



# SAVE WETLANDS

Newsletter of the Citizens Committee To Complete The Refuge

Newsletter Issue 43

Fall 2013

## IT'S UP TO US!

With your help, what many thought impossible, exists today.

We have created a thriving National Wildlife Refuge out of what was once a privately-owned, shrinking and dying South Bay. Your support, both active and financial, made that possible.

But our journey is not yet complete. With your financial support can we move closer to creating a refuge that will sustain a diversity of native species.

Some of the most crucial components of the Refuge have not been acquired and are under imminent threat of development. The 500+ acres of Mowry Slough wetlands (former duck clubs) in Newark, called Area 4 by the City, provide an important home for the endangered (and oh so cute) salt marsh harvest mouse. In Mowry Slough, the California clapper rail can be found, and harbor seals birth and raise their young.

Those crucial homes remain alive only through the Citizens Committee's willingness to take some of the South Bay's richest and most powerful developers to court.

We've won (in part) in appellate court and yet still we are in court. When you oppose the wealthiest, you face some of the best lawyers who always seem to find small legal arguments that keep our case from its ultimate resolution. But our lawyers are incredible, and they are inspired by the same passions for our natural world. We fully expect an ultimate victory.

**But our dedicated lawyers can't work for free. And that's where we need your help!**

**The Citizens Committee has been blessed with a \$13,000 matching grant from board members and devoted supporters/volunteers. Every dollar you donate will be doubled to help us match this \$13,000 grant.**

We appreciate and need every dollar you can spare. The opportunity to save these precious lands comes only once. If we fail they are lost forever. Please help us make sure that does not happen!

Newark is not the only site where we are fighting to preserve the last remnants of restorable Bay. In Redwood City, Cargill is threatening to develop 1400+ acres of prime restorable ponds that represent one of the few places where high marsh could be easily sustained as sea level rises, and tidal marsh restored. Even in their current condition they provide habitat for migratory shorebirds and the "threatened" Western Snowy Plover.

Thanks to the efforts of the Citizens Committee's Friends of Redwood City and other groups, Cargill withdrew its original development plans. But they have not given up and are, even as this is being written, seeking federal approvals for development.

Near Alviso, our members directed countless hours toward preventing development on the Regional Water Pollution Control Plant lands, a rare site of hundreds of acres of Bay uplands.

**Our legacy can be a healthy and restored Bay. But we all must act!**

**TOGETHER WE CREATED THE REFUGE NOW IT'S TIME FOR US TO COMPLETE THE REFUGE!**

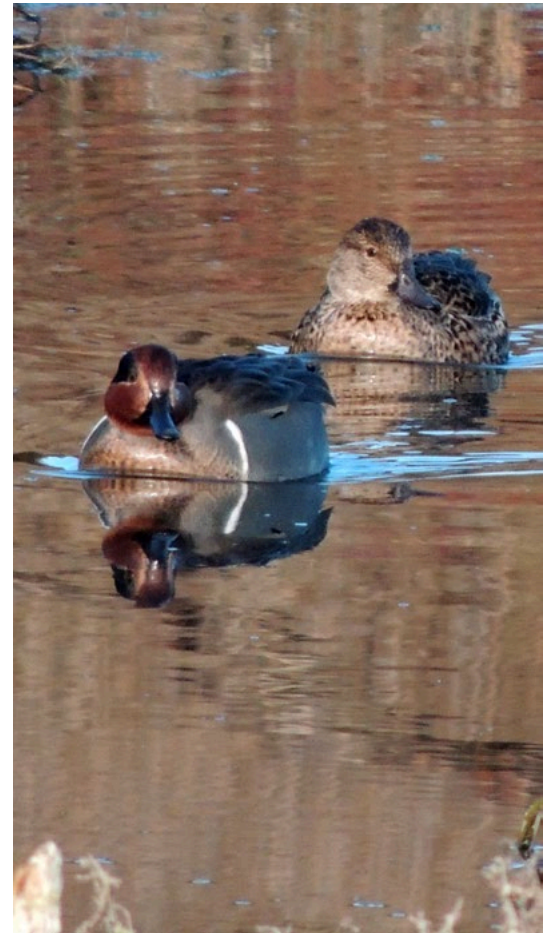


Photo Courtesy of Carin High

### Inside this issue:

Reflections of a Former Refuge Manager	2
Thank You to Rose Foundation	2
Fremont	3
Save Wetlands In Mayhews	3
What has CCCR Been Up To?	4
Friends of Redwood City	4
Citizens for Alameda's Last Marshlands	5
Charleston Slough	5
Baylands Conservation Committee	6
Save Our South Bay Wetlands	6
The Uneasy Chair	7



## Reflections of a Former Refuge Manager

Soon after my retirement in September, Florence asked me to write an article for the CCCR newsletter and told me to “write whatever you want”. So I started reflecting on my forty-year federal career, recalling the folks I’d met and with whom I’d worked. Besides my early FWS mentors who pushed me to try jobs outside my comfort zone and the many hard-working FWS employees who inspired me, I fondly recall Eleanor Stopps, a local Audubon and garden club member from Washington State. In the early 1970’s and 1980’s, Eleanor made it her mission to get the FWS to acquire the 400-acre Protection Island, a haven for seabirds in the Straits of Juan de Fuca. Her best friend, along with other biologists and researchers, had worked for decades to encourage FWS to protect this fantastic seabird colony, before developers could start building on the 1,000 tiny lots already sold on the island. No headway was made until Eleanor decided to focus her considerable efforts on this endeavor. In her modest, unassuming manner, she gathered other dedicated supporters, mostly around her dining room table, and succeeded in getting Congress to authorize the Protection Island National Wildlife Refuge during the James Watt era, when few other refuges were established.

Later in Michigan and Washington, D.C., I met many wonderful people in established environmental organizations who worked strenuously to protect lands in their corners of the world. But it wasn’t till I arrived at San Francisco Bay in 1994 and met the Citizens Committee to Complete the Refuge, that I again found a dedicated group of grassroots activists, led by a gentle, low-key, but single-minded woman, Florence LaRiviere, whose mission was to protect the wetlands in south San Francisco Bay. You all know the story, so I won’t repeat it here, but she succeeded in getting Congress to pass the 1972 legislation establishing the San Francisco Bay National Wildlife Refuge and the refuge expansion legislation in 1980. And to this day, she continues her efforts to complete the refuge.

More recently, I met Robin Kulakow (a Sunnyvale native, by the way), whose mission was to protect the lands in the nearby Yolo Bypass and to provide a visible example of successful multiple

use of lands for flood control, wildlife and agriculture. Organizing like-minded folks around her kitchen table, she succeeded in getting local governments and landowners to support the project, the Wildlife Conservation Board to acquire 16,000 acres, the CDFW to manage the lands, and the Corps of Engineers to provide the initial funds for wetland restoration activities. Her friendly, collaborative efforts resulted in a 1997 visit by President Clinton to dedicate the newly restored wetland area.

All of these stories have some similarities, so what have I learned from them? Here are a few thoughts: (1) Many successful efforts begin around the kitchen or dining room table. (2) Money and power aren’t everything. None of these folks are wealthy or have strong political connections. (3) Quiet, low-key persistence gets results. (4) Working with others not only provides more hands to help, but moral support when times get tough. (5) And most importantly, our nation has been blessed by many remarkable women who have been willing to sacrifice their time and energy, not only for wildlife and wildlands, but for future generations to enjoy the benefits provided by these protected resources.

--Marge Kolar, former Refuge Manager, San Francisco Bay NWR Complex (1994-2005).



## The Rose Foundation



***We’d like to express our deep appreciation to the Rose Foundation for their generous support of our efforts to protect lands at the head of Mowry Slough. CCCR continues to be a volunteer based organization. Our members devote many hours writing substantive letters and attending countless meetings for the betterment of the environment; however, the generous grant received by the Rose Foundation has provided the means of hiring scientific and legal expertise in our efforts to protect listed species and the habitats that support them.***

***Thank you Rose Foundation!***

## Fremont

Dry salt crystallizers have been likened to “moonscapes.” But don’t be fooled by first impressions. These barren spaces serve as, and can transform into, valuable wildlife habitat.

Dry crystallizer beds can provide important foraging and nesting habitat for the federally threatened western snowy plover. These areas mimic salinas that once occurred naturally in the backwaters of high marshes.

Add a little water, and the crystallizers provide significant foraging and roosting habitat for thousands of migratory shorebirds and waterfowl, as Matt Leddy has documented in Redwood City.

Return tidal flows and the marsh is reborn, as you can see below. The LaRiviere Marsh has rapidly transformed from dry crystallizer beds to a thriving marsh that supports a diverse suite of species including the endangered salt marsh harvest mouse and California clapper rail. Also found there are the rare black rail, migratory and resident shorebirds and waterfowl, song and other sparrows, and secretive marsh wrens. Gray foxes leave indications of their territories along the trails throughout the

marsh, and raptors glide overhead. The recent rediscovery of the Point Reyes bird’s beak in the LaRiviere Marsh, a species thought to have disappeared from the South Bay, demonstrates the incredible ability of the land to restore itself if given the opportunity.

Important opportunities also exist in Redwood City and Newark. The crystallizers in Redwood City and Newark could provide for the restoration of a variety of habitats not easily recreated elsewhere - high marsh, transition zones, and salt panne habitat.

Just a little north of the LaRiviere Marsh, we await the transfer of portions of Patterson Ranch to the East Bay Regional Park District. The lands have the potential to recover lost willow grove (sausal) habitat - habitat that is extremely valuable for migratory and nesting song birds, amphibians and small mammals. The sausal at Patterson Ranch once stretched from Crandall Creek all the way to the current location of the Ardenwood Historic Farm. We anxiously await the transfer of the lands to EBRPD and the restoration of rare willow grove habitat.

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## Save Wetlands In Mayhews

The City of Newark has devised a new way to update a general plan. Sign a contract with college students from a distant city which directed the students to hold meetings with Newark residents. Refer to the update process as a tune-up to ensure the public considers the general plan as a less-than-important document.

Send a check for \$20,000 to the college to pay for the data the students collected. Tell the public the data was worth \$100,000. Hold planning commission and city council work sessions during hours the public would normally be at work. Restrict public comment from the few who attend the work sessions.

Focus on four areas of the city in the general plan tune-up. Tell the public the tune-up is a rehash of the former general plan from 1992 with a couple of updates. Release the final EIR a day before the planning commission is set to recommend the

document be sent to the city council for certification. Hope the public isn’t watching.

The planning commission recommends the city council certify the tune-up even though a couple members of the commission have reservations. Newark has a general plan update that is not an update. It is a flawed tune-up that ignores environmental impacts and dismisses agency comments.

The tune-up calls for estate housing and a championship golf course on Area 4. Area 4 contains wetlands and habitat variety not found elsewhere in the south bay. It contains the upper reaches of Mowry Slough, one of the largest slough complexes in the south bay area. A general plan that could protect Area 4 is not what the city has in mind.

Margaret Lewis  
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# What Have CCCR Members Been Up To?

In an interesting exercise, Refuge staff asked CCCR members to provide an estimate of the number of hours we volunteered on behalf of the Refuge during the fiscal year for 2012-2013. An appeal was sent out to those who regularly attend CCCR monthly meetings and twelve members replied back. A tally of hours spent advocating on behalf of the Refuge added up to approximately 6500 hours. This was just for time spent specifically on behalf of the Refuge. This did not include time spent working on Clean Water Act, State and Regional Water Quality Control Board issues, endangered species issues, etc.

So what have CCCR members done for the Refuge and the environment this year?

We have devoted tremendous amounts of time attending meetings, writing letters, etc. on the following projects:

- Area 4 (Newark - Whistling Wings and Pintail Duck Clubs)
- 1433 acres of salt ponds in Redwood City
- San Jose Water Pollution Control Plant Master Plan
- Proposed flood control project for San Francisquito Creek (impacting the Faber Tract)
- City of Newark General Plan “tuneup”
- Proposed sand mining permit in the Central Bay
- I-80/680/Hwy 12 Caltrans project
- Torian Project (Newark)
- Proposed Olompali Mitigation Bank
- Patterson Ranch (Fremont)
- Palo Alto anaerobic digester on parklands
- A little further inland we have commented on the proposed

expansion of the Carnegie SVRA into Tesla Park, and area of incredible species and habitat biodiversity and numerous federal and state listed species.

We have commented on federal and state wetland policy issues such as:

- USACE Draft Mitigation and Monitoring Guidelines
- State Wetlands and Riparian Area Protection Policy
- One Bay Area

We participated as stakeholders or represented CCCR at:

- State Wetlands and Riparian Area Protection Policy
- South Bay Salt Pond Restoration Project
- San Francisco Bay Joint Venture Board
- Friends of the Estuary
- Implementation Committee of the Estuary Partnership
- SCVAS Environmental Action Committee
- Santa Clara County Conservation Council
- Shoreline Advocacy Workshop

We hosted two meetings with USFWS and CDFW to discuss bay area endangered species issues.

We co-sponsored the Habitat Means Home Poster Contest for K-6 students Fremont, Newark, and New Haven public schools.

We participated in Earth Day with an informational table.

We had an educational poster at the State of the Estuary Conference.

Constructed Least Tern chalets.

These are just the highlights of the efforts our all volunteer membership have undertaken to ensure the protection of wetlands and endangered species, and to Complete the Refuge!

## Friends of Redwood City

### BIG NEWS from the Redwood City salt ponds - two nesting pairs of Western Snowy Plovers with chicks!

US Fish and Wildlife Service biologists confirmed the presence of the Western Snowy Plovers after Cargill reported that they found nests in one of their salt ponds in June. This is a welcome return of this endangered species to the Redwood City ponds. Isolated pairs of nesting Snowy Plovers have been reported at this site over the years, but not consistently. We can only hope that these plovers will settle in at Redwood City and establish a new colony on the Peninsula to complement the neighboring colony at the Refuge ponds in Ravenswood.

As the migratory shorebirds return to San Francisco Bay for the winter, and the Redwood City salt ponds fill up with rainwater, they will host thousands of waterbirds who forage and roost during high tides. Single-day bird counts at this site last April documented over 8,000 waterbirds and the diversity of species using these ponds is amazing: Willet, Marbled Godwit, American Avocet, Black-necked Stilt, Whimbrel, Long-billed Dowitcher, Dunlin, Western and Least Sandpipers, Greater Yellowlegs, Killdeer, Semipalmated and Black-bellied Plovers and a variety of ducks, Canada Geese, egrets and terns.

The value of these ponds for wildlife habitat becomes even more apparent when you consider the opportunity for significant restoration of Redwood City’s historic tidal marsh. The nearby populations of Clapper Rail and Salt Marsh Harvest Mice found on the Refuge’s Greco Island are only a short distance away, directly across Westpoint Slough. In the face of sea level rise, these two endangered species have a critical need for the



*Bair Island with Mount Diablo in the background. Photo Courtesy of Matt Leddy*

high marsh and uplands that can be incorporated into a salt pond restoration project. Cargill’s Redwood City salt ponds are unique. With minimal subsidence and dredge material readily available from the Port of Redwood City, these ponds could easily become a mosaic of seasonal ponds and tidal marsh with high marsh/ecotone incorporated into levees.

Gail Raabe and Matt Leddy  
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# Citizens for Alameda’s Last Marshlands

What has been called the proposed Alameda Wildlife Refuge for many years has a new nomenclature. Due to objections from a few agencies that our name sounded too much like a National Wildlife Refuge and a resolution with the city that zoned our area as Nature Reserve (much appreciated), we have chosen to call the Least Tern’s home the Alameda Wildlife Reserve. It allows us to keep our acronym, FAWR, changing refuge to reserve.

2013 was a good year for Alameda’s Least Terns. Although, we don’t have final statistics, we do know that many fledglings left the site and we had 300 plus nests. Predation by Peregrine Falcons was real, but could have been much worse. They are nesting nearby and know all about the Least Terns. We can only hope they have come to learn they aren’t welcome near the nesting area, and Rock Pigeons provide a more substantial meal.

Another challenge at the Alameda Wildlife Reserve is a weed we first observed a few years ago that seems determined to take over. *Dittrichia graveolens* or Stinkwort is requiring more of our volunteers’ precious time. We are learning to remove as much as possible before October when it flowers and sends millions of



*Photo Courtesy of Carin High*

## Charleston Slough

For nearly forty years Philip followed many failed attempts by the City of Mountain View to restore what had been some of the most beautiful native cordgrass marsh in the South Bay. There is a regulatory requirement to restore 50 acres of marsh within Charleston Slough to rectify unauthorized destruction that occurred in 1975.

The South Bay Salt Pond Restoration Project, is now proposing to incorporate restoration of Charleston Slough into its Phase 2 activities, along with the restoration of Ponds A1 and A2W. We await details of what is proposed in the upcoming Environmental Impact Statement.

Emily Renzel has written about our concerns regarding the impacts of a proposed flood control project along San Francisquito Creek on the Faber Tract.

Marsh restoration took a big, mostly cost-free leap forward several decades ago when the Faber Tract adjoining East Palo Alto was breached to the Bay. The tides quickly rebuilt habitats that now host the greatest density of endangered California clapper rails south of the Dumbarton Bridge. The bonus is that

seeds into the air. If you don’t already know this plant, it would be smart to learn about it.

A spring and summer treat for many of our Tern Watch volunteers was the regular appearance of an adult Golden Eagle at a time goslings were numerous. Jack rabbits were on their diet as well. Two of us noticed that peregrines left the site when the eagle arrived. Wish we could employ this big bird in the future. We were lucky to see the eagle perched at the water’s edge at eye level and surprisingly close. And once two eagles were reported. Seems the pair came in together.

We are excited to have a pair of Ospreys nesting at Alameda Point very near our reserve and collecting nesting material from it. We’ve been watching them nest here for a few years now. Their very interesting behaviors and social drama has our attention. An interloping female seems to have caused a nest failure this year. We’ll see what next year’s soap opera season brings us. I’ll keep you posted.

Leora Feeney, co-chair FAWR  
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*Photo Courtesy of Bill Purcell*

tides and the sediment they disperse also maintained marsh height above sea level, an unplanned sea-level-rise buffer for the adjoining communities.

Today sea-level-rise assessment is a shoreline necessity.

Unfortunately, the proposed flood reduction project of adjoining San Francisquito Creek considers only fluvial flooding, directing heavy impacts at Faber Marsh while largely protecting the Municipal Golf Course on the other side of the Creek.

Regulators will scrutinize the proposed project through the US Army Corps of Engineers’ permit process in the next 6-12 months. The public will be provided an opportunity to comment. The resulting permit could require changes to the project’s design. I encourage you to provide comments demanding an alternative be considered that would provide flood control without further endangering the clapper rail population that has grown to depend on the Faber Tract. It is distressing to think we would endeavor to restore and protect habitat for wildlife only to have it taken away again.

Florence LaRiviere  
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# Baylands Conservation Committee

**Digester.** The long saga of the anaerobic digester on parkland continues. Six proposals came in for organics management in Palo Alto. Three of them do not require the use of any parkland. Alas, three do use up to 3.8 acres of Byxbee Parkland that was undedicated by Measure E. Staff is currently evaluating the proposals and will make a recommendation to the City Council in December. Technical and financial considerations will both play an important role in the Staff recommendation.

**Flood Control/Golf Course.** A flood control project on San Francisquito Creek has resulted in a reconfiguration of the Palo Alto Municipal Golf Course -- also parkland. The elevation of the Golf Course will be raised and over 500 trees will be cut down. The flood control project also includes using the Faber Tract, home of a large population of California Clapper Rails, for overflow flooding that used to occur at the Golf Course. We commend multiple regulators for raising considerable concern about the flood project design and note that the ongoing permit process may force changes for both the flood project and the Golf Course. In the meantime, the mitigation plan for the tree loss is still being formulated, but there now appears to be some

movement toward mitigation in the Baylands.

**Los Altos Treatment Plant Site.** Palo Alto purchased this 13 acre site from Los Altos based upon it being 6 acres of wetland and 7 acres of upland. Palo Alto subsequently had a new wetlands assessment that identifies only 4 acres as wetlands. The wetlands were scattered throughout the site, however. Now, under the guise of “remediation”, the City is proposing to consolidate all of the wetlands in a pond and try to profit by developing the remaining 9 acres. Stay tuned for developments in this area.

**Cooley Landing.** Planning continues for an Education Center on Cooley Landing in East Palo Alto. This beautiful spot adjoins a Midpeninsula Open Space District Preserve at the end of Bay Road and provides magnificent view of the Bay. A public meeting was held on Monday October 21 2013 at East Palo Alto City Hall Community Room to make some decisions about the Education Center.

Emily M. Renzel, Coordinator  
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# Save Our South Bay Wetlands

Sitting atop the alluvial fan of the historical courses of the Guadalupe River and Coyote Creek, San Jose’s shoreline is a region where all development uniquely faces a trifecta of high risk exposure to natural hazards: seismic liquefaction, fluvial flooding and sea level rise. These geotechnical and hydrological conditions were made even worse when 20th Century overdependence on an underlying aquifer caused its collapse, putting much of the area below today’s sea level.

In the era of Climate Change, it is startling that the San Jose City Council approved a Master Plan for the Water Pollution Control Plant and its buffer lands to, in large part, fulfill a City objective to place 17,000 people in jobs there. Isn’t it enough that a treatment plant serving eight cities must be armored so that it survives the natural hazards? In “smart” Silicon Valley, why does the City ignore worldwide consensus that now is the time to pull infrastructure back from shorelines, such as already underway in

the Netherlands? Regardless of levees, sea level rise will creep through the mouths of waterways and underlying, permeable soils of the alluvial fan.

With the Master Plan’s approval, the City will now pursue ~ 200 projects improving the Plant and development for jobs, often away from public eyes. We must tune into City development processes and raise concerns, project by project. Every public comment is an opportunity to awaken City leadership and allow currently undeveloped lands to function as flood buffer and as Bay habitat. We need your help. Join us.

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# The Uneasy Chair



We started this Refuge Committee twenty-eight years ago, understanding that we would acquire every acre of wetland left on San Francisco Bay or cease to exist. Why? Because all lands had development plans—we would either have them in the Refuge or they would be under concrete and asphalt. So here we are today with 30,000 acres and counting! Most acquired lands are striking demonstrations that one person can make an earth-changing difference!

If you have been with us for a while, you will remember the excitement when we acquired Bair Island, the Baumberg Tract, the Munster Property, Mayhews Landing, and the Carruf property. You will also recall that certain residents of each location were the main actors in those dramas of acquisition--Ralph and Carolyn Nobles, Janice and Frank Delfino, Martha Nungesser, Margaret Lewis, Linda Patterson and Donna Olson. They labored often for years against municipalities, developers, and even governmental agencies.

One of them, Donna Olson, was fiercely protective of the Carruf property, not far from her home in Fremont. Development plans on the site had failed; the land had devolved into the ownership of the Sanwa Bank and was in the hands of developer Renco. It was Donna who spent about thirty minutes with the Renco representative explaining to him the hornets’ nest he would be in if he attempted development on that site. It was not long

after that that the Sanwa Bank offered the land to the Fish and Wildlife Service where it is now the Warm Springs unit of the Wildlife Refuge! Today after a rainy winter, this land is ablaze with striking displays of vernal pool flowers. To our astonishment we learned the site was home to endangered species—vernal pool tadpole shrimp and Contra Costa Goldfields.

The dedication of this property was fun, notably because the vice-president of the Sanwa Bank came from Los Angeles and attended to enthusiastic applause.

As time goes by, I will write about other undaunted members of this group who added all those other acres.

You will have to wait, however, for our story of the old Duck Clubs in Newark and a some other important lands, for we are still working to acquire them!

Every month, there is a little cadre of friends who come to help me and make up for my loss of vision-- Gwen and David Jeong, Jean and Franklin Olmsted, and Betsy Matthews. Their generosity is unsurpassed. I am overwhelmed with their kindness to me.

As always, a heartfelt “Thank You!” to Senator Ellen Corbett for her continued support of the Habitat Means Home Poster Contest for K-6 students in Fremont, Newark, and New Haven.

Florence LaRiviere



Photo Courtesy of Howard High

Editor’s notes:

Thank you to our many contributing writers including Arthur Feinstein. I’d like to extend a huge “Thank you!!” to my proof-readers and volunteer editors - Sam and Howard High and Gail Raabe.

The “before” photo of LaRiviere Marsh on page 3 was provided by the USFWS. All other photos unless noted otherwise are courtesy of Carin High.

~~ Carin High, Editor

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



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**Save Wetlands!**

Newsletter Issue 43  
Fall 2013



LaRiviere Marsh Photo Courtesy of Howard High

***Save Wetlands*** is the annual Newsletter of the Citizens Committee to Complete the Refuge, an all-volunteer nonprofit public benefit corporation.

*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, and a tax-deductible contribution of \$10 per issue would be appreciated.*

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