



Proposed Marin Baylands National Wildlife Refuge

Planning Update 3, February 2002

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Greetings!

This is the third in a series of updates from the U.S. Fish and Wildlife Service designed to inform and involve you in the planning process for the proposed Marin Baylands National Wildlife Refuge in Marin County, California.

These planning updates will announce opportunities for you to become directly involved in the planning process as development of the Land Protection Plan, environmental compliance document, and Conceptual Management Plan progress. Your input is very important. It helps us gather information and identify issues affecting you, your community, and the natural resources of the Marin Baylands.



Comments on the Preliminary Alternatives are due by April 5, 2002

What Happens Next?

Based on requests we received during our extended scoping period, we added an intermediate step to the planning process and an additional opportunity for public input. The intermediate step consists of preparing preliminary alternatives for the project in consultation with public agencies. The preliminary alternatives are based on the issues and concerns raised at the public meetings and in your letters and e-mail messages. The next step in the planning process is for you to comment on the preliminary alternatives. Please review them and send us your comments. These preliminary alternatives may be revised in the draft planning documents to reflect your comments.


What are the Preliminary Alternatives?

Five preliminary alternatives, including a no-action alternative, are described on the next page. The four action alternatives differ in the acreage and distribution of land that could be acquired and managed by the Service. Not all lands in the study area were included in the alternatives. For example, existing urbanized areas, homes, and residences were excluded from the alternatives. These are some of the criteria used to →

Notice of Website and E-mail Disconnection

Our website and e-mail are currently not accessible. We apologize if you have been trying to find information on our website or reach us through e-mail. If you have sent comments via e-mail since December 6, 2001, please resubmit them to the address or fax listed on page 4.

On December 6, 2001, as a result of a court order issued in the Bureau of Indian Affairs case of Cobell v. Norton, the Department of the Interior was instructed to disconnect all of its bureaus' computer systems from the Internet. The Service's Internet server doubles as our external e-mail server. The disconnect has, therefore, affected both our e-mail and website communication. This court case involves individual Indian Trust assets in the Bureau of Indian Affairs. The Fish and Wildlife Service is in the process of obtaining permission to reconnect to the Internet. We hope to be reconnected soon, but, do not know when that will occur. Therefore, our website address and e-mail address will not be included in this planning update. Submit comments to the address or fax listed on page 4.



determine which lands to include within a preliminary alternative.

- Are any listed, proposed, or candidate endangered and threatened species present?
- Is the area biologically important?
- Could the area be restored to marshlands or other important habitat?
- Does the area contain rare native plant communities?
- Would the area link to wildlife habitat on existing public lands?

Alternative 1 is the core area which is then expanded to the south in alternative 2, to the north in alternative 3, and in both directions in alternative 4. The focus of alternatives 1, 2, and 3 is mainly on tidal marsh, diked baylands, seasonal wetlands, and upland buffers, while alternative 4 includes more uplands. Some lands in County or City ownership are included which could remain in local government ownership but would allow the Service to enter into cooperative management agreements. Because California Department of Fish and Game (CDFG) lands are managed similarly to refuge lands, alternatives were crafted to connect the proposed refuge lands with the CDFG lands rather than overlapping them.

Maps of the alternatives are enclosed. The boundary lines follow parcel boundaries except where a parcel includes land that does not meet the criteria. In these cases, only the portion of the parcel that contains habitat suitable for the refuge is included in the alternative. A parcel of 50 acres was determined to be the minimum manageable size; parcels less than 50 acres were excluded from an alternative unless they were adjacent to other parcels in the alternative or existing public lands. Areas with uses such as boat and seaplane navigation channels, dredged channels, airports, marinas, recreational or commercial boat docks, dog parks, golf courses, and ball fields were excluded from alternatives. Tideland parcels in San Pablo Bay or San Francisco Bay were included out to the limit of mudflats shown on U.S. Geological Survey 7.5 minute topographic quadrangles. Table 1 on page 3, shows the types and amounts of habitat that could be protected in each alternative. Ownerships and geo-political jurisdictions are described on page 4 in Tables 2 and 3 respectively. Please note that the acreages provided in this planning update were generated using geographic information systems data layers of varying accuracies. Therefore, the appropriate use of these data is for general planning purposes only and more precise figures can only be obtained by on-the-ground survey and field data collection.

Alternative 1 is approximately 3,655 acres, is the smallest of the Marin Baylands alternatives and is the minimum land area for refuge management purposes. Alternative 1 is a contiguous block of habitat including Bel Marin Keys V, a portion of the former Hamilton Army Airfield, wastewater spray fields, and St. Vincent's/Silveira properties east of the railroad tracks.

Alternative 2 is approximately 4,396 acres and includes all land in alternative 1 plus the wetlands of McGinnis Park, Santa Venetia Marsh Open Space Preserve, the tidal marsh north of China Camp State Park, the tidal marsh at the San Rafael Quarry, and tidelands south of Quarry.

Table 1. Habitat Types in Acres in the Preliminary Marin Baylands Alternatives

HABITAT	ALTERNATIVE 1 3,655 ACRES	ALTERNATIVE 2 4,396 ACRES	ALTERNATIVE 3 5,924 ACRES	ALTERNATIVE 4 8,424 ACRES
Shallow Bay /Channel	0 acres	23 acres	23 acres	153 acres
Tidal Baylands	428 acres	895 acres	921 acres	1,311 acres
Storage Pond	16 acres	16 acres	16 acres	22 acres
Diked Marsh	6 acres	82 acres	884 acres	1,150 acres
Farmed or Grazed Bayland	2,361 acres	2,360 acres	2,911 acres	3,965 acres
Woodland/Grassland	7 acres	6 acres	112 acres	725 acres
Ruderal	608 acres	782 acres	782 acres	800 acres
Developed former bayland (Hamilton Airfield)	199 acres	199 acres	199 acres	199 acres
No Data	30 acres	33 acres	76 acres	99 acres

Alternative 3 is approximately 5,924 acres and includes all land in alternative 2 plus the State Lands Commission antenna field north of Bel Marin Keys, seasonal marshes west of Deer Island Open Space Preserve, and seasonal marshes in the Olive Avenue/Atherton Avenue area, wetlands of Bahia and Rush Creek Open Space Preserve, and seasonal wetlands west of Rush Creek Open Space Preserve and north of Bahia.

Alternative 4 is approximately 8,424 acres and includes all land in alternative 3 plus the uplands of Bahia and Deer Island Open Space Preserve, spray fields and seasonal wetlands north of Highway 37, spray fields and uplands south of Highway 37, Pacheco Pond and diked bayland north of the Pond, tidal marsh and diked bayland along the San Rafael shoreline, tidal marsh and baylands near the Corte Madera Ecological Reserve, tidal marsh in and near Bothin Marsh Open Space Preserve, and a small marsh east of the Richardson Bay bridge.

Alternative 5 is the no-action alternative. The Marin Baylands National Wildlife Refuge would not be established. Future protection or development within wildlife habitats would be regulated through existing land-use regulatory controls administered by local agencies, Marin County, the State of California, and Federal agencies.

A schedule of key planning steps is included on page 6. After reviewing your comments on the preliminary alternatives, we will begin writing our planning documents. The Land Protection Plan (LPP) will describe resource protection needs and the proposed Refuge boundary, and identify and prioritize tracts of lands the Service would be interested in



managing and/or acquiring from willing participants. The Conceptual Management Plan (CMP) will describe potential management activities being considered for the proposed Refuge as well as public uses and their compatibility with the purpose of the Refuge. The NEPA document will evaluate the potential effects that implementing each alternative would have on the physical, biological, social, and economic environment. You will have an opportunity to review and comment on these planning documents.

Table 2. Existing Ownerships (acres) in the Preliminary Marin Baylands Alternatives

LAND OWNER	ALTERNATIVE 1 3,655 ACRES	ALTERNATIVE 2 4,396 ACRES	ALTERNATIVE 3 5,924 ACRES	ALTERNATIVE 4 8,424 ACRES
Federal	682 acres	682 acres	682 acres	682 acres
State	1,926 acres	1,926 acres	2,068 acres	2,081 acres
Marin County	0 acres	391 acres	788 acres	2,131 acres
Novato	0 acres	0 acres	0 acres	236 acres
San Rafael	0 acres	0 acres	0 acres	101 acres
Special Districts	226 acres	226 acres	226 acres	298 acres
Private	821 acres	1,135 acres	2,124 acres	2,831 acres
No Data	0 acres	36 acres	36 acres	64 acres

Table 3. Geo-Political Jurisdictions in the Preliminary Marin Baylands Alternatives.

GEO-POLITICAL JURISDICTION	ALTERNATIVE 1 3,655 ACRES	ALTERNATIVE 2 4,396 ACRES	ALTERNATIVE 3 5,924 ACRES	ALTERNATIVE 4 8,424 ACRES
Marin County (unincorporated)	2,518 acres	3,054 acres	3,734 acres	4,279 acres
Novato	1,137 acres	1,136 acres	1,984 acres	3,396 acres
San Rafael	0 acres	206 acres	206 acres	508 acres
Corte Madera	0 acres	0 acres	0 acres	182 acres
Mill Valley	0 acres	0 acres	0 acres	59 acres

How Do I Provide Comments?

Your help is still needed as the study of the proposed Marin Baylands National Wildlife Refuge continues. We encourage you to comment on the preliminary alternatives. Please send written comments by April 5, 2002, via mail or fax to:

Cathy Osugi, Wildlife Biologist
 U.S. Fish and Wildlife Service (NWRs/RPL)
 911 NE 11th Avenue
 Portland, Oregon 97232-4181

Fax: (503) 231-6161

Thank You for Participating

Thank you to the approximately 450 participants at the three open houses held in November 2000 and May 2001. Approximately 320 comments and letters were received at these meetings and approximately 550 letters—including petitions—have been received since the project kickoff in November 2000. Many issues were identified that will be addressed in the draft planning documents. Your involvement and comments are greatly appreciated.

Where is the Study Area?

The study area is located on the west side of San Pablo Bay and San Francisco Bay from the Petaluma River to an area south of Mill Valley. A map of the study area is enclosed. The Marin Baylands are part of the diked baylands which form the northwestern boundary of San Pablo Bay. Once subject to tidal inundation, these baylands were diked for agriculture 100 years ago. Approximately 85 percent of the marsh lands once surrounding San Francisco Bay are gone. This loss severely reduced the estuary's ability to support fish and wildlife, maintain active floodplains, and insure water quality.

Other habitats in the study area include tidal marsh fringes along the baylands, seasonal wetlands, fresh/brackish creeks and associated riparian habitats, open Bay water, and in some cases adjacent uplands including grasslands and mature oak woodlands. Most of these areas provide essential wintering habitat for migratory shorebirds and waterfowl, including curlews, dunlins, sandpipers, mallard, teal, pintail, canvasback, and scaup. The tidal salt marshes are essential to the Federally endangered salt marsh harvest mouse and California clapper rail.

The proposed Refuge would protect and conserve important tidal marsh, seasonal marsh, and uplands. Enhancement and management of these tidal marshes and diked baylands would greatly enhance the recovery prospects for several Federally listed threatened and endangered species and would also improve habitat for migratory shorebirds. New opportunities for compatible outdoor recreation and environmental education activities would be created.

Under the National Wildlife Refuge System, What is the Service's Jurisdiction over Privately-owned Property?

The National Wildlife Refuge System has no jurisdiction over private property. When the Service includes property within a study area, proposed alternative, or even an approved refuge boundary it does not grant the Service jurisdiction or management control over those lands, nor does it make lands within an approved refuge boundary part of the National Wildlife Refuge System. An approved refuge boundary identifies the areas where the Service would be authorized to acquire an interest in land or enter into cooperative agreements if landowners within that area are willing to do so. The Service does not have the authority to acquire interest in lands outside an approved refuge boundary. Therefore, landowners within an approved refuge boundary have the opportunity to participate in the Service's acquisition program whereas landowners outside an approved refuge boundary do not.

Lands do not become part of the National Wildlife Refuge System unless they are acquired from willing sellers or placed under an agreement with the individual landowner. Landowners within an approved refuge boundary retain all of the rights, privileges, and responsibilities of land ownership including the rights to access and control trespass, sell to any party, and pursue development in accordance with local land use zoning and regulations, even if the Service has acquired interest in the land surrounding them. Service personnel cannot enter private property without the landowner's permission.

Planning Schedule

Actions Completed:

Planning Update 1 Issued November 2000
 Open House November 30, 2000
 Planning Update 2 Issued April 2001
 Open Houses May 1 and 2, 2001
 Develop Preliminary Alternatives September-October 2001
 Planning Update 3 Issued Describing the
 Preliminary Alternatives February 2002

Actions Remaining:

Preliminary Alternatives
Public Comments Due April 5, 2002 ◀ Next Step
 Develop Draft Planning Documents Spring 2002
 Release Draft Documents for Public
 Comment Summer 2002
 Public Open Houses Fall 2002
 Public Comment Period Ends late Fall 2002
 Notice of Decision Winter 2002

Please note this schedule is tentative and will change as planning progresses. We will keep you informed of the changes.

Important Points of Contact

For Information on Land Protection Planning:

Cathy Osugi, Wildlife Biologist
U.S. Fish and Wildlife Service (NWRS/RPL)
911 NE 11th Avenue
Portland, Oregon 97232-4181
Phone (503) 231-6838 or toll free 1-877-312-1751; fax (503) 231-6161

For Information on Proposed Refuge Management:

Marge Kolar, Refuge Complex Manager
San Francisco Bay NWR Complex
P.O. Box 524
Newark, California 94560
Phone (510) 792-0222; fax (510) 792-5828

Bryan Winton, Refuge Manager
San Pablo Bay NWR
P.O. Box 2012
Vallejo, California 94592
Phone (707) 562-3000; fax (707) 562-3001

For Information on Land Acquisition:

Steve Dyer, Senior Realty Specialist
U.S. Fish and Wildlife Service
2800 Cottage Way, W-2610
Sacramento, California 94825
Phone (916) 414-6445; fax (916) 414-6462

To phone-in changes of address:

Let us know if you have a change of address or would like to add or delete an address. Unless we hear from you, your name will remain on the mailing list for all future Planning Updates. Call our toll free number 1-877-312-1751 for changes and additions to our mailing list.

**We have a new toll free number
1 - 8 7 7 - 3 1 2 - 1 7 5 1**