

January 17, 2014

Marin County Parks and Open Space District
3501 Civic Center Drive, Room 260
San Rafael, CA 94903



Attention: James Raives, Senior Open Space Planner

SUBJECT: Draft Road and Trail Management Plan – Comments on the Revisions to the Plan

Dear Mr. Raives:

Marin Conservation League wishes to submit the following comments on revisions to the Draft Road and Trail Management Plan (Draft RTMP, or Plan). These are for your consideration at the Parks and Open Space Commission meeting on January 23 and for any subsequent reworking of the Draft Plan.

MCL submitted comments on the Draft TPEIR for the RTMP on December 2 and testified at the Commission's public hearing on November 19, 2013. Contrary to the Department's January 23 Memo, there was no official cut-off date for receipt of comments on the merits of the RTMP. In fact, there has been no provision for an appropriate time to comment on the merits of the Plan. However, the vast majority of written communications that you received ignored the TPEIR and instead commented on the merits of the Plan itself, to which the Department is responding. MCL's comments on the Plan were limited to the "Project Description" (i.e., the Plan) as presented in the Draft TPEIR. As a consequence, we do not feel that we have been allowed an opportunity to comment on the merits of the Plan.

Many public comments have been critical, reflecting either misinformation or incomplete information about the Plan. MCL believes that the revisions the Department is proposing to the Plan are fairly modest and will clarify some policies; however, we do not want to see any substantial weakening of the Plan. *The Plan offers important protections to Marin's open space preserves that should remain!* We submit the following comments in support of basic premises of the Plan; to critique proposed revisions (January 23, 2014); and to suggest several other revisions that could improve the Plan.

1. RTMP and VBMT together provide a solid foundation for future open space planning. The opening pages of the RTMP identify the need for comprehensive planning for the Open Space Preserves to address overuse, conflicts among users, destructive trail building, sedimentation into creeks, fire risk, proliferation of invasive nonnative plants, diminution of ecological integrity, and a host of other issues that make current management of the preserves challenging and costly. We believe that Marin County Parks Department has made great progress toward addressing many of these concerns in planning efforts over the past few years. The RTMP, in concert with the Vegetation and Biodiversity Management Plan (VBMP), provides a sound foundation of information and decision tools to guide selection and implementation of detailed future plans and projects.
2. Natural resource protection as first priority of the RTMP. The Plan's hierarchy of goals (page 1) emphasizes "...resource protection first, followed by road and trail system maintenance and

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improvement, and the maintenance and enhancement of recreation uses on the MCOSS lands.” This emphasis on resource protection, which is reinforced on Page 4-3, should clearly frame each of the Plan’s components. If implementation of the Plan honors the stated priority of natural resource protection as the highest goal, then it will serve as a good Plan! We are concerned, therefore, that the Guiding Principles and Policies directing the management of roads and trails (Pages 4-6 and 4-7, Revised Chapter 4) continue to place at the top of the two lists: provision for a “fair, desirable, and appropriate range of recreation opportunities,” and “meet current and future demand for access to public lands by providing roads and trails for a variety of uses.” Down the lists come principles and policies to “avoid impacts to the natural environment,” and “protect natural resources.” These listings do not follow the order of priorities clearly established in Chapter 1 and should be revised for consistency with basic goals.

3. Anticipating and managing for intensification and change of use over time. We have continuing concerns that the RTMP is not a Plan or vision for the Preserves but rather a decision process directed toward a desirable “future condition” that is not clearly defined. The residents of Marin County who voted to acquire valued natural resources and put them under public ownership and management did not envision ever-increasing recreational access to the preserves. Marin’s County’s Open Space Preserves already contain greater density of roads and trails, based on miles per acre of land, than any other public open spaces or parklands in the Bay Area.

Therefore, MCL views with some concern the first policy directing management of roads and trails on Page 4-7 (Revised Chapter 4), which states that the Plan will “Meet current *and future demand* [our emphasis] for access to public lands by providing roads and trails for a variety of users.” At the same time, the Plan is considered “self-mitigating” in that any increases in new infrastructure – miles of roads and trails – will be off-set by equivalent decommissioning of trails and/or roads, such that there will be no net increase in roads or trails. This has been replaced with a fairly vague promise (Item 6. Summary of Revisions, January 23) to “reduce the impact of the road and trail network. . . with metrics objectively derived from the plan’s road and trail evaluation tool.” It appears that every proposed decommissioning or other “offset” to new trail construction will be left to a future public process that will include “other input” in addition to evaluation scores. This does not qualify as adequate “mitigation” for construction of new infrastructure, and should be revisited certainly in the Draft TPEIR.

The Plan also should be clear that it cannot continue to meet “future demand” without restraint. The many people who enjoy the preserves need to understand that they cannot continue to use them just as they do now, or have used them in the past, without having a significant impact on the long-term condition of vegetation, wildlife, or water resources. Regulating how roads and trails are used, as the RTMP attempts to do, and enforcing those rules, is one means of limiting damage from overuse or careless use of preserves, and should be emphasized. Collapsing Visitor Use Management Zones into three areas (Item 4. Summary of Revisions, January 23) probably will be easier to comprehend, while still protecting the most sensitive areas in different preserves. However, the Plan fails to argue convincingly that

all wildlife in *all* preserves are “sensitive” to recreational use.

4. Other Recommended Revisions to the RTMP.

a. Because the RTMP is described in the Draft TPEIR as “self-mitigating” (i.e., it assumes that only net improvements will result as future projects are implemented), we have to turn to 80-some individual system-wide policies, standards of design, and BMPs as “quasi-mitigations.” We assume these will be applied to future projects, but the RTMP needs to be clearer in describing how these will be attached to specific projects as “conditions of approval” to be monitored.

b. Pages 1-5 and 6 in the RTMP list “Measures of success” as an introduction to the need to monitor the effectiveness of both the Plan as a whole and various projects as they are proposed and implemented. The indicators of success are vague as stated, and the mechanisms for monitoring are not specified. Nor does the Plan provide for any kind of monitoring of how policies, standards and BMPs applied to preserves or specific projects will affect use or have impacts over time. Monitoring of ongoing use of existing and *future* facilities will be critical in determining what impacts are occurring and whether change in users or design for particular uses, such as establishing a trail for bikes only, or for horses and hikers only, or for multi-use, are effective. With monitoring, impacts can be measured and adaptive adjustments made.

c. The Plan includes a number of policies that concern the need for safe trails, and in Policy T.3 states that MCOSD shall consider visitor safety in designing the road and trail system. This policy direction needs to be translated into standards that are evident in the RTMP. Merely referencing other manuals or guides that may contain such standards is not sufficient to reassure the public of the kinds of standards that will be utilized in the preserves for single-use, dual-use, or multi-use trails.

d. Enforcement of regulations receives only brief mention in the RTMP policies. The essential role that enforcement plays in abating resource-destructive and unsafe behaviors should be stated as a specific policy, even though enforcement may involve authorities other than the authorities of the Open Space District.

e. Night-riding in the preserves and other public lands is a growing activity, and is not addressed in any way in the RTMP. As evidenced in recent exchanges among scientists, research on the impacts of increasing recreational activity on nocturnal wildlife is not conclusive but begs that the subject continue to be investigated. Until more definitive information is available, the MCOSD should take a precautionary approach and monitor current activity. Certainly night-riding on the preserves should be mentioned in the RTMP as a management challenge.

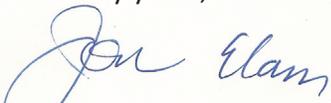
f. We recognize that the expectation of different users of public lands for particular outdoor *experiences* is one of the most frequently voiced areas of conflict in surveys and public testimony. Pedestrians and equestrians fear that increased presence of mountain bikes will disturb the tranquility as well as the safety of walking in open space lands.

Mountain bikers may be looking for a more exhilarating or exciting experience. Dog-walkers are not happy with any lease restrictions on preserve roads.

The RTMP attempts to address these differing expectations by designating the visitor use management "areas" as opportunities for different experience conditions. This is basically a sound management strategy. However, in collapsing the areas and removing visitor use management "area" policies, it is no longer clear that user experiences will be markedly different in different areas. The RTMP needs to establish clear differences, supported by appropriate signage, in different use management areas.

In conclusion, we commend the hard work and strong principles the Marin County Parks Department staff and consultants have put into the Plan. In particular, MCL continues to support the overarching provisions in the RTMP that call for no net increase over time in trail or road footprint, mileage, or impacts. We see the RTMP as a promising step toward protecting the County's open space resources for future generations of both humans and Marin's wildlife.

Sincerely yours,



Jon Elam, President



Nona Dennis, Chair, Parks and Open Space Committee

cc: Marin County Board of Supervisors; Marin County Parks and Open Space Commission