its leaves are simple, linear-shaped, and have an unpleasant odor. Stinkwort favors disturbed areas and can be easily dispersed both because it is a prolific seed producer and because minute barbs on its propagules aid in dispersal. It can outcompete native vegetation. *Dittrichia* can be seen along Highway 101 and other roads all over East Marin.

## SIMMONS SLOUGH

Over most of the summer, we have had crews from the Conservation Corps North Bay installing sheet mulching (layers of cardboard and 10 inches of mulch) over large areas for the purpose of preventing the growth of harding grass that has invaded large sections of the site.

At least it is our hope that all of those layers will kill the harding grass so that we can plant native plants and help them survive.

## TISCORNIA MARSH

PG&E has begun work to replace and move the tower on the diked marsh that is owned by the city. The other tower within our project area is on MAS property. So far PG&E contractors have constructed two large work areas, looks like they may be about an acre each. They have been constructed as staging areas for the storage of equipment and materials, truck turn around, and work areas. The work areas have been created by placing heavy wooden planks over the marsh with barriers to exclude Salt Marsh Harvest Mice. According to one of the crew, the work areas should be finished sometime the third week in October at which time they will begin removing the current tower and installing the new one. The impacts are significant, and the agencies have put conditions to mitigate the impacts. We hope the damage will be successfully mitigated.



Barbara Salzman

### Wooden planks placed over tidal marsh Tiscornia site to be used as work area for PG&E tower replacement project.

## TRIANGLE MARSH

For the last work day, we had five volunteers. Some Salsola plants were found in new locations, and these were removed. Salsola is an introduced plant, native to southern Europe, and inhabits vernal pools, mudflats, and salt marshes. It may form dense stands in estuaries, especially in disturbed areas. It is easy to remove by pulling out the plants. Also, a non-native pine tree was girdled and will be removed altogether one of these days. The goal for our properties to is to restore native habitat with native plants.

Noah has promised he'll be back with the Birdlog next month. We miss him, too.

## Follow-Up On Erroneous Bay Nature Article

As we negotiated, *Bay Nature* printed a correction to the objectionable eelgrass article and a letter-to-the-editor from Marin Audubon in the current hard copy edition of the magazine. Marin Audubon's letter explains our position and is reprinted below. The correction

was also printed in the summer on-line edition.

We appreciate the eventual resolution and being able to express our position on the article. We also appreciate the support we received from our supporters which likely contributed to the outcome.

Dear Editor:

We were disheartened to see a prominent statement in *Bay Nature's* Summer 2024 article about eelgrass, indicating Marin Audubon (MAS) lied about a recommendation in a Point Blue Conservation Science report. This report "Richardson Bay Proposed Mooring Waterbird Surveys" recommends that "anchor out facilities not be located in any of the five plots [survey areas]".

Based on an interview with the study's lead author and without checking further, the article claimed that Point Blue had not made the recommendation, and emphasized this incorrect statement by reprinting it in bold elsewhere in the article.

We are further distressed that the article's tone paints MAS negatively for advocating for removing anchor-outs (anchored vessels upon which people live) and restoring Bay habitats.

The Public Trust Doctrine protects California waterways for the benefit, use, and enjoyment of the public. According to the doctrine, private residential uses are not public trust uses.

MAS' advocacy to protect the Bay has contributed to the Richardson Bay Regional Agency's beginning a process of moving anchor-out residents into land-based housing, which MAS supports.

MAS' mission is to protect habitats, and we have always done so with honesty and integrity.

Barbara Salzman, President  
Marin Audubon Society

### MAS FIELD TRIPS *continued from page 3*

MAS acquired and restored to tidal action the diked bay lands around the residential Bahia neighborhood. As the ebbing tide exposes the mudflats thousands of shorebirds now descend to feed while on the flood tide hundreds of ducks and some gulls float, forage and loaf about. The oak-wooded ridge stretching from Hwy 101 to Bahia, also saved from development by MAS, holds **Oak Titmice, White-breasted Nuthatch, Hutton's Vireo**, at least four woodpecker species and many sparrows in the winter.

Horseshoe Pond (Homeowners Lagoon) at the southeast end of Topaz is a great place to look for wintering ducks. **Goldeneyes, Scaup, Canvasbacks, Buffleheads, and Mergansers** seem to like it and it has been Marin's best place for **Barrow's Goldeneyes** the last few years.

After lunch we plan to look at the nearby Rush Creek area from the Airport Rd which parallels Hwy 101 north of Atherton.

**DIRECTIONS:** From Hwy 101 in north Novato take Atherton Ave east, take the Y left onto Bugeia which becomes Bahia Dr, near the end at the bottom of the hill take a right onto Topaz, follow Topaz to its end and park.

### CalPark

*continued from page 1*

of San Francisco Bay, surrounded by hills that are now developed with houses. Some houses have been built in high areas along the edges of the seasonal wetland lowlands. Much of the remaining area is seasonal wetlands—hence MAS's interest in owning parcels there.

The settlement protects our interests in retaining access to our property. Now we will have to deal with the new development proposal, called Auburn Grove, to ensure, or at least try to ensure, it does not impact our wetlands or any of the other wetlands on the lands. The development plans show a 79-unit housing project along Woodland Avenue that only has a 20-foot setback from the wetlands, whereas the county policy calls for a 50-foot setback. Forty-two trees would be removed; 16 of them are native oaks and willows between 6" and 18" in diameter. Environmental review of the project has not yet started because the application with the county has been deemed incomplete. We expect some action now that our suit is settled.

## Buy an MAS Hat!



The hats are made in the USA of high quality materials. Each hat is tan with dark green contrast along the outer edge of the visor.

The front is embroidered with the Marin Audubon Ridgway's Rail logo designed by **local artist and birder Keith Hansen**.

"Marin Audubon Society" is embroidered on the back which has a tuck-in strap with a slide buckle.

**We are offering these hats for \$30.00 each** – by cash or check.

They will be available to purchase in person on most field trips or by arrangement.

If you would like to have a hat mailed to you, there will be an additional **\$6 postage fee**.

To place an order, please contact Jude Stalker, [judestalker@gmail.com](mailto:judestalker@gmail.com).

### JOIN OUR TEAM! MAS SEEKS OUTREACH CHAIR

Our Board is searching for a new Outreach Chair whose primary responsibilities are to maintain and update our website.

Basic computer knowledge is necessary, but we will provide training and assistance for the tasks needed.

For further information, please contact a Nominating Committee member: Mike Anderson, [mdander65@gmail.com](mailto:mdander65@gmail.com) or Alison Pence [alipence9@gmail.com](mailto:alipence9@gmail.com).

### WELCOME, NEW MEMBERS

Justine Beales, Joy Betterton, Kathleen Criley, Alison Farmer, Alexandria Hilton, Peter Lacroix, Gary Marseilles, Marjorie Powell, Ira Rechtshaffer, Amy Rodney, Walter Slijepcevic, Ryk Tanalski, Lori Yarnall



# The Rail

MARIN AUDUBON SOCIETY

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## SAVE THE DATE

December 12 **Speaker Series:** Columbia:  
7 PM South America's Birding Mecca  
With *Benny Jacobs-Schwartz*

December 14 **Point Reyes Christmas Bird  
Count**  
Coordinator: *David Wimpfheimer*  
and *Robin Blaney*  
*ptreyescbc@gmail.com*

December 19 **Cheep Thrills Christmas Bird  
Count**  
Coordinator: *Susan Kelly*  
*cheeptthrills@icloud.com*

December 28 **South Marin Christmas Bird  
Count**  
Coordinator: *Alison Pence*  
*smcbc.marinaudubon@gmail.com*

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**

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