



SAVE WETLANDS

Newsletter of the Citizens Committee To Complete The Refuge

Newsletter Issue 35

Fall 2005

Reflections

I shall never forget the day in October 1988 that the phone rang here. The voice on the line was excited, "President Reagan just signed your bill to set your refuge boundaries at forty thousand acres!" The passage of the years has not dimmed the pleasure of that moment. The person who most vividly shared our elation was the man in congress who did the political magic, Don Edwards. His name on this land is surely appropriate, for without him our wetlands would be covered with asphalt and concrete. Our everlasting thanks to him.



The October 2004 issue of BayNature Magazine included a special insert entitled, "South Bay Challenge Reclaiming the Salt Ponds For People and Nature." For those of you who have not seen this issue, it features marvelous photography, both aerial and ground level, of our recently acquired south bay salt ponds. An article by Robin Grossinger (Director of the Historical Ecology Program at the San Francisco Estuary Institute) and Peter Baye (a botanist who has studied coastal vegetation in the United States and Canada, and who has worked for both the Corps of Engineers and the U.S. Fish and Wildlife Service) touches on the diversity of habitats that existed prior to the construction of the salt ponds.

The authors present the historical context of what we have lost (and what we hope to recover), but equally impressive is what has persisted or re-created itself. It was a wonderful overview, and our members being of inquisitive mind have asked for more detail. In response, Dr. Baye has kindly consented to elaborate on the tremendous opportunities and challenges ahead of us. You will find his article inside this issue as a special insert.

It has affectionately (although not always) been said of the Citizens Committee to Complete the Refuge, that we are never satisfied. I would suggest that it is not that we are never satisfied, rather that we realize there is still so much to accomplish. As you will see on the following page there are still many lands that were identified in the 1990 Land Protection Plan for the Don Edwards San Francisco Bay National Wildlife Refuge that have not been obtained for preservation and enhancement or restoration. So while we celebrate the initiation of restoration on Bair Island and the acquisition of 16,500 acres of Cargill salt ponds now in the restoration planning phase, I ask that you keep in mind the lands that are yet to be acquired.

*Thank you for your continued support,
Florence M. LaRiviere*

Image (ISS007E12364) courtesy of Earth and Sciences Image Analysis Laboratory, NASA Johnson Space Center.
<http://eol.jsc.nasa.gov>

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What's Missing in These Pictures?

Ripe for development or protection

Last year 16,500 acres of salt ponds were acquired by the public. Withheld from the purchase however were some 1,400 acres of Cargill crystallizers on the Redwood City shoreline, once intricately patterned marshes and sloughs.

In addition, big chunks of former wetlands in Newark were also excluded. There, Cargill is still making salt on 7,000 acres of ponds owned by the public. These acres actually lie within the National Wildlife Refuge (blame it on the originating contract between the Fish and Wildlife Service and the salt company owner, which included no time limit). In addition, there are hundreds of acres of seasonal wetlands behind levees. With the predicted rise in sea level these lands could have great significance in providing refugia for wildlife.

The need to acquire all of these lands should not come as a surprise to anyone, because all were included in the Refuge when its boundaries were expanded in 1988.

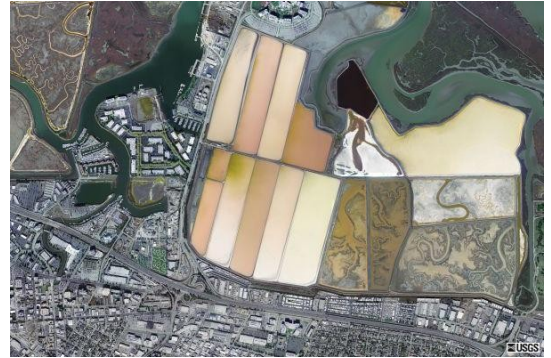
All of the lands pictured on this page were identified in the 1990, "Land Protection Plan, Potential Additions to San Francisco Bay National Wildlife Refuge." On October 28, 1988 Congress passed Public Law 100-556, which increased the Service's acquisition authority from 23,000 acres to a total of 43,000 acres.

These lands were added to the land protection plan because they provide the opportunity for the preservation and enhancement of highly significant wildlife habitat for the protection of migratory waterfowl and other wildlife, including species known to be threatened with extinction.

These lands also provide an opportunity for wildlife oriented recreation and nature study within the open space so preserved. ■



Patterson Ranch property in Fremont. Coyote Hills Regional Park to the west, Alameda Creek Flood Control Channel to the north. A new development plan for this parcel is anticipated soon. The willows (which appear as a backwards "S" near the middle of the picture) are the last significant stand in proximity to the Bay in this area.



Redwood City Salt Pond Complex The Crystallizers are the long narrow water bodies.



Salt ponds near Newark, CA. Most of the large irregularly shaped ponds in green red, brown and tan are lands now owned by the public in fee title. These lands are still in salt production.



Whistling Wings and Pintail properties would provide rare transition habitat between tidal marsh and uplands.

In Memoriam

In early August the environmental community suffered a great loss and a dear friend. For those of you who weren't fortunate enough to work with Roy Gorman, he was tireless, tenacious, professional and thoroughly dedicated to preserving our natural resources. He gave his heart to every fight and we loved and respected him for this. To his family, we send our condolences and love and our tremendous appreciation for sharing him with us.

Welcome Aboard

MENDALL STEWART OUR NEW PROJECT LEADER

Citizens For Alameda's Last Marshlands

"Never doubt that a small group of thoughtful, committed citizens can change the world."

Margaret Mead

In 1994 a group of concerned citizens began to monitor the City of Alameda's negotiations related to the closing of the Alameda Naval Air Station, and in particular the airfield where a colony of endangered California Least Terns have been nesting for 40 years. The City of Alameda wanted to surround the nest site with upscale houses. The struggle to save the nesting site of this endangered species was a battle that went on for months, then years.

Finally, it was decided that 565 acres of the airfield would be transferred from the Navy to the U.S. Fish and Wildlife Service provided the Navy cleans up its hazardous waste sites on the airfield. To date the clean up and transfer have not occurred, but the USFWS is managing the 565 acres for the Least Terns, and the off shore breakwater for Brown Pelicans and Harbor Seals.

In the meantime a group of citizen volunteers formed Friends of Alameda Wildlife Refuge (FAWR) to promote the establishment of a National Wildlife Refuge for the terns and pelicans. FAWR is playing an important role in maintaining a weed control program on a monthly basis within the nesting area when the terns are not in residence. FAWR gathers driftwood along the Alameda shoreline to spread around the nest site to give the appearance of a beach. Oyster shells have also been acquired to enhance this area. One FAWR member constructed many small A-Frame structures called "tern chalets" as shelters for the tern chicks.

Through FAWR's efforts, school children from the cities of Alameda and Oakland have received educational information concerning the importance of preserving and protecting our natural resources. Field trips to explore portions of the 565 acre tern habitat have been enjoyed by these children.

In the late 1980's a group of concerned citizens fought to save wetlands along the San Leandro shoreline in the area of the

famous Roberts Landing. The housing development plan was to fill wetlands on land over which the State Lands Commission had jurisdiction. Citizens for Alameda's Last Marshlands (CALM) played an important role in determining the wetlands were not suitable for housing as most of the area had been the site of the Trojan Powder Factory and hazardous wastes remained.

The developer attempted to discredit the hazardous waste issue, but CALM members pursued the facts, and in turn were threatened with a lawsuit. In the end the developer had to spend over one million dollars for hazardous waste clean up. Much to our dismay, housing was eventually allowed on 92 acres of the 450 acre wetlands site.

Since 1971 citizens have been involved with public agencies in preserving and protecting the Hayward shoreline and its wetlands. A fine shoreline trail allows the public to enjoy the views of the San Francisco Bay and the beauty of the natural areas along the trail.

Frank and Janice Delfino (510) 537-2387

Tri-City Ecology Center

Fremont Union City Newark

PATTERSON RANCH

The Patterson Ranch is a 427-acre site located in North Fremont, east of Coyote Hills Regional Park. It contains a creek, a large number of wetlands acres and a threatened willow grove. Over the years, development plans have been introduced and withdrawn.

The project first named Ardenwood 2000, is now called **Patterson Ranch** (back to the future!). The Frisbee Planning Co. (fris@frisplan.com) submitted wetlands and biological studies to the US Army Corps of Engineers in April. Harvey and Associates estimates there are 88 acres of wetlands on site. The Corps issued a confirmation of wetlands delineation in the Fall of 2004. In the mean time, public meetings will be held after the submittal of a new development plan to the City of Fremont this winter. We have been told the plan will include a sizable land donation to the East Bay Regional Park District for expansion of Coyote Hills Regional Park. Note: Planning Director Dan Marks has moved to Berkeley; the new Director is Jeff Schwob (jschwob@ci.fremont.ca.us).

BACCARAT DEVELOPMENT

The Baccarat property, owned by Carl Berg, is a 31-acre site in

south Fremont. It contains about 10 wetlands acres. Approximately a year ago, Mr. Berg lost his lawsuit (summary judgment) against the Corps and State Water Board and Regional Water Quality Control Board. The suit, claiming 7.13 acres were not wetlands, was based on the SWANCC decision. Mr. Berg has appealed the decision; the matter is still in court.

KING & LYONS BAYSIDE BUSINESS PARK II

The facts: This 150-acre site is located in south Fremont, west of I-880, near Dixon Landing Road. It contains 90-acres of wetlands and 9 development pads.

The next Monitoring Report is due this fall. Preliminary studies show (1) the salt marsh harvest mouse population is stable, (2) pickleweed and other wetlands biota are reaching performance standards and (3) irrigation is achieving its goals. Actual construction on the site won't begin until all wetland mitigation goals are achieved and monitored for several years. For more information: contact John Zentner at johnz@zentner.com. ■

**Donna Olsen (510) 797-2755 or
tceedonna@juno.com.**

Baylands Conservation Committee

Palo Alto East Palo Alto Menlo Park

Byxbee — Pastoral or Industrial Park??? On Monday, February 14 the Palo Alto City Council will once again be considering the garbage/ recycling plant (ESC) proposed for dedicated parkland in the Byxbee Hills Park. The Public Works staff continues to push for the full 19-acre project. This project will have visual, noise, odor, and traffic impacts equivalent to the current landfill operation. If the project isn't stopped now, it will move inexorably toward an election to undedicate parkland, leaving the land vulnerable to all sorts of future projects without the current park protections.

For about three years staff has been saying that building this facility would "save the city a million dollars a year". Due to questions raised by the public, the City Auditor was asked to evaluate the project's finances. Her conclusion: It would cost \$1.6 million MORE each year to build this plant than to use the Sunnyvale Materials Recovery and Transfer Station (SMaRT Station), where 2/3 of our garbage is now processed.

The Auditor raised a number of important questions and made recommendations where she found information gaps and conflicting information. She believes the Refuse Fund should either pay rent for the 46 completed acres of the landfill or open them to the public now. She recommends that after almost 50 years with the same contractor, there should be a 'Request for Proposals' when

the Waste Management Contract comes up for renewal in 2009.

The Auditor recommended that the City Attorney's Office and Planning Department research whether there are outstanding mitigation requirements from previous actions regarding the landfill. She also recommended that the Planning Staff compare the landfill grading plans with the approved Byxbee Park plan. Copies of the Auditor's report are available from her office.

This project will profoundly impact our Baylands Park forever, and now we know that it is NOT the most economic alternative. It appears that the City simply wants to continue to receive rent income from our parkland. Parks should not be used to balance the budget!!!

Please try to attend the meeting on February 14 - even if you are not a resident of Palo Alto. The Council needs to hear how important this open space is to the entire region. If you cannot attend, please write or email the Council and let them know that you are in favor of completing Byxbee Park as planned and that Palo Alto should continue to use the SMaRT Station in which the City has a sizable investment. ■

Emily Renzel (650) 321-4165

Save Wetlands in Mayhews (SWIM)

Newark

A MAYHEWS LANDING RETROSPECT

Another year has come to a close for the residents of Mayhews Landing. And a fine year it has been for the reptiles and rodents; for the foxes and raptors and the close knit pheasant family. They hold no memories of the past; of the times when the sound of wind through the grasses was replaced by the growl of diesel engines as earth-moving machines tore through the marsh. Little did they know of the cold-hearted fear that pierced the hearts of ancestor salt marsh harvest mice and burrowing owls.

It was more than twenty years ago, in March of 1982 that the City of Newark planning commission approved an 876 unit condo development and golf course on Mayhews Landing. The humans who had daydreamed their way through biology and science classes were poised to convert a saltwater marsh to fresh. A general plan amendment had given the go-ahead for construction and the race was on to fill the marsh.

Conservation-minded folks objected to the lack of environmental documents. Federal and state agencies stepped in with public notices and consultations over endangered species. By 1982 the landowners, Albert J. Seeno and Ed DeSilva had been served with three Corps of Engineers Cease and Desist orders for unauthorized wetland fills. In official correspondence, the City of Newark called on the Corps to give its blessing to a golf course and condo development which would remove "a public nuisance" that Mayhews Landing had in their view become (a nice pickleweed marsh).

But all the clamor for development; all the pleading by golfing aficionados; all the threats of impending community decay if Mayhews Landing was not paved forgot one very small and furry item. Salt marsh harvest mice, an endangered species lived in the marsh. The call for a survey of the mice had barely gone out when the developers brought out their retort in the form of bulldozers. A September, 1985 morning that began with bird song ended with the sound of wildlife running for cover. Burrowing owl mounds were flattened. Pickleweed marsh was shredded and wetland channels filled with mud.

This marked the last great assault on the wetlands of Mayhews Landing. A federal order was given to restore the wetlands. Tide-gates were opened. Success was not immediate but gradually life returned to the marsh. The developers continued with efforts to build housing and city officials dreamed of wearing those funny pants and swatting at a small white ball. Reality, however, carried more weight. Calls for conserving wildlife habitat and open space at Mayhews Landing convinced the Fish and Wildlife Service to acquire the site as an important addition to the Don Edwards unit of San Francisco Bay National Wildlife Refuge.

The family of grey foxes spends evenings hunting for voles. Gopher snakes seek relief from noonday heat in the shade of trees. The days of autumn bring the distant call of geese and ducks who will spend their winter in the channels and sloughs of Mayhews Landing. Spring brings the multi-voiced frog chorus. An old silo stands ready to be converted to bat habitat. Ever so slowly, Mayhews Landing is being transformed to benefit the residents it holds near and dear. They may not recall the nightmares of the past but they will remark on the changes of the future. ■

Margaret Lewis (510) 792-8291

Trouble for Western Pond Turtles

WESTERN POND TURTLES MAKE LAST STAND

The Navy is obliged to clean up toxic sediments in a channel at Moffett Field (site 27). The trouble is, the last western pond turtle colony in Santa Clara County is resident there. The consultant, Jones and Stokes, has suggested that a nearby golf course lake would be appropriate for an interim home during the cleanup. We are concerned that the eggs that are buried from the last mating season may be destroyed with the construction, and that the golf course site may bring

new problems. Where will the relocated colony find soft soil for nesting? What will be the effect of golf course activity? Since this is a state listed Species of Special Concern, we are appealing to the California Department of Fish and Game to require monitoring and reporting to the public at frequent intervals. ■

Libby Lucas (650) 948-3552

Friends of Redwood City

BAIR ISLAND

The comment period for the Draft EIR/EIS for the restoration and management of Bair Island ended October 12, 2004.

It seems that Redwood City has at long last recognized the fact that the Bair Island Wildlife Refuge is a valuable community asset and has decided it would like to become a partner with USFWS in its restoration and management. The inducement offered the Service to go along with this unusual and perhaps unprecedented arrangement is that the City will have its Washington lobbyist work to obtain and expedite funding for the project.

The City has its own plan for Inner Bair, the only island of the three regularly open to the public. Fortunately the City's plan doesn't differ drastically from preferred Alternative A, of the draft EIR/EIS. The most significant difference in the plans is access, while the EIR/EIS maintains the present single access point at the foot of Whipple Ave, the City would have in addition, two predator proof foot bridges, one near the Bair Island parking lot in the south and the other in the north, connecting to Redwood Shores in the vicinity of the County Airport.

A north access bridge is likely to be a point of contention with USFWS since there is an existing Jeopardy Opinion on a prior proposal for such a bridge.



TROUBLE FOR OUR NATION'S REFUGES

A few years ago the Federal Register announced that many national wildlife refuges and national parks were on the block to be taken over by groups other than the legislatively-prescribed Fish and Wildlife Service. Included were Humboldt NWR, Redwoods National Park and Joshua Tree National Monument in California. The whole thing was so distant and absurd it seemed to be unreal. It wasn't. Yukon Flats NWR in Alaska is now sharing some minimal management duties with the Athabaskan Tribe, but the Bison Range National Wildlife Refuge is about to

MEASURE Q

The Redwood City Council approved a developer's plan to build 17 luxury skyscraper condominium apartments located at Pete's Harbor and the former Peninsula Marina. It is just across narrow slough channels from the Bair Island Wildlife Refuge. These residential towers will range from 200 to 240 feet in height and be largest collection of skyscrapers in northern California other than in San Francisco and Oakland. The project EIR identifies 27 significant un-mitigable environmental impacts, an astounding if not all time record number for a single project.

A group of Redwood City residents, appalled by this ill conceived proposal, successfully circulated a referendum petition to put it on the November 2004 Redwood City ballot as Measure Q, "Shall we approve the Marina Shores Project?" This ballot measure bore a strong resemblance to Redwood City's only other referendum, the successful Measure O which saved Bair Island from development in 1982 and allowed it to eventually become part of the Don Edwards San Francisco Bay National Wildlife Refuge.

The voters of Redwood City sent a loud message to the Redwood City Council defeating the measure by a decisive 54 to 46 percent. ■

Ralph Nobles (650) 365-0675

suffer a serious loss of FWS authority and professional management responsibilities. Management duties will be divided, undesignated funds will be transferred to the Consolidated Salish/ Kootenai Tribes. A management nightmare is in the making. The precedent set for all our refuges and national parks is almost beyond comprehension.

HOPE FOR ISAHAYA BAY

You may remember Horifumi Yamashita when he was here to receive a Goldman Environmental Prize in 1998 for his efforts to stop the diking off of Isahaya Bay on Japan's south island. A horrendous metal wall (called the guillotine by locals), thousands of feet long, was being constructed for flood control and agriculture. The charming little mudskipper was chosen as the "poster child" for the destruction of the once abundant wildlife of the mudflat.

When visiting our refuge, he was especially delighted with its education program. Regrettably, Yamashita-san has since died, but just recently hope was breathed back into his lifetime goal. Outcries and demonstrations by fishermen helped influence a judge to force a reconsideration of the project.

Bair Island EIS/EIR

Details of the recent EIS/EIR for Bair Island Restoration can be found in Ralph Nobles' article above. The Endangered Species Office of the Fish and Wildlife Service in Sacramento has yet to review the provisions for public access.

(Uneasy Chair Continued)

A NEW TREASURER FOR CCCR

We are happy to announce that Enid Pearson, a friend and former Palo Alto council member and strong advocate for baylands protection, is our new treasurer. We could have no one finer to replace Anne Harrington, our devoted, long term treasurer. After 19 years of arduous service, Anne has developed an interest in nature education for children, and is currently a docent at Filoli.

A NEW EDITOR

You have this newsletter in your hand because we have a new editor. Years of editing it have been a source of great satisfaction and at times anguish for Philip. His request for someone to replace him has been answered by a person who is perfect for the job--Carin High. She brings special skills in abundance--a love of nature, knowledge of wetlands law, and great technical abilities. We are SO lucky.

IN CLOSING...

I've retained my membership on the board of directors of the Blue Goose Alliance. This organization is made up of retired Service employees, refuge Friends organizations and others. Its mission is to achieve agency status for the National Wildlife Refuge System as enjoyed by the National Park Service and the Bureau of Land Management. Blindness has opened my eyes to love and support. Thank you. ■

Florence LaRiviere (650) 493-5540

Please help us to carry on!

There is no other all-volunteer group on the Bay that has worked so diligently to keep our remaining wetlands in their natural state and to fight for the preservation and restoration of others in every case possible.

We have brought about the acquisition of thousands of acres of Bay wetlands by the public for the Don Edwards San Francisco Bay National Wildlife Refuge. **But** — there are many more sites to be obtained, namely the 1,400-acre Cargill ponds at Redwood City, and the eastshore ponds covering 9,700 acres, 7,000 acres of which are publicly owned but remain in salt production. Other lands in need of restoration include Patterson Ranch, Fremont Coyote, and the Whistling Wings and Pintail duck clubs on Mowry Slough.

SO, we know times are hard, but if you are able, we would appreciate receiving your tax-free contribution of any amount. You know we have no paid employees and no office rental expense. Virtually all the monies received go to productive wetlands work. It has been said that we get more work done with less money than any other conservation organization on the Bay. Long live the Committee!

You continue to be wonderfully supportive.

We appreciate your continued generosity.

You have kept us going for the nineteen years of our existence. Thank you!

Remember our pledge...

- We ask for contributions just twice a year through our newsletter.
- We will not share out membership data base with anyone.
- We will not bother you at dinner time or any other time regarding money.



Name _____ Phone _____

Address _____

City _____ State/Zip _____

Here is my contribution to help preserve our wetlands:

☐ \$10 ☐ \$20 ☐ \$50 ☐ \$100 ☐ \$ _____

I would like to help by writing letters to save wetlands. Please put me on the WETLANDS ALERT mailing list.
Please add me to an e-mail ACTION ALERT LIST. My e-mail address is _____.

Please make your tax-deductible check payable to CCCR and mail your check and this form to the Committee at 453 Tennessee Lane, Palo Alto, CA 94306.

Thank you for your support — you make it all possible!



JOIN A LOCAL GROUP!

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The mission of the Committee is to save the Bay's remaining wetlands by working to place them under the protection of the Don Edwards San Francisco Bay National Wildlife Refuge, and to foster worldwide education regarding the value of all wetlands.

Support is welcome from anyone interested in saving wetlands, for which a tax-deductible contribution of \$10 per issue would be appreciated.

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