MARIN CONSERVATION LEAGUE

Protecting Marin Since 1934

September 24, 2026

Dear Marin Water Board of Directors and Staff,

Marin Conservation League (MCL) appreciates the opportunity to comment on the scope of the Road and Trail Management Plan (RTMP) Update and Subsequent EIR. We also appreciate Marin Water's (District) effort to prepare a comprehensive update to the 2005 RTMP and the detailed work that has gone into developing the Preferred Scenario and other project elements that are laid out in the Notice of Preparation (NOP).

We recognize that the District's mission, providing high-quality water and sustaining natural resources for the future, has continued to guide the recreation management planning process. Mount Tamalpais is widely acknowledged as a hotspot of biodiversity and therefore warrants a high level of protection.

Recreation is also a longstanding public value and use that has grown exponentially over the decades, leaving its mark across the watershed. Every form of recreation can negatively affect roads, trails, vegetation, and wildlife, as well as water quality. The RTMP Update is being designed to expand recreation and public access for a variety of trail use types, and also to better manage the effects of recreation by minimizing the negative effects of future growth and including restoration and watershed protection as essential elements of the plan. The Subsequent EIR, together with the 2005 EIR, provides the opportunity to analyze the potential impacts of the RTMP Update as it is implemented. These comments focus on the issues MCL believes are most important in that analysis.

1. Relationship with the 2005 EIR

We have two fundamental questions/comments on how the documents will be used by the District and made available for public review. The first concerns the relationship between “old” and “new” documents – i.e., between the 2005 RTMP/EIR and the RTMP Update/Subsequent EIR – and how they will be presented for ease of public review. The NOP states that the proposed RTMP Update would continue to implement components of the 2005 RTMP unchanged and the Subsequent EIR will evaluate effects of the proposed RTMP Update. It is not clear whether the two RTMP documents, or their EIRs, will be integrated in such a manner as to make their relationships understandable without requiring the reader to reconstruct the analyses across two sets of documents.

If the two EIR documents are not integrated, we request that the District provide a concise cross-reference, citing the relevant 2005 sections, including mitigation measures, alternatives, and findings, and stating whether each is retained, updated, supplemented, or replaced. Please summarize the earlier conclusions where needed to understand the current analysis and identify the new information or changed circumstances that require additional review, such as the effects of climate change, including hotter, drier conditions, more extreme storms, and increased wildfire risk. The District should also explain

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which portions of the earlier analysis are integrated into the Draft Subsequent EIR, which are incorporated by reference, and how the public can access all supporting documents.

The second question/comment concerns the use of program- and project-level review. The Subsequent EIR, as a program document, has the opportunity to cover a broad but generic array of likely activities that could cause impacts on the landscape (see Project Description below). We request that it also clearly distinguish actions receiving project-level review from those evaluated at a program level. The NOP does not explicitly state that projects listed in the Preferred Scenario will be implemented over time, but it does suggest that "...construction activities would be short term...occurring...over many years as individual projects are implemented." If actions are to be implemented over many years, please explain when site-specific environmental review, surveys, design, and public participation will occur. State how projects will be prioritized; how restoration, access, and maintenance actions will be sequenced; and if findings must be made before each later project proceeds. This is particularly important if construction methods, alignments, funding, or volunteer participation for future projects remain uncertain when the RTMP Update program is approved.

2. Project Description and Implementation

A comprehensive project description is fundamental to adequate analysis of potential impacts of construction and ongoing operation of the RTMP Update. We request that the Subsequent EIR therefore analyze not only construction phases, but also the continuing operation of the system: who will use it, where, when, at what intensity, and with what direct and cumulative effects. It should cover the full RTMP program including proposed route changes, permitted uses, restoration commitments, operating rules, enforcement, implementation phases, and the reasonably foreseeable use created or redistributed by the plan. Route-specific information should be sufficient to evaluate each new trail, reroute, road-to-trail conversion, adoption of a non-system route, or change in use. For each action, please identify its purpose, expected users and use levels, existing conditions, construction footprint, environmental constraints, required maintenance, and whether existing roads or previously disturbed corridors could meet the same objective.

Because the RTMP Update will be implemented incrementally, we request that the Subsequent EIR describe the resources on which its conclusions depend. For example, it should identify planning-level capital and recurring costs, responsible staff, funding sources, ranger and maintenance capacity, biological and cultural-resource surveys, seasonal work windows, construction oversight, and long-term monitoring. If volunteers may perform construction, restoration, or maintenance, please specify District-approved designs, qualified supervision, training, inspection, and methods for completing essential work if volunteer participation is unavailable.

2A. Non-System Trails

The Subsequent EIR should explain the criteria used to select non-system routes for decommissioning, as shown in NOP Figure 2, and the rationale for not addressing other mapped non-system routes. Please address the current conditions of non-system routes which will not be decommissioned, particularly longstanding routes in serpentine areas that continue to receive use and evaluate the habitat effects of continued use compared with closure and restoration.

3. Expanded Watershed Protection Zone Alternative

The NOP offers only two Alternatives: the Preferred Scenario Alternative and the required No Project Alternative. The Preferred Scenario, we acknowledge, offers numerous instances of valuable restoration distributed across the landscape. It misses, however, a bold opportunity to protect in perpetuity a substantial block of remote "wilderness" by considering a larger Watershed Protection Zone. We recommend the Subsequent EIR evaluate a conservation alternative centered on protecting a substantial, connected, relatively undisturbed landscape, the "Kent Lake-Pine Mountain Protection Zone" (see Figure 1), encompassing both branches of the Kent Lake Reservoir and surrounding watershed and ridges of the Pine Mountain area, and extending along Bolinas Ridge to provide a wildlife movement corridor from Samuel P. Taylor State Park in the north to Mount Tamalpais in the south. The purpose of the protection zone is to maintain habitat continuity and refuge (including nighttime) and reduce further fragmentation by avoiding the introduction of new recreational development into areas that retain a quiet, largely undeveloped character despite historical logging and existing emergency and utility access roads.

The District's de facto Kent Lake "wilderness" is well known for its habitat qualities. The deep canyons of redwood and Douglas-fir forest are ideal habitat for northern spotted owl and favored dusky-footed woodrat prey. An osprey colony established in the 1960s continues to nest near the lake, and bald eagles hunt over the lake. An abundance of snags offers nesting cavities for small birds like acorn woodpecker, chickadees, and titmice, and these snags are one of Marin's few reliable nesting locations for purple martins. The damp canyons offer ideal habitat for amphibians like Pacific giant salamander and yellow-legged frog; otters move between the reservoir and Lagunitas Creek downstream. Federally listed rare plant populations are found in the unique serpentine habitats on the eastern ridges. Notably, the remoteness of the area provides refuge for large carnivores like mountain lions, bobcats, coyote, and for newly increasing black bears.

The approximately 9,100-acre Kent Lake–Pine Mountain Protection Zone offers a strong starting point for this broader conservation vision, inviting the Board to identify additional contiguous lands where ecological evidence supports greater protection. Its value extends beyond its boundaries; through collaboration with the One Tam partnership, the District can strengthen habitat connections with Golden Gate National Recreation Area, Samuel P. Taylor State Park, Mt. Tamalpais State Park, and other protected lands, and multiply conservation benefits across the larger landscape.

We ask staff to evaluate the opportunity for expanding the proposed protection zone as an Alternative in the Subsequent Draft EIR. By maintaining connected habitat and minimizing human disturbance in this important wildlife refuge, the District can establish a lasting conservation legacy that gives native species—including wide-ranging predators—greater opportunity to move, feed, breed, and recover, which is especially critical as wildlife adapt to a warming climate. Figure 1 illustrates the preliminary concept, which can be modified based on habitat quality, wildlife movement, sensitive resources, topography, and operational needs.

The alternative would retain existing authorized roads and trails in their present footprint and character, with maintenance for drainage, erosion control, water quality, emergency access, and safe passage. Essential access for water-system operations, wildfire response, scientific monitoring, and ecological restoration would continue. Within the protection zone, however, the alternative would exclude new

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recreational trails and capacity-expanding upgrades. It would include permanent closure and ecological restoration of the unauthorized New Paradigm route, including the feasibility, funding, enforcement, and monitoring needed for successful restoration.

We request this alternative be compared with the proposed project and the No Project Alternative for both positive and adverse impacts on biological resources, habitat connectivity, water quality, cumulative disturbance, wildfire risk, visitor displacement, maintenance demand, and enforceability. In particular, please evaluate whether the proposed Kent Lake shoreline and Pine Mountain trail connections would increase daytime or nighttime use, artificial lighting, noise, and impact or displace wildlife. To be effective, mitigation measures and other resource-protective measures implemented on these lands should be based on achievable staffing, funding, and compliance with rules during use of the watershed.

4. Selected Environmental Issues

Biological Resources

We appreciate the District's commitment to current field investigations to thoroughly understand resources potentially impacted by the RTMP Update. The District's special-status plant surveys and road and trail assessments should be incorporated into environmental review and used to shape route design, avoidance measures, mitigation, monitoring, and future implementation. At a programmatic level, the biological analysis should address common native species and ecological function as well as special-status plants and wildlife. We request that it also evaluate potential impacts on habitat fragmentation, wildlife movement, nesting and roosting habitat, sensitive natural communities, and the cumulative effects of repeated human presence, including effects of nighttime lights and noise.

Road-to-trail conversions and route closures should include restoration of the unused footprint, soil rehabilitation, locally appropriate native revegetation, and multi-year invasive-species monitoring. Exposed mineral soil and newly disturbed corridors create opportunities for invasive plants; therefore prevention, early detection, rapid response, and measurable vegetation-recovery standards should be built into project design. We request that proposed new routes, changes to existing routes, and decommissioning of existing routes should all be quantified in terms of area disturbed or restored in order to compare net habitat outcomes for the RTMP Update.

Although difficult to survey and monitor, we request the Subsequent EIR assess direct and cumulative mortality of small native wildlife on roads and trails, including newts, salamanders, frogs, lizards, snakes, voles and other small animals. Photographs supplied separately (Appendix A) document an observable potential mortality pathway. As a possible mitigation for generalized impacts on small native wildlife, we request a qualified biologist develop a protocol to determine locations, seasonality, frequency, likely cause, and ecological significance of trail mortality. We suggest that Lake Lagunitas is an appropriate pilot location for rain-triggered newt monitoring, hotspot identification, public advisories, and consideration of temporary foot-traffic-only protection during confirmed migration pulses, while retaining emergency and resource-management access.

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Hydrology and Water Quality

The 2005 RTMP EIR gave particular attention to erosion and sediment transport and delivery from unpaved roads while evaluating the relative and cumulative contributions of trails and visitor use. We request that the Subsequent EIR address current conditions across the watershed including road incision, drainage concentration, washouts, stream crossings, trail rutting, wet-weather use, and fine sediment and dust that can be transported to reservoirs and streams. For road-to-trail conversions and new trails, please address the potential for erosion and sediment delivery and achievable maintenance standards to avoid impacts. We request evaluation of objective wet-weather trail closure and reopening criteria based on forecast rainfall, measured precipitation, soil saturation, drainage, and observed damage, with longer recovery periods where local conditions require them. For route closures, please assess potential for erosion, sediment movement, and drainage repair or rehabilitation. We also request the Subsequent EIR evaluate proposed roads, trails, drainage systems, and maintenance standards under changing climate conditions, such as more extreme storm events.

Recreation

The analysis should recognize that hikers, equestrians, conventional bicyclists, e-bicyclists, birders, mushroom gatherers, and other visitors can each cause impacts through noise, speed, weight, mechanical disturbance, off-route movement, or simply repeated presence. Differences among uses should be evaluated without assuming that one group is the sole source of impact.

Programmatic comparisons of trail use impacts should be tied to actual route conditions. We request that separate per-pass effects from aggregate and spatial effects be evaluated, including soil, slope, drainage, moisture, trail design, braking and turning; number and frequency of users, wet-weather and nighttime use; and longer trips, access to remote areas, trail widening, social-route formation, and wildlife displacement. Evaluate conventional bicycles and Class 1 e-bikes separately where weight, torque, range, speed, or use patterns could change cumulative effects. We recommend that published studies be used while acknowledging their limitations and performing site and route-specific field data collection to assess impacts of trail use on selected high use trails and trails adjacent to sensitive habitat.

Where new or changed bicycle use is proposed, trail design should include effective speed-calming measures such as alignment sinuosity, pinch points, narrowing, and other context-appropriate features. These measures not only can reduce damage to trails and adjacent habitat but also reduce opportunities for conflict. The EIR should also assess reasonably foreseeable induced use from new connections and publicity, including effects on restricted routes, neighboring lands, nighttime activity, parking, emergency access, and maintenance.

Wildfire

Evaluate whether additional or redistributed recreational use would change human-caused ignition risk and whether the expanded protection alternative (Kent Lake–Pine Mountain Protection Zone) would reduce that exposure while maintaining emergency access.

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5. Monitoring, Mitigation, and Accountability

We request that baseline information should be collected before access changes occur and should support before-and-after comparison on representative routes and in sensitive areas. Monitoring should be specific enough to test the Subsequent EIR's conclusions and the effectiveness of mitigation. At minimum, it should address:

• **Use and compliance.** Counts by activity, route, season, and time of day; nighttime and wet-weather use; unauthorized routes; warnings, citations, and closure compliance.

• **Physical condition.** Road and trail width, incision, drainage, erosion, sediment delivery, vegetation loss, stream crossings, and maintenance needs.

• **Biological condition.** Sensitive plants, invasive species, habitat condition, selected wildlife indicators, small-animal mortality, and use of movement corridors or refuge areas.

• **Implementation capacity.** Ranger patrol hours, maintenance and restoration work, emergency incidents, expenditures, funding, and completion of required mitigation.

The EIR should define performance standards and corrective-action thresholds before approval. If monitoring identifies resource damage, unauthorized expansion, ineffective restoration, repeated noncompliance, or impacts beyond those analyzed, available responses should include additional maintenance, restoration, education, enforcement, seasonal or wet-weather restrictions, speed controls, and modification or suspension of a permitted use. Later phases should proceed only when monitoring shows that environmental protections are effective and the District has sufficient staffing and funding to sustain them.

We recommend the District adopt a mitigation, monitoring and reporting program that identifies required measures, responsible parties, timing, funding, success standards, and corrective actions. Annual public reporting should summarize expenditures, completed work, deferred maintenance, habitat restoration, trail conditions, visitor use, ranger coverage, enforcement, and emergency incidents. A formal five-year public review should evaluate overall plan performance and allow the Board to adjust priorities and management measures while remaining within the environmental analysis and protective commitments adopted for the RTMP.

The EIR need not resolve every operational detail now, but it should establish a clear and enforceable framework: understandable integration with the 2005 EIR; adequate project-level information for actions being approved; further review where design remains programmatic; an expanded protection zone alternative; focused analysis of environmental effects; and monitoring, staffing, and funding commitments capable of supporting mitigation and restoration to protect and enhance natural resources.

Requested Focus for the Draft EIR

MCL respectfully asks the District to use these comments to prepare a Draft Subsequent EIR that allows the public and decision-makers to understand the full program, compare a significant protection zone alternative, and determine whether the proposed access and restoration package can protect water quality, habitat, biodiversity, public safety, and the long-term integrity of the watershed.

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Thank you for the opportunity to comment on the scope of the RTMP Update Subsequent EIR. We appreciate the effort District staff have made to focus on natural resource protection and restoration, and to balance recreation with watershed conservation. There is a unique opportunity to protect a largely intact habitat and corridor for wildlife movement, which is essential in the face of climate change. We hope you are able to consider this alternative and the potential benefits it would yield. We would be more than happy to be available for consultation as District staff continue to develop the RTMP Update.

Thank you,

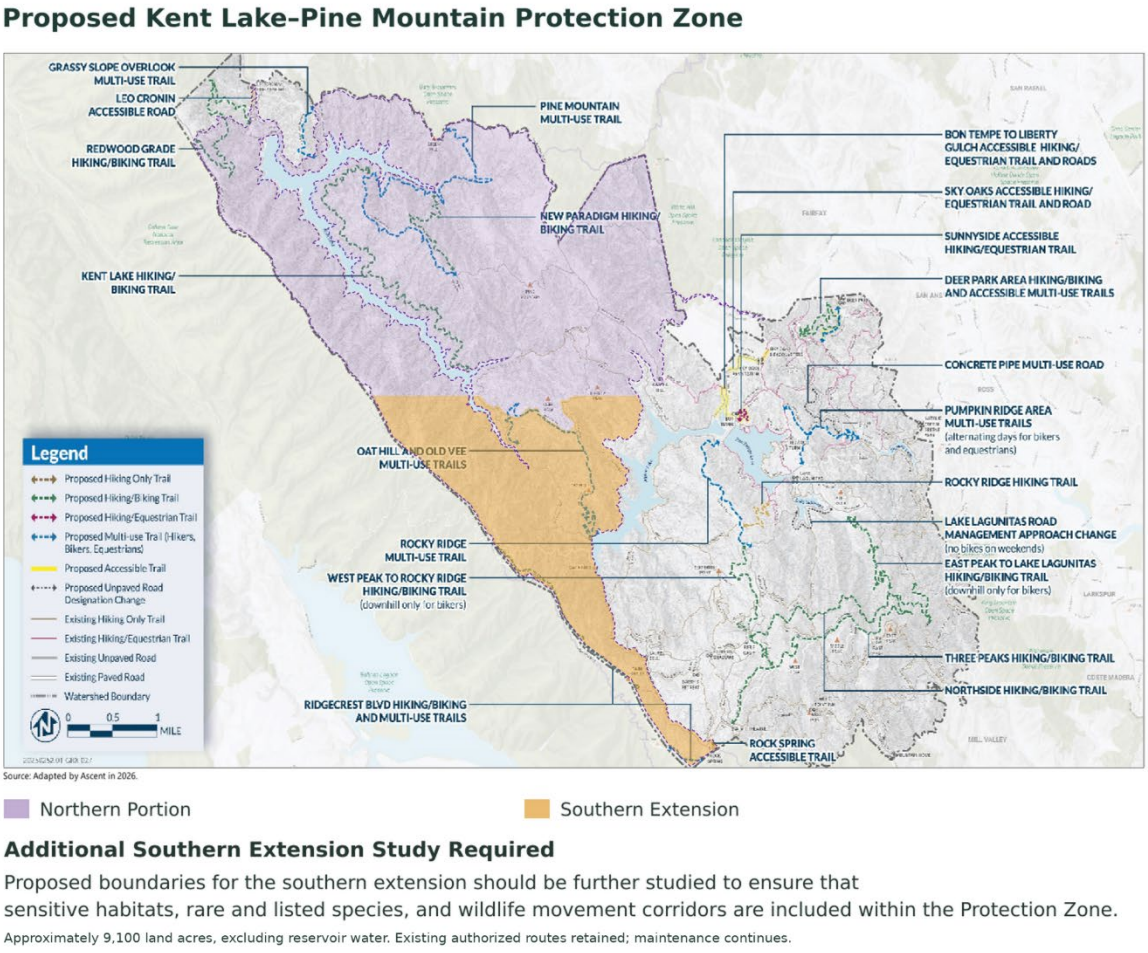


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Figure 1.



Preliminary conservation concept: approximately 9,100 land acres, excluding reservoir water. The boundary is a starting point for evaluating a larger connected conservation area. Existing authorized routes and essential operational and emergency access would remain.

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Appendix A: Small Animal Trail Mortality

Small Animal Trail Mortality

Between 2009 and 2013 Larry Minikes photographed 88 animals, including newts, snakes, and lizards, which had been killed by bicycle strikes on trails. The cause of death was apparent due to bicycle tire tread marks and the fact that only a narrow section of the animal was compressed, as would be expected with the narrow width of bicycle tires. The most wildlife kills observed in one day was on April 13, 2012, following 2 to 3 days of rain. In the course of 1/2 mile Larry encountered 11 dead California Newts killed by bicycles. Nine out of the eleven were encountered in one small stretch of less than 50 yards. The newts appeared to be migrating across the trail in response to the wet weather.

Larry undertook this project to demonstrate that bicycle strikes are an issue for small animals when crossing trails during regular feeding behavior, seasonal migrations, or when using the open, sunny areas for basking. Bicyclists going at higher speeds are unlikely to see these small animals in time to avoid them. There is a need for site-specific research to determine whether this should be considered a significant, cumulative impact to wildlife populations.

The photos included below are a sample of the larger photo library.



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