



December 3, 2015

Craig Richardson, Open Space Planner, Marin County Parks

3501 Civic Center Drive

San Rafael, CA 94903

Dear Craig:

Marin Conservation League appreciates the opportunity to comment on the recently released Inclusive Access Plan (IAP). We attended staff's presentation at the November 19 meeting of the County Parks and Open Space Commission and reviewed the Plan. We find that it is comprehensive and fulfills the County's related goals of increasing the equitability of access for all visitors to County Open Space Preserves, and meeting current state, federal, and county requirements, standards, and best-practice guidelines relating to accessibility in open space areas.

We appreciate the work that has gone into working with all interested parties, reaching out to the public, and in crafting the draft Plan. With two exceptions (below), the roads and trails selected for further review as candidates for Destination Oriented and Improved Access are appropriate for this purpose. In addition to explaining the two exceptions, we have several requests for information to be either included in the Plan, or clarified for the benefit of the public.

1. MCL supports the basic premise of the IAP to enable access to open space by those who might otherwise be excluded. However, MCL also believes that protection of natural resources must always take precedence over recreational access. The County's open space preserves contain a rich variety of vegetation, habitats, waterways, wetlands, and other sensitive natural resources, as noted in the IAP. As steward of the preserves, the County has an obligation to protect these resources for both present and future generations. Therefore, all recreational uses should be suited to the sensitivity of their context – even prohibited where warranted. Under all circumstances recreation must be "light on the land." **Please include statements in the IAP that acknowledge this fundamental stewardship responsibility of the Marin County Open Space District.**
2. The choice of roads/trails as candidates for Destination Oriented or Improved Access must include among the evaluation criteria the effects of candidate selections on

sensitive natural resources. The IAP includes this criterion on page 5-40, and is reassuring in that selected trails/roads will be subject to further evaluation in relation to Initial Study topics (page 5-25). In the initial assessment, however, there is no reference to the Park Department's own Vegetation and Biodiversity Management Plan (VBMP), which lays the biological framework for recreational uses. Notably, the Road and Trail Assessment *is* used as the major reference for physical conditions. **In Chapter 5, please acknowledge the existence of the VBMP and the role it plays in selecting, evaluating, and improving candidate roads and trails for accessibility.**

3. With respect to avoiding sensitive habitats, we are concerned that Vistazo (West) Fire Road has been included as a Destination Oriented route. The existing road surface is rough and will need improvement to meet accessible standards; improvements may be needed at a stream crossing. This road runs past a population of the rare and endangered Tiburon jewel flower (*Streptanthus niger*), yet no mention is made of this occurrence, nor is there any acknowledgement as to how the population could be protected during improvements or how much additional habitat disturbance could result from intensified recreational use. **Most of Old St. Hilary's OSP is mapped as Legacy Zone in the VBMP, and we recommend eliminating the road from consideration, in view of the uniqueness of this species and its sensitivity to disturbance.**
4. In a similar vein, we are concerned about improvements that might be required at Roy's Redwoods to facilitate access. Over the years, this grove of old growth redwoods has withstood abuses; it now enjoys a quiet existence worthy of the stature and age of the trees and their designation as Legacy Zone in the VBMP. Only passive recreation is permitted. Any improvements to trails and the entrance must be consistent with this sensitivity and be non-intrusive. No benches or installations other than relocating the portable toilet facilities and better defining the main entrance should be included. **We recommend that improvements to Roy's Redwoods be the minimum necessary to enable Other Power-driven Mobility Devices (OPDMDs) access into the grove.**
5. We agree with the IAP that the standard for operating OPDMDs, including e-bikes, should be "equivalent pedestrian experience," with a speed not to exceed six miles per hour. Since e-bikes can go considerably faster, we recommend that they have some device installed that limits their speed to 6 mph. It may be difficult otherwise to discern as a vehicle creeps over that limit. In public comment, one speaker stated that it is difficult to maintain balance at six mph. In fact, mountain bikers going uphill often ride at similar low speeds. Our concern is that the claim of "disability" to justify recreational use of e-bikes could easily become an abuse of the intent. **The rules governing use and speed of e-bikes as OPDMDs must be clearly signed and enforced.**
6. Finally, we are aware of continuing pressure from mountain bike interests to allow e-bikes in the preserves for other than disabled users. At the P&OS Commission meeting,

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one speaker stated that “it had been agreed” (by whom?) that the IAP would allow e-bikes on all places where bikes are currently allowed – i.e., on all fire roads, multi-use trails, bike-hiker trails and bike priority trails. Therefore, the language on page 4-15 is confusing when it states that: “In the future, Marin County Park will maintain a category of ‘bike priority’ or ‘Biker/hiker’ trails that would be open to e-bikes.” It is not clear whether the IAP limits e-bikes to areas designated for OPDMDs access, or whether they would be permitted wherever bikes are allowed. **Please clarify the intent of this statement.**

Thank you for your thorough work on this Plan. If you have questions, please address them to Nona Dennis, Chair Parks and Open Space Committee.

Sincerely,



Kate Powers, President