

Tiburon, November 30, 2013

Mr. James Raives  
Senior Open Space Planner  
Marin County Parks  
3501 Civic Center Drive, Suite 260  
San Rafael, CA 94903

Re: Draft Tiered Programmatic Environmental Impact Report (DTPEIR) for the Road and Trail Management Plan (RTMP)

Dear Mr. Raives,

The following comments are submitted on behalf of the Marin Chapter of the California Native Plant Society (CNPS) regarding the above-referenced document. From a botanical perspective, the DTPEIR (PEIR) is comprehensive and, in combination with environmental impact reports for individual projects, would reduce impacts caused by the road and trail activities proposed in the RTMP.

We find that the PEIR inadequately addresses the following issues:

### **Special-status Species Surveys**

The PEIR (Table 6-4, Special Status Plant Protection-2, Avoidance and Protection of Special Status Plant Species near Road and Trail Management Projects) states: *Surveys for special-status plant species “will be conducted within 14 days of the start of any ground disturbance.”*

Comment: Such surveys would not be adequate according to federal and State protocols for annual or herbaceous perennial special-status species. Surveys need to be conducted during a time of the year when the plants are identifiable to species, *i.e.*, usually when they are in flower or in fruit. There is no such recommendation in the PEIR. There must be sufficient time for appropriately-timed surveys to take place before there is any ground-disturbing activity. If a population or colony of a special-status species is found, it should be flagged until the road and trail management project is started.

### **Erosion Control and Revegetation**

The PEIR (Table 6-7; Water Quality-2, Temporary Erosion and Sediment Control) states: *Apply one or more of the following to restore or protect areas disturbed by*

*excavation or grading operations: tilling (minimum 6 inch depth) and seeding; hydromulch and tackifier; planting; straw or wood mulch.*

Comment: Although mulching may be effective in preventing erosion, it is controversial in terms of impacts on vegetation. There is no mention of how long the mulch would be left in place. Mulch prevents seeds from germinating, may leach undesirable chemicals, and is detrimental to natural vegetation in general. The use of biodegradable netting is a superior choice to control erosion.

The PEIR (Table 5-4, Air Quality-3: Enhanced Dust Control during Construction) states: *Hydroseed or apply nontoxic soil stabilizers to inactive construction areas (previously graded areas inactive for ten days or more).*

Comment: Hydroseeding is an effective method to control erosion and is mostly done with fast-growing, non-native grasses. Unfortunately, these grasses can establish themselves in an area and completely exclude desirable native grasses and forbs later. The PEIR fails to clarify who will make the decision about the hydroseed mix and who will ensure that the prescribed seedmix is used.

The commenter can cite an example where a native seed mix was prescribed in and adjacent to a sensitive serpentine plant community at the County's Lucas Valley Road Tunnel project about 15 years ago, but instead seed of an unusually robust Italian wildrye variety was used and the grass still persists today.

The PEIR (Table 6-4, Special Status Plant Protection-7, Revegetation with Native, Geographically Appropriate Plant Species) states: *Revegetation with annual grasses and forbs can provide rapid vegetative cover and initial soil stabilization. Planting or seeding with a combination of native annual and perennial grasses, forbs, shrubs, and trees can provide longer term and stronger erosion control, as well as more desirable visual cover.*

Comment: Please refer to comment above regarding "hydroseeding." Again it is not clear how the decision will be made regarding revegetating with native versus non-native species. Will a general "construction standard" apply, or will a BMP apply that is geared toward an effort to lessen the introduction of non-native species in order to favor the establishment of native vegetation? – And the term "more desirable visual cover" is not appropriate in reference to vegetation in the wildlands.

The PEIR (Table 6-4 Special Status Plant Protection-5, Erosion Potential near Special Status Plants) states: ***Immediately*** *rehabilitate areas where project actions have disturbed soil. Areas disturbed by equipment or vehicles will be rehabilitated as quickly as possible to prevent erosion, discourage the colonization of invasive plants, and address soil compaction.*

Comment: In reference to revegetation after soil disturbance, the terms “immediately” and “as quickly as possible” are used in consecutive sentences. It is not clear what “as quickly as possible” means. Could it mean months or years? In terms of establishing native vegetation, it makes a vast difference when revegetation takes place after a substrate disturbance. Revegetation “immediately” after soil disturbance is preferable.

## **Equestrian Use**

The PEIR (Table 3-2, Policy SW.3) addresses prohibition on off-road or off-trail equestrian use: *Horses and pack animals must stay on system roads and trails, except when watering or resting the animal.*

Comment: Under policies regarding visitors use (Table 3-3) it is specified that no off-road or off-trail use is permitted for any user types, *except* for watering or resting horses or pack animals. CNPS does not believe in such an exception; horses are large animals with metal-shod hooves, impacting habitats and their vegetation to the greatest degree. Unless signs announcing the occurrence of special-status species, sensitive communities, or other native vegetation are placed throughout the preserves, there should be designated areas where horses or pack animals can be rested and watered. In addition, the PEIR fails to address the issue of horse manure which should neither be allowed to enter waterways, nor be left to fertilize sensitive botanical resources.

## **Sudden Oak Death**

Comment:

Although Sudden Oak Death (SOD) is a serious problem in Marin County, there is no mention of this disease in the PEIR. Occurrence of the disease on the various preserves should be assessed and mapped and steps outlined to minimize the risk of spreading the disease within or among preserves. This is especially important as the pathogen (spores) are imbedded in organic matter that can easily be transferred from site to site by heavy equipment, muddy bike tires, horse hooves, and hiking boots.

## **Mountain Biking**

The PEIR (Table 3-2, Policy SW.10 - 15) addresses mountain biking activities, trail etiquette, cooperation of all trail users, unauthorized trail construction, etc.

Comment: The policies prohibit dangerous biking activities such as high speeds, or conflict with other user activity, or off-trail use, etc., but the PEIR fails to recommend any actions to enforce rules. Instead trail managers are *encouraged* to enforce codes. (An exception may be in reference to trail construction (Policy SW.15): *The MCOSD will*

*apply new deterrence methods, including rigorous investigation and increased penalties to stop such damaging and unlawful activities.)*

There is no in depth discussion or analysis of the excessive use of trails on the preserves by mountain bikers. There is increased pressure from this group and commercial interests associated with mountain biking to open up narrow hiking trails - single-track trails in biking terminology - but there are no provisions in the PEIR to deal with this issue, or with the damage that would be caused to the vegetation along narrow trails from wide-tread bike tires. There is no suggestion that it is inappropriate to let mountain bikers, many from out-of-county, have access to and use of public lands without restraint and consequences. CNPS believes that it is time to explore the requirement of some sort of licensing for mountain bikers, including the display of an ID, so that offenders of rules or codes of conducts can be identified.

### **General comments about the RTMP**

It seems that the RTMP is, at times, overly ambitious in recommending construction, reconstruction, realignment and decommissioning of roads and trails on the preserves. With a seemingly increased demand for more available trails by the mountain biking community, it might not be in the best interest to decommission trails that initially seem superfluous, unless the goal to reduce environmental impacts on sensitive resources is considered "truly" achievable. Public input should be kept to a minimum in order to prevent presence of roads and trails that favor certain user groups. -- The commenter is aware of a potential trail project on Ring Mountain, where a public trail through sensitive serpentine grassland was not invaded by non-native species for at least 35 years. This trail may now be converted into a boardwalk.

And it should be kept in mind that wherever there is soil disturbance such as from any of the road/trail projects, there will likely be invasion of non-native species. The reason Mt. Tam is overrun by non-natives, especially French broom, is closely related to the construction of roads and trails many decades ago.

Thank you for the opportunity to comment on the DTPEIR for the Road and Trail Management Plan.

Sincerely,

Eva Buxton  
Conservation Chair

cc: Greg Suba, CNPS Conservation, Sacramento