

# MARIN CONSERVATION LEAGUE 2009 ANNUAL REPORT



The mission of the Marin Conservation League is to preserve, protect and enhance the natural assets of Marin County





The Marin Conservation League Board of Directors is pleased to bring to you its Annual Report for 2009, which highlights the League's activities during the year. The League's 75th anniversary,

2009, was a special year. Three-quarters of a century after MCL's founding in 1934, three lessons continue to hold true: **1)**

The strategies, tactics, and tools to protect land and the environment that were championed by the League's founders are as relevant in 2009 as they were in 1934! **2)** Constant vigilance is essential, as old issues persist, often for years, and new issues arise. **3)** Members and supporters of MCL are the backbone of the organization—without you, MCL could not continue to carry out its mission!

The calendar of activities for 2009, featured on pages 3 through 5, shows the diversity and scope of issues that occupied MCL's attention. What is listed there, however, is but the tip of an iceberg: each item represents research, field visits, analysis, meetings, discussions, public testimony, and myriad communications by our volunteers. Our web site, [marinconservationleague.org](http://marinconservationleague.org), was completely redesigned in 2009 and now gives you current, updated information on issues as they arise and on MCL's responses. Our Newsletter continued five times last year to bring you in-depth articles about current issues and events. And we lived up to our promise to use e-mail and "snail mail" judiciously to bring you special alerts and announcements.

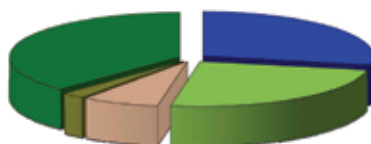
The pages of the 2009 Annual Report limited the number of contributors that could be listed. Please know that you all are MCL supporters, no matter how large or small the contribution you are able to make. And our thanks go out to all of you for your support! With your help, MCL will continue to serve the environment of Marin on your behalf.

*Nona B. Dennis*

## STATEMENT OF ACTIVITIES

January 1 to December 31, 2009 (Prepared from MCL Records)

	Unrestricted (Operations)	Temp. Restricted (Projects/Dedic'd)	Board Restricted (Legacy / Land)	Total
<b>SUPPORT AND REVENUE</b>				
<b>Support</b>				
Membership	\$ 72,955			\$ 72,955
Contributions	\$ 63,687	\$ 29,440		\$ 93,127
Special Events & Miscellaneous	\$ 18,966			\$ 18,966
<b>Total Support</b>	<b>\$ 155,608</b>	<b>\$ 29,440</b>	<b>\$ 0</b>	<b>\$ 185,048</b>
<b>Revenue</b>				
Interest & Dividend Income	\$ 4,654		\$ 27,753	\$ 32,407
Project Management Fees	\$ 878			\$ 878
Sales of Inventory less costs	\$ 91			\$ 91
Miscellaneous Income	\$ 53			\$ 53
<b>Total Revenue</b>	<b>\$ 5,676</b>	<b>\$ 0</b>	<b>\$ 27,753</b>	<b>\$ 33,430</b>
<b>Transfers</b>				
Transfer: LOL to Operations	\$ 70,540		-\$ 70,540	\$ 0
Transfer: Operations to LOL	\$ 0		\$ 0	\$ 0
Net Assets Released from Restrictions	\$ 27,196	-\$ 27,196		\$ 0
<b>Total Transfers</b>	<b>\$ 97,736</b>	<b>-\$ 27,196</b>	<b>-\$ 70,540</b>	<b>\$ 0</b>
<b>Total Support, Revenue &amp; Transfers</b>	<b>\$ 259,021</b>	<b>\$ 2,244</b>	<b>-\$ 42,787</b>	<b>\$ 218,478</b>
<b>EXPENSES</b>				
Program Services	\$ 204,775			\$ 204,775
Management & General	\$ 37,953			\$ 37,953
Fundraising	\$ 50,004			\$ 50,004
<b>Total Expenses</b>	<b>\$ 292,732</b>	<b>\$ 0</b>	<b>\$ 0</b>	<b>\$ 292,732</b>
Results from operations	-\$ 33,711	\$ 2,244	-\$ 42,787	-\$ 74,254
Investment Gain, Realized & Unrealized	\$ 30,033	\$ 0	\$ 213,129	\$ 243,162
Change in Equity	-\$ 3,678	\$ 2,244	\$ 170,343	\$ 168,908
<b>Total Equity, Start of 2009</b>	<b>\$ 291,802</b>	<b>\$ 68,431</b>	<b>\$ 1,018,919</b>	<b>\$ 1,379,152</b>
<b>Total Equity, Year End 2009</b>	<b>\$ 288,123</b>	<b>\$ 70,675</b>	<b>\$ 1,189,261</b>	<b>\$ 1,548,059</b>



### INCOME

income and expenditures of the *Legacy of the Land*, MCL's endowment fund. The income from this fund provides ongoing support for MCL's advocacy programs.

In 2009, MCL's results were favorably affected by improving investment values. Applicable accounting rules require MCL to adjust the value of its investments on its books to market at year-end. For 2009, there was a \$243,162 increase in the value of MCL's investment assets which was recorded as income.

Your support of MCL's environmental work contributed to MCL's 75 years of success. **Thank you!**

This statement summarizes MCL's financial results for the 2009 calendar year for each of the funds maintained by MCL and for the organization as a whole. The figures are taken from MCL's books and records and are unaudited.

The financial data are organized into three classes: The Unrestricted (Operations) Fund supports the income and expense reflecting MCL's environmental advocacy programs. The Temporarily Restricted class records MCL's management of more than seven separate funds that are dedicated to specific projects or uses. The Board Restricted class records the



### EXPENSES

**JANUARY**

Recommended that the **Whaler's Point** hotel proposal on Richardson Bay be denied due to its inconsistency with the Tamalpais Area Community Plan, Countywide Plan (CWP), and Marin County Code.

Reviewed the Draft Environmental Impact Report (DEIR) for the **650 N. San Pedro Road** Master Plan and testified before the San Rafael Planning Commission that the proposed development would exceed current zoning, pose significant grading, tree removal, and water runoff issues, and would disturb an existing heron rookery.

Hosted a preview of "**Saving the Bay**", a 4-hour documentary on the history of San Francisco Bay to be aired later on KQED.

**PARKS, OPEN SPACE PRESERVES AND TRAILS**

Recreational use of public parks and open space in Marin was a MCL focus in 2009 and will continue to be so in 2010. MCL helped to acquire most of Marin's state parks and has long been a vocal supporter and protector of California's state park system. But, in 2009, MCL objected when California Department of Parks and Recreation ("State Parks") approved a project to convert the 3.5 mile single-track Bill's Trail in Devil's Gulch in Samuel P. Taylor State Park to accommodate mountain bikes. State Parks claimed the conversion was exempt from CEQA review despite the trail's being located in steep terrain and in designated critical habitat for the endangered coho salmon. To ensure that potentially significant adverse impacts of the project on the coho were studied, MCL, supported by other environmental organizations, retained legal counsel and threatened suit. Within days, State Parks rescinded its approval of the project and dropped its claim that the project was exempt from CEQA. The Bill's Trail conversion remains pending. In 2010, MCL will continue to work with both State Parks and Marin's Open Space District to protect the natural resources in Marin's parks and open spaces while finding ways to accommodate environmentally appropriate access for hikers, equestrians, and cyclists.

Commented on the inadequacies of the Final Environmental Impact Report (FEIR) for MMWD's **proposed desalination plant**, and recommended that the District fully test the effectiveness of conservation and efficiency programs as environmentally and economically preferable alternatives.

**FEBRUARY**

Encouraged the County Board of Supervisors (BOS) to extend for a second year the building permit moratorium in the San Geronimo Valley, to allow time for development of a plan to restore natural stream functions and riparian habitat for the **endangered coho salmon**.

Toured the **MMWD watershed** with a District vegetation ecologist to learn about the life cycle and management of highly invasive French Broom, and the challenges facing MMWD in managing their watershed.

Submitted "scoping" comments for an EIR on **Tiburon's Easton Point**, which emphasized the site's high visibility and the need to protect endangered dwarf flax, native grasslands, and woodlands.

Administered the seventh year of a project to **remove invasive plant species** on the Gold Hill (behind Dominican University) and Peacock Gap areas of San Rafael.

**MARCH**

Submitted comments on the **Town of Corte Madera's Draft General Plan**, emphasizing the need to strengthen conservation policies and protect wetlands and waterways.

Supported the **Ocean Protection Council's** preparation of a Master Environmental Assessment on single-use plastic and paper bags.

Endorsed AB68 and AB87 state legislation to establish the **Single-Use Carryout Bag Reduc-**

**CONNECTING ENVIRONMENT, BUSINESS, AND THE COMMUNITY**

For more than 25 years, MCL has hosted Breakfast Forums designed to bring environmental interests together with business and community interests. In 2009, MCL hosted two Business-Environment Breakfasts. In March, the focus was on new directions in educating business managers—"Green Means Business: Preparing a New Generation of Leaders"—and featured Dominican University's Green MBA program and the Presidio School of Management's programs in sustainability. In October, MCL hosted a panel led by Assembly member Jared Huffman, who discussed "The Delta Next Door"—the Sacramento-San Joaquin Delta and its dual role as a critical ecosystem and the source of irrigation and drinking water for 23 million Californians.

**tion Act** and communicated our endorsement to our local legislators.

**APRIL**

Reviewed the Final Environmental Impact Statement (FEIS) for the Marin Headlands and Fort Baker Transportation Infrastructure and Management Plan, urging the National Park Service to place greatest emphasis on preserving natural resources on the Marin side of the **Golden Gate National Recreation Area**.

Hosted **MCL's 75<sup>th</sup> Anniversary Annual Dinner** on April 17 featuring nationally syndicated commentator Bill Press, and awarded MCL's Peter Behr Lifetime Achievement Award to environmental journalist and author Harold Gilliam.

Opposed a Metropolitan Transportation Commission (MTC) proposal to adopt an 800-mile network of **High-Occupancy Toll (HOT) Lanes** throughout the Bay Area and encouraged the MTC to disclose the effects of such lanes on vehicle miles traveled, greenhouse gas reduction, and social equity.

Studied a private landowner's **illegal en-**

*Continued next page*

*View from the Loma Alta Preserve, Marin County Open Space District*





**encroachment onto City of San Rafael Open Space** lands at 81 McNear Drive, and supported the City's denial of the landowner's request for an exemption for the encroachment.

## MAY

Requested the County to require preparation of a Subsequent EIR for the second phase of a **Lucas-Film development at Grady Ranch**, originally approved in the mid-1990s.

Met with the City of San Rafael and urged the City to oppose the proposed subdivision of the **Canalways** property to allow storage of debris boxes at a site designated as a Wetlands Conservation Area.

In a letter to the City of San Rafael, identified numerous deficiencies in the DEIR for a massive recreational facility proposed on **San Rafael Airport** lands, including no analysis of habitat of the endangered California clapper rail and other species along Gallinas Creek tidal marshes, traffic impacts, conflicts with the City of San Rafael General Plan, and alternative proposals.

Submitted a letter brief to the California Supreme Court in support of the Marin Flood Control and Water Conservation District's petition for review of the lower courts' decision invalidating a **Ross Valley flood control assessment** election.

Joined other organizations to urge Congress to adopt Federal legislation that would eliminate lead from drinking water.

Made comments on the **North Coast Railroad Authority Russian River Freight Rail Project** DEIR, which identified unresolved issues such as direct impacts of the project's footprint, pedestrian safety, barriers to wildlife movement, noise and vibration effects on a nearby hospital, emissions from older diesel locomotives, and growth inducement.

Urged Governor Schwarzenegger to reconsider his proposal to eliminate funding for **California State Parks** as fiscally unsound and an inducement to illegal activities on closed park lands.

## JUNE

Supported the County Planning Commission's denial of the **Karuna LLC (Draper) proposed Master Plan** and land division in San Anselmo because of the encroachment of proposed residences into County Ridge and Upland Greenbelt, the substantial grading in a Stream Conservation Area, and failure to cluster proposed home sites.

## JULY

Testified at the **Redwood Landfill Waste Discharge Permit** hearing before the Regional Water Quality Control Board, urging that an in-

## REVISITING MARIN'S CONSERVATION HISTORY, ONE WALK AT A TIME

To commemorate 75 years, MCL embarked last year on a Project to complete a book covering MCL's history by the end of 2009. The goal was, perhaps, too ambitious, as the book is still in progress. MCL also initiated a series of free "Walks into History," borrowing from Mill Valley's Memorial Weekend tradition. On the first Walk, participants explored the North Ridge area of Mt. Tamalpais and reviewed the lengthy history of citizen efforts to acquire the lands that now make up four County Open Space Preserves. Marin County Open Space District co-sponsored this walk. The next Walk was in Samuel P. Taylor State Park in August. About 40 people walked and enjoyed stories about the intrepid Sam Taylor and MCL's five-year pursuit, led by co-founder Sepha Evers, to acquire "Camp Taylor" for the public. The third Walk, on Angel Island in October, was combined with a Founders' Day celebration that honored MCL's first president Caroline Livermore, for whom the peak on Angel Island is named. Walks into History continue into 2010—the Corte Madera Shoreline Walk was held in late March; the ghost of Marincello in Golden Gate National Recreation Area is planned for August, and Olompali-Mt. Burdell area in the fall.

dependent monitor be assigned to ensure consistency of compliance and that sufficient financial bonding be required to cover catastrophic levee failure.

Administered funds for the seventh year of a long-term project by Friends of Bayfront Meadow, Mill Valley, to restore vegetation on **Bayfront Meadow** on the shoreline of Richardson Bay.

Hosted the Annual **Picnic on the Porch** for MCL members and their guests at the League's office.

Opposed Senator Feinstein's proposed rider to a federal appropriations bill that would extend Drake's Bay Oyster Company's right of use in the Pt. Reyes National Seashore ten years beyond its 2012 expiration date, noting that **Drake's Estero was designated a "potential wilderness"** in 1976 under the Wilderness Act and that the extension would set a precedent for other, similar wilderness designations nationwide.

Participated in hearings on the County's updated **Integrated Pest Management (IPM)** Plan, recommending that members of the public rather than County staff be appointed to the IPM Commission to avoid conflict of interest, and emphasizing that specific site characteristics rather than standardized methods should dictate how any part of the IPM ordinance is applied.

## AUGUST

Opposed **MMWD's approval of a budget** allowing for preliminary design of a desalination plant, pointing out that conservation and efficient water use are the most environmentally sound and least expensive means of securing supplemental water supply.

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*Walk Into History #2*

The Greenbrae Interchange



**SEPTEMBER**

Commented on CalTrans' FEIR for **Highway 101 widening through the Marin-Sonoma Narrows** north of Novato, voicing concerns that the report did not incorporate design exceptions and modifications that would reduce the project's overall environmental footprint in sensitive wetland areas without causing traffic congestion or compromising safety.

Supported the County's continued work on a **San Geronimo Valley Draft Salmon Enhancement Plan (SEP)** that seeks to restore viable populations of endangered coho salmon, but criticized the Plan's heavy reliance on voluntary compliance and urged adoption of enforceable ordinances, particularly a riparian tree ordinance, to better protect stream habitat.

Testified before the County Joint Powers Authority regarding its **Draft Zero Waste Strategic Plan**, supporting establishment of effective zero waste programs in the County and the creation of and funding for common franchise agreements.

Organized **Coastal Cleanup** volunteers to clean up San Rafael's Mahon Creek, the Starkweather Shoreline Park in east San Rafael, and Scottsdale Pond in Novato.

Submitted comments to the City of San Rafael on the FEIR for the **proposed Target store** on an old landfill south of Home Depot, emphasizing the requirement to address greenhouse gas emissions, impacts on the local business community, transportation issues, the possibility of leachate escape from the landfill, and need for a setback or buffer to protect wildlife movement.

**OCTOBER**

Submitted testimony that the DEIR for "**Alta Robles**," a 14-lot subdivision for estate-sized homes planned on Paradise Drive on the Tiburon Peninsula failed to mitigate significant impacts:

sensitive geological and hydrological nature of the sloping site, extensive modifications required to repair 17 landslides and avoid a sensitive serpentine grassland community, visibility of residences on ridges, and other features that fail to comply with the Tiburon General Plan and Zoning Ordinance.

Testified at a scoping session for the DEIR for the proposed "**Commons at Mt. Burdell**" on the Fireman's Fund site in Novato, noting areas of concern such as source of water supply, treatment and disposal of wastewater, traffic and parking impacts, greenhouse gas emissions, noise, and air quality.

Reviewed the Negative Declaration for the **Tennessee Valley/Manzanita non-motorized pathway**—a constructed multi-use boardwalk—and recommended additional measures to mitigate the impacts of expanding access into sensitive wetlands and habitat of the endangered California clapper rail.

Submitted testimony before the BOS on the certification of the FEIR for the **San Rafael Rock Quarry**, pointing out that numerous significant impacts of the combined reclamation plan and operating permit over the approximate 15-year

life of the quarry are cumulative and have not been adequately mitigated.

**NOVEMBER**

Submitted comments on the County's draft **Wind Energy Conversion System (WECS)** Ordinance, recognizing the desirability of clean energy but emphasizing the need to minimize wind power facilities' effects on wildlife, and mitigate safety, visual, and noise impacts on neighbors.

Submitted EIR scoping comments on the County's proposal to build a new **Emergency Operations Facility** across from the Civic Center and called for the EIR to thoroughly analyze alternative sites with fewer impacts on existing neighborhoods and on the architectural and cultural integrity of the Frank Lloyd Wright-designed Civic Center.

**DECEMBER**

Urged various City Councils to continue their support of the **Marin Energy Authority and Marin Clean Energy program**, and urged the City of Novato, without success, to join the joint powers authority.

Collected a barrel of donated food for the **Marin Community Food Bank** during MCL's annual Holiday party.

Continued to appraise the **Highway 101 Greenbrae Corridor Improvement Project** planning process by offering detailed suggestions to CalTrans and Transportation Authority of Marin on the scope of the project DEIR.

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# MARIN CONSERVATION LEAGUE 2009 ANNUAL REPORT



Marin Conservation League (MCL) works to preserve and protect the natural resource values and assets of Marin, focusing its action on issues of countywide significance or issues which may prove to be precedent-setting.

MCL places particular emphasis on those issues having important land use implications or impacts on Marin's environment and quality of life.

MCL looks for effective solutions through its own advocacy efforts as well as through working in close collaboration with other organizations to address major environmental challenges and concerns in Marin.