



Newsletter Issue 44

# SAVE WETLANDS

*Newsletter of the Citizens Committee To Complete The Refuge*

Fall 2014



It's 50 years ago and San Francisco Bay's wetlands are under attack from uncontrolled development and corporate greed.

**ASTOUNDING!!**

A small band of ordinary Citizens come together to take on these potent forces **AND WIN!!** The San Francisco Bay National Wildlife Refuge is created protecting many threatened wetlands!

Hope is restored and the citizens put away their superhero costumes and return to normal life.

**DISHEARTENED** ! It isn't over. Twenty years later aggressive development once again threatens wetlands not included within the Refuge.

**UNDAUNTED!!** The band of Citizens rises again. New heroes and heroines join the fray.

**AMAZING!!** International conglomerates are defeated, local developers prove powerless against the band of Citizens.

**SATISFYING!!** The Refuge boundary is **expanded** and new wetlands are acquired and protected. The Refuge is renamed the **Don Edwards San Francisco Bay National Wildlife Refuge**. Despite its long name the Refuge flourishes. The Citizens again return to their daily lives.

**GLOOM!!!** Thirty years later..... At this very moment!!! Crucial wetlands face **destruction**.

The wetlands of Newark's Area 4 and Redwood City's salt ponds are home for breeding harbor seals, tens of thousands of shorebirds and waterfowl and for several endangered critters. These wetlands clean our water and our air and provide a necessary home for our bay's fish and shellfish.



But the Bay Area's richest developers and the nation's largest privately held corporation don't care. They just see dollar signs.

**INCREDIBLE!!!** The band of Citizens awakens once again to face its most daunting challenge. **CAN THEY SAVE** these irreplaceable wetlands and **save the Day??** Will new heroes and heroines join the fray?

**JOIN US!!!**

Here's where **YOU** come into the picture. Who are these citizens that have made developers tremble? Who have won battle after battle?? It's people like you!! **you can be the one!!!**

**Contribute to our efforts!! We need money for lawyers and lawsuits and wetland experts.**

**Our goal is \$100,000. We are already on our way with \$12,000 in contributions.**

**Please help this band of citizens to once again return to normal life, until the next wetlands crisis.**

*The Citizens Committee to Complete the Refuge has been fighting to protect the edges of the bay from uncontrolled development for over 50 years, Join us and support our continuing efforts. **Help save our Bay's wetlands!!***



*Art courtesy of Sam High*

## But Seriously Folks...

Dear CCCR Supporter: Please forgive our attempt at levity in the cover story. We’ve written so often of our efforts to save our Bay’s wetlands that this time we felt we might entertain you even as we ask for your help. While frivolous in tone, the story we told is all too true.

We have had tremendous successes in the past, but in the face of climate change and particularly sea level rise, all of our remaining undeveloped bay shore lands now have added importance by allowing our wetlands to move inland thus adjusting to the rising bay waters. Failing this it is predicted many will disappear, drowned by the rising bay.

Area 4 and the Redwood salt ponds already provide vital habitat for many species of shorebirds and threatened and endangered species. For that reason alone we need to save them, but we now know their value in future years will be incalculable. And yes, we would love to put away our costumes. But the truth is, our love for the Bay is strong and we have yet to tire of the constant effort it takes to preserve and protect our bay’s wetlands and wildlife.

***Please join and help us either with your time or your financial assistance.***

## Citizens for Alameda’s Last Marshlands

### Good News 2014 - Alameda Wildlife Reserve -Twenty Years in the Making

In 1994 a memorable symposium took place at the College of Alameda heralding the numerous natural resources of Alameda’s Naval Air Station west end. The air field was about to be closed. What would happen to the site’s important natural resources? Summer of 2014, the Veterans Administration accepted the property from the Navy for their new facilities. Some 511 acres are set aside for the California Least Tern and other wildlife. For those following this story, it has been a suspenseful, often anxious, twenty years. The transfer has been smooth. Work parties and bird surveys continue without interruption. This promises the start of a wonderful relationship with the Veterans Administration.

This year the Least Terns came early, stayed late, and had a great season. Of course, there is always Peregrine Falcon drama, feisty kestrels and clever ravens giving us trouble...But the terns

produced a high number of three-egg nests and somehow fed and raised a high number of fledglings. The actual numbers are under cover until the final report is out.

Site 2 (West Wetlands) has nearly completed its very long remediation process. The wetlands remain healthy. One pond has been enlarged with an island placed in the center. Caspian Terns are nesting once again at AWR! The tidal pond’s tide gate has been replaced. Water levels are perfect for our ducks and waders, and there is a large section that suits the peeps, allowing foraging even at high tide. Weedy high ground is attracting numerous sparrows and finches.

A Black Skimmer visited the Caspian Tern families for a day. A Semi-palmated Sandpiper and a juvenile Marbled Murrelet were also seen this fall bringing our bird species list up to 190.

Leora Feeney, co-chair FAWR  
leoraalameda@att.net



## Charleston Slough

To many, Charleston Slough is an area that provides mudflats for waterbirds at low tide, for fish and rays when the tide comes in, and great bird watching for the public.

Fifty years ago, this area supported some of the most beautiful native cordgrass habitat in the South Bay. Species like the endangered Ridgway’s Rail (formerly California Clapper Rail) called this place home. Unauthorized destruction of the thriving cordgrass habitat has been followed by forty years of failed attempts to undo the harm that was done.

Now, the South Bay Salt Pond Restoration Project (SBSPRP) is proposing to incorporate the restoration of Charleston Slough into the second phase of its restoration activities, along with the restoration of Ponds A1 and A2W. The SBSPRP has proved successful over and over again, through its heavy reliance

on cutting edge science, monitoring and its use of adaptive management strategies.

And here is where the dilemma now lies, because there is a regulatory requirement to restore 50 acres of cordgrass marsh within Charleston Slough for the habitat destruction that occurred. It will be up to the SBSPRP to balance changes in habitat types and the accessibility and bird watching opportunities the public has come to expect at Charleston Slough, while proceeding with its mission to restore lost tidal marsh habitat. The draft EIR/EIS is expected to be released sometime before the end of 2014 or after the first part of 2015. Stay tuned for more.

Florence LaRiviere  
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*Save Wetlands    Fall 2014*

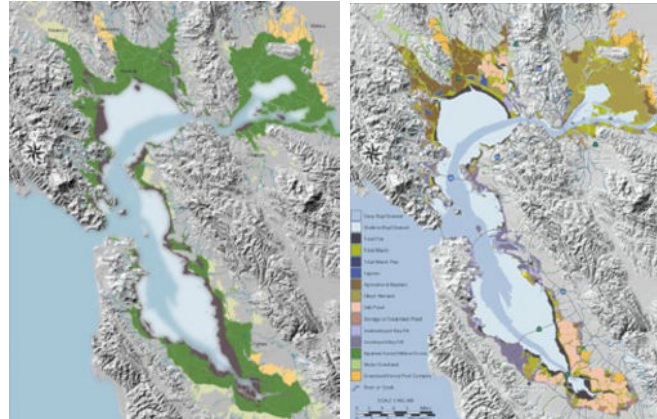
## How Much Wetland Restoration is Enough?

In 1999 Bay Area scientists published a landmark report that called for the restoration of 100,000 acres of San Francisco Bay’s tidelands. Endorsement of the ambitious restoration goal was the first official recognition by federal and state natural resources agencies that simply protecting what remained of San Francisco Bay would not be sufficient to halt its ongoing ecological decline. Without engaging in an aggressive program of wetland habitat restoration, the scientists concluded that many species of Bay wildlife and plants would remain at risk of extinction.

How was the target of 100,000 acres of tidal marshes determined? It was based on what San Francisco Bay looked like before it underwent massive alteration beginning at the time of the California Gold Rush of 1849. The original extent of San Francisco Bay was about 680 square miles. As a result of draining and/or filling the shallow margins of the Bay—that is, its intertidal marshes and mudflats—the surface area was reduced to 430 square miles, a loss of 250 square miles of intertidal habitat.

The 1999 study, referred to as Goals Report, noted that there had been 196,000 acres of tidal marshes and mudflats prior to European colonization and that all but 16,000 acres had been destroyed by 1990.

*Past (L) and Present (R) tidal marsh habitat in dark green. Graphics courtesy of SFEI.*



Not surprisingly, the populations of animals and plants that had once inhabited those intertidal wetlands had plummeted. Emblematic of that decline were the endangered California clapper rail and salt marsh harvest mouse. The Goals Report exposed the clear reason for their decline at the same time as it pointed the obvious path to their recovery—massive destruction of tidal marshes and mudflats was the culprit and restoration of that habitat was crucial to prevent their extinction.

Perhaps the most persuasive reason that the 100,000-acre target was widely embraced is that it was anchored in a clear understanding of what had existed before. Since there had been about 196,000 acres of wetlands within the pristine Bay ecosystem, it made sense that something on that order of magnitude would be needed to revitalize the system. If, for example, 10,000 acres were the target, that would be an entire order of magnitude less than the historic wetland extent. It is highly unlikely that dwindling populations of wildlife could be rebuilt within only one tenth of their original habitat acreage.

It is also scientific axiom that populations of wild plants and animals require large, connected tracts of habitat to remain stable. The populations of the native species the Bay once supported were massive, as was the estuary’s footprint on the map. It was the largest estuary on the west coast of North America and supported abundant wildlife populations and species diversity. The estuary supported thousands upon thousands of migratory birds. Salmon and other fish teemed in its waters. Species that are now endangered thrived in the marshes. The wealth of wildlife species thrived here because the landscape contained the very elements—large scale and habitat complexity—that enabled their successful establishment and maintained their population stability.

An update of the Goals Report is due out this January. It was undertaken because climate change, particularly sea level rise, is threatening to flood low-lying areas of the Bay shoreline, including areas with intense human development. (Large portions of Santa Clara, San Mateo and Alameda counties are in the flood zone.) The update comes on the heels of multiple reports from a prestigious international commission recommending that coastal wetlands are the cheapest and best first line of defense against major storms, such as Hurricane’s Katrina and Sandy. There is broad agreement within the international scientific community that restoring large tracts of coastal wetlands will protect human life and property from the destructive forces of sea level rise.



A recent study of Bay Area flood defenses found that restored wetlands protect against storm surge just as effectively as levees and can reduce the cost of engineered levees by more than 50% when incorporated into their design. It is clear restoring San Francisco Bay wetlands is not merely about protecting wildlife, it is every bit as much about protecting our communities.

Which brings us back to the original question: How much restoration is enough in San Francisco Bay? The clear answer is: AS MUCH AS POSSIBLE, if we want to protect the environment, as well as the Bay Area’s human population. While it is not possible to recreate everything that once existed, it is possible to restore at least 100,000 acres.

Marc Holmes, Long-time CCCR member  
and Wetlands Regulation/Restoration Expert

*Save Wetlands    Fall 2014*



# What Have CCCR Members Been Up To?

CCCR is an all volunteer wetlands advocacy non-profit. So what have CCCR members done for the Refuge, wetlands, special status species and the environment this year?

**We have devoted over 3,500 hours attending meetings, writing comment letters, etc. on the following projects:**

1433 acres of salt ponds in Redwood City  
Newark Areas 3 & 4 lawsuit  
Newark Recirculated Areas 3 & 4 Specific Area Plan EIR  
City of Newark General Plan EIR lawsuit  
Byxbee Park Planning issues  
Foster City Marina Center Proposal  
Los Altos Treatment Plant adjacent wetlands  
Oakland Coliseum Specific Area Plan  
Patterson Ranch (Fremont)  
Palo Alto anaerobic digester on parklands  
Proposed flood control project for San Francisquito Creek (impacting the Faber Tract)  
San Francisco Bay Restoration Authority Governing Board Draft Expenditure Plan  
Torian Project (Newark)  
A little further inland we have commented on the proposed expansion of the Carnegie SVRA into Tesla Park, an 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 Clean Water Act  
State Wetlands and Riparian Area Protection Policy

**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  
San Francisco Estuary Project  
Baylands Ecosystem Habitat Goals Update  
Friends of the Estuary  
Implementation Committee of the Estuary Partnership  
Loma Prieta Conservation Council  
Redwood City Inner Harbor Task Force  
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.  
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!

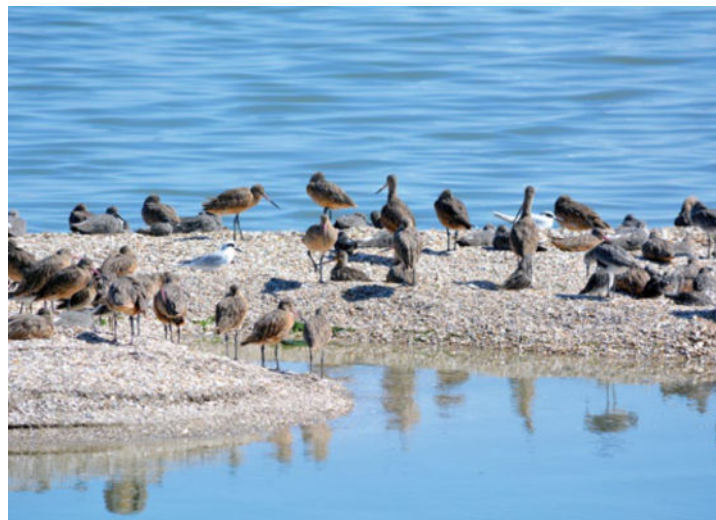
## Friends of Redwood City

The US Environmental Protection Agency has intervened in the pending jurisdictional decision by the US Army Corps of Engineers on Cargill's Redwood City salt ponds. According to an August story in the San Jose Mercury News, the EPA is reviewing the Corp's delineation because of "issues raised by the Corp's proposed approach". A Corp finding that characterizes salt brine as a "liquid" other than water, if adopted, would reverse long-standing policy regarding regulation of salt ponds throughout San Francisco Bay.

While awaiting this final federal agency salt pond decision (and the expected submittal of a new project proposal from developer DMB that would most likely follow), another threatened site on the west side of the Bay in Foster City has our attention.

The proposed Foster City Marina Center project would build five-story apartment buildings on 13 acres of wetlands and uplands outboard of the existing Foster City perimeter levee. A 23-acre offshore marina would be constructed on valuable intertidal bay mudflats, where thousands of shorebirds forage during their seasonal migration.

At a meeting in April, CCCR asked the City Council members to do the right thing for the Bay and drop any further consideration of the proposal to develop on this environmentally sensitive site.



*Godwits and others on shell ridges at Foster City Marina Center Site  
Matt Leddy*

Opposition to the project by Foster City residents, coordinated efforts by regional environmental organizations, and actions by the numerous regulatory permitting agencies will hopefully turn back this threat to Bay wetland and aquatic resources.

Gail Raabe and Matt Leddy  
mtleddy@sbcglobal.net

## Fremont

**Patterson Ranch:** It's great to be able to convey good news for a change! In June of this year, the East Bay Regional Park District celebrated the transfer of 296-acres of land west of Ardenwood Boulevard, from the Patterson Family to EBRPD. This land transfer may finally help to see actions recommended in the Baylands Ecosystem Habitat Goals Project come to fruition - restoration of part of the unique willow grove habitat that once extended from the current Alameda Creek Flood Control Channel all the way to Ardenwood Historic Farm. Fragments of this habitat, so important to migratory and resident song birds, still exist within Coyote Hills Regional Park, and the prospects of seeing the habitat expanded is exciting.

A huge "Thank you!" must be extended to the Patterson Family for their desire to see these lands preserved for wildlife, and for the enjoyment and benefit of future generations. Thanks must also be extended to staff of EBRPD and the City of Fremont who worked to see the land transferred. Last, but never the least, deep appreciation must be expressed to all those members of CCCR, Friends of Coyote Hills, Ohlone Audubon Society, Sierra Club, and other environmental organizations, who generously

volunteered countless hours of their lives, fighting one massive development plan after another, year after year, to make it clear to all concerned, the importance of preserving these lands forever.

**Habitat Means Home Poster Contest:** This year, marked the eighth year of the contest and we received 458 posters. We were able to display all posters received, though we used every single bit of free space in the Coyote Hills Regional Park visitor center. Superintendent James Morris (FUSD) graciously gave of his time and helped present the awards certificates. Kristina Parkinson, CHRP naturalist, was also present. We must acknowledge the wonderful and enthusiastic support we have received from State Senator Ellen Corbett. For the past six years Senator Corbett has displayed the winning posters in her District Office and hosted an ice cream social for the winners, their families, principals, and teachers. Thank you Senator Corbett! We wish you all the best in your future endeavors!

Carin High  
cccrrrefuge@gmail.com



*The large area to the left is Coyote Hills Regional Park, the area in yellow, the land donated.*

*Graphic courtesy of EBRPD*



*Photo of salt marsh harvest mouse courtesy of USFWS*

## Save Wetlands In Mayhews

We are still awaiting final word on our lawsuit regarding the Newark Areas 3 & 4 Specific Area Plan EIR, filed in 2010. After four long years, we expect a judgment in our favor soon. Meanwhile, we were busy reviewing and commenting on a Recirculated EIR for the Specific Area Plan released in August of this year. CCCR submitted a comment letter from our attorney and a consultant regarding the many inadequacies of the REIR, as well as our own comments.

In the meantime, Newark as always, remains the city where you expect the unexpected. On September 3, 2014, the law offices of Ring Bender sent a 90-day notice to the developers of the Jones Hamilton and Trumark sites in Area 2 of Newark. The notice of intention to file a citizens suit for imminent and substantial endangerment centered around the city's proposal to develop these two properties with medium to high density residential while the Jones Hamilton site has a deed restriction preventing residential use.

Jones Hamilton is the site of two capped evaporation ponds that contain substantial quantities of dioxins, furans, TCE and

PCP among other hazardous substances. Cleanup standards and a remediation schedule for the site, according to the 90-day notice, are not sufficient to protect public health of residences and businesses nearby. The intention to file suit is pursuant to the Resource Conservation and Recovery Act.

Elsewhere in town the city staff and council have given Rouse Properties, the owners of NewPark Mall an 18-year give-back of sales tax revenue. Nearby, a developer of the former Mervyns building has been given a \$9 million dollar break on housing impact fees. This allows the developer to purchase the nearby rundown Motel 6, tear it down and build about 182 units of high density condos and townhouses.

Preliminary traffic studies indicate "F" LOS (level of service) at several intersections in the area. Traffic studies for a proposed private elementary school are being completed. Amazon is opening a distribution center. We have grave concerns regarding the impact of all the new development on traffic congestion.

Margaret Lewis  
(510) 792-8291



# Baylands Conservation Committee

**Byxbee Park & Measure E site:** It seemed hopeful that the valuable habitat corridor between the Sewage Plant and the Park could be saved. Only one of three proposals for an Organics Processing Facility, used any of the parkland undedicated by Measure E. Unfortunately claims about carbon footprint reduction and energy production have been cast aside and the City Council has issued a Request for Proposals (RFP) for conventional aerobic composting of yard trimmings. Four proposals have been received. At this time it is unknown how much land they will use or what price will be charged. The facility must be fully enclosed and ventilated in order to suppress noise and filter odors. If the lame duck Council chooses one of these proposals in December, a CEQA analysis will be done next year. Economic analysis is skewed from the outset, since the City will provide the land for free.

**San Francisquito Creek Flood Control & Golf Course Reconfiguration:** The San Francisquito Creek Flood Control project east of US 101, is an unfortunate example of what happens when coordination with regulatory and resource agencies occurs too late in the planning process. While planning occurred at a local level, the agencies that must permit the projects at the state and federal level had indicated they had insufficient information to proceed and that the golf course project is dependent on final decisions of the flood project.

CCCR fully recognizes the need for flood control in East Palo Alto and portions of Palo Alto and we have indicated we would support construction of elements that could protect the densely developed areas near US 101, action that does not hinder agency review of long-term ecological and flood protection for the area.

**ITT/Renzel Wetlands:** In the late 1980’s the City purchased the 151 acre ITT property, with the seller reserving a 35-acre easement for a ship-to-shore antenna farm. About 116 acres were park dedicated and later designated the Renzel Wetlands. In 1993 the City purchased back the easement subject to FCC approval. The last ship-to-shore communication was sent in 2004, but the City appears to not have taken possession of this 35 acres. We hope this matter will soon be resolved and the 35 acres dedicated as Parkland as contemplated in the City Council resolution.

**Ravenswood Triangle:** Menlo Park recently overlaid the Refuge Acquisition Map over the Ravenswood Triangle. This 75 acre site was long ago designated as a mitigation site for wetlands lost in the construction of the expanded Dumbarton Bridge. Stay tuned.

Emily M. Renzel, Coordinator  
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## Fond Farewell to Eric Mruz!

A very sad farewell to Don Edwards San Francisco Bay National Wildlife Refuge Manager to Eric Mruz! Eric has been an incredible asset for the Refuge, a wonderful spokesperson, and a man of action and integrity. We will really miss him, but wish him the very best of luck as Refuge Manager of the Bandon Marsh National Wildlife Refuge along the coast in Oregon. All the best Eric! And if you start missing the hour plus commute to work, we’d be glad to have you back.

# Save Our South Bay Wetlands

In 2012, both Facebook and Google were pursuing development plans near the Refuge when CCCR and others raised red flags on issues that had not been considered during the early phases of planning. Both companies reacted and recognized the need and value of interaction with the environmental community for problem resolution and ongoing planning.

Facebook’s actions were both immediate and sustained, continuing today as CCCR, the Refuge and others are invited periodically to review improvement and development plans that include a massive and amazing plan for a living roof of zoned habitats.

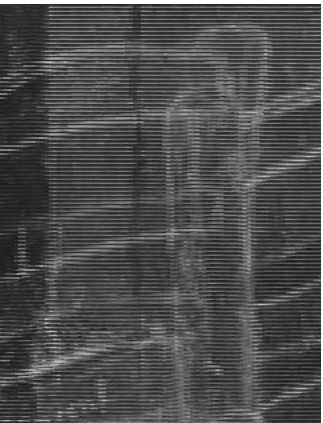
In the meantime, Google, larger and more complex by far, brought together environmental groups and institutions with internal environmental and real estate staff, collectively known as the “Google Book Club.” Through the club, sometimes through book readings, a presenter or engaged discussion, there is a joint look at the long-term ecological issues affecting

development near the Bay. At the same time, the club is a springboard for ongoing environmental comment and contributions by CCCR and others to a myriad of ecologically-impactful projects in and around Google’s campuses.

This year San Jose’s Environmental Services Department initiated quarterly meetings with the environmental community, including CCCR. Given ESD’s operations and development plans in Alviso, we hope this will be an opportunity to raise important environmental concerns that can then be incorporated early in ESD’s planning process and possibly a springboard into similar working relationships with other departments of this large and complex city.

Eileen McLaughlin  
Shoreline Watch for San Jose  
408-257-7599  
wildlifestewards@aol.com

# The Uneasy Chair



We salute our hero, the Honorable Don Edwards. His decades-long devotion to San Francisco Bay and its wetlands is the reason we have this Refuge, and why we have the restoration going on now that is making national news. Thanks and best wishes to him.

**UNEASY CHAIR**  
In the last newsletter I wrote about the Fremont activists who secured the Carruf property, now the Warm Springs unit of the Refuge. Today, we remember the long drawn-out, eventually successful effort that wrested the Mayhews Landing (a historically accurate name, as it is located adjoining Newark Slough), from the arms of developers bent on its destruction. These 128 acres had once been tidal marsh, then a golf course and restaurant which failed.

The new owner deSilva planned over 800 housing units, despite the fact that a small amount of tidal water through a pipe under Thornton Avenue (not far from Refuge Headquarters) had established a pickleweed marsh. Trapping for endangered species was required before development planning could continue, and more than 40 salt marsh harvest mice were counted thriving among the pickleweed!

Adjoining the marsh was the home of Linda and Virgil Patterson. They loved the land over their back fence and Linda photographed its beauty regularly. In September 1985 they

were awakened to the roar of heavy equipment in Mayhews. She went into action, photographing the site and calling others. One of those she alerted was Margaret Lewis.

We knew Margaret well because she had come to a wetland meeting weeks earlier to share her alarm about the site. At home, a couple of blocks from Mayhews, she opened the door one morning to a fast-talking woman who wanted her to request the Corps of Engineers’ support for a housing tract there.

“No way!” she thought, and her alarm led her to the Refuge where she was directed to us. So...we were prepared for the onslaught several months later when she and Linda cut loose with all the vitality that those beautiful acres inspired. The phone calls to the Corps, the Refuge, the State, and everyone they could think of, led to an immediate Cease and Desist Order from the Corps.

The bulldozer was hauled away, and the Corps forced some restoration of the site, but the development plans were not withdrawn. Weeks, months and years passed before citizen activism led the Fish and Wildlife Service to finally purchase the bulk of this vital urban site, where the mice, grey fox and tree frogs live in peace.

The display board we still use shows Linda’s striking photographs—one taken in spring, 1985, with its lovely seasonal wetland, and beside it, we see the bulldozer ripping through the marsh in the fall of that year.

My heartfelt thanks to Jean and Franklin Olmstead, Gwen and David Jeong, Betsy Matthews and Ginny White. With my continuing loss of vision, their willing, consistent and always cheerful help when I needed it I will never forget.



Florence LaRiviere



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

*All photos unless noted otherwise are courtesy of Carin High.*

~~ Carin High, Editor

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Here is my contribution to help preserve our wetlands:	
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You may use my name as a donor to CCCR <input type="checkbox"/> YES <input type="checkbox"/> NO	
I would like to help by writing letters to save wetlands. 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: P.O. Box 50991, Palo Alto, CA 94303.	
Thank you for your support -- you make it all possible!!	

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***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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