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CONSIDERATION OF SUBSTANTIAL COMPLIANCE WITH
BOLINAS LAGOON PLAN, MARIN COUNTY

TRUSTEE: County of Marin
Civic Center, Room 331
San Rafael, California 94906

LOCATION AND BACKGROUND:

This report concerns Bolinas Lagoon, a natural, triangularly-shaped lagoon of about 1,400 acres set off from Bolinas Bay by Seadrift sand spit and located approximately 12 miles northwest of San Francisco on Highway 1 near the towns of Stinson Beach and Bolinas. The Legislature first granted State sovereign right, title and interest in the lands, salt marsh, tidelands, submerged lands and swamp and overflowed lands in trust to Bolinas Harbor District in 1957. After the Harbor District was dissolved, lands were transferred to the County of Marin under Chapter 787, Statutes of 1969. Within 3 years, as required by the statute, the county submitted to State Lands Commission a plan pursuant to which the lands would be substantially improved, restored, preserved, or maintained by the county. The Commission approved the plan for the use and management of the granted tidelands April 26, 1973. Recognizing the county's nomination of Bolinas Lagoon as having unique environmental values of statewide interest, the Commission also listed the site in the "Inventory of Unconveyed School Lands and Tide and Submerged Lands Possessing Significant Environmental Values" approved December 1, 1975.

PURPOSE OF INVESTIGATION:

To determine whether Marin County has substantially complied with Section 1(h) of Chapter 787, Statutes of 1969, which requires that the lands shall be substantially improved, restored, preserved or maintained by the

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county without expense to the State in accordance with the plan in a period of not less than 5 years from the date of such approval (on April 26, 1973).

HIGHLIGHTS OF PLAN:

As stated in the Plan's summary of requirements and proposals, restoration and preservation of the intertidal and subtidal marine environment is the primary emphasis. Such a goal permits a dual use of the area for nature education and scientific research purposes of a character unmatched anywhere else in California, especially within the boundaries of a metropolitan area. Toward this end the plan proposes a scientific monitoring system for recording water quality, biological characteristics, and circulation within the lagoon, as they are or would be affected by current or potential land uses in and adjacent to the lagoon; construction of orientation and observation points for visitors; construction of bicycle and hiking trails; possible development of educational exhibits and facilities; and enactment of planning and regulatory measures aimed at preserving and protecting the ecology of the lagoon. Monitored rehabilitative dredging will be undertaken in cooperation with the United States Army Corps of Engineers (USCE) with minor channel and related improvements. The clear import of the plan was the character and extent of such proposed improvements would be determined and limited by their effect on the lagoon's ecology, according to an indexed letter on the Bolinas Lagoon Plan issued by the State Attorney General in March 1973.

CONDUCT OF INVESTIGATION FIVE YEARS FOLLOWING APPROVAL OF BOLINAS LAGOON PLAN:

On August 22, 1977, State Lands Commission's staff observed a meeting of Bolinas Lagoon Technical Advisory Committee (BLTAC) and discussed methods for conducting a substantial compliance investigation. The guide letter for initiating the investigation included questions appropriate for a Statute and Plan concerned with preservation of lagoon

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environment and enhancement of nature education and scientific research. On July 13, 1978 "Bollinas Lagoon Five Year Report: April 1973 to April 1978" was received following approval by Marin County Board of Supervisors. Commission's staff visited the lagoon at low tide, toured and took photographs of the area, and subsequently interviewed county staff, volunteer experts and representatives of California Department of Fish and Game and USCE concerning administration of the grant and ecological issues.

IMPLEMENTATION OF MARIN COUNTY MANAGEMENT PROGRAM FOR BOLINAS LAGOON:

The responsibility for operation, control and management of the Lagoon's water and land areas was assumed by the County Parks and Recreation Department on behalf of the Board of Supervisors. As provided in the plan, the BLTAC was established, in February, 1974. While increase of governmental, academic and private research was fostered by the BLTAC, representatives also provided expert opinions to aid the county administrators in operating the granted lands. This represents a contribution of hundreds of person-hours for quarterly meetings and for outside consultation by volunteers and those employed by other agencies. Representatives are from College of Marin, University of California, USCE, Golden Gate National Recreation Area, Audubon Canyon Ranch, Point Reyes Bird Observatory, California Department of Fish and Game, and the communities of Bollinas and Stinson Beach.

Maintenance and patrol of the lagoon began on a part-time basis in 1973. The county employee in the position provided information so completely that the public appreciated the fragile nature of the intertidal resources and used the lands with care. This success prompted recommendations to increase the number of hours of maintenance and patrol to full time - scheduled at periods of maximum benefit to the ecosystem, such as ebb tide. Maintenance and patrol costs have amounted to \$40,539 in the period of 5 years.

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RESTORATION AND PRESERVATION OF INTERTIDAL AND TIDAL ENVIRONMENT
AND COMPATIBLE PUBLIC USE:

Establishment of a county park brought with it a ban on hunting. More recently the County Parks and Recreation Commission voted to designate the lagoon a preserve, a major effect being to ban dogs from the lagoon. Power boating has been limited to a small area. Questions about using portions of the lagoon for a number of small projects over the past few years are decided following consultation with the BLTAC. A public health quarantine was imposed in 1969, and although the town of Bolinas stopped its discharge of raw sewage in November, 1975, there is still high coliform counts. The County Department of Health monitors water quality on a regular basis. Some digging of clams has continued in spite of the quarantine. Ghost shrimp are also collected for bait, but California Department of Fish and Game placed a limit on the catch following a presentation by the BLTAC. A county survey of the immediate Bolinas Lagoon area during 97 days in the Spring and Summer of 1976 and 1977 showed the following use of the lagoon: Bird watchers, 507; boaters, 33; clammers, 150; ghost shrimpers, 453; other fishermen, 86; picnickers and others, 44.

County activities do not duplicate but supplement the activities of existing privately-funded organizations. Audubon South Canyon Ranch overlooking the lagoon provides trails, picnic areas, restrooms, and serves 20,000 visitors from throughout the State annually. Family groups enroute to active recreation at Golden Gate National Recreation Area and Stinson Beach may visit nature trails or pull off the road to view areas, take out cameras or binoculars and observe the wildlife and scenic splendor. Both the county and Audubon have outreach to persons in the urban area within an hour's drive, and their educational briefings include many school children coming from inner city schools.

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The county began preparation of another modest visitor-serving area adjoining the granted lands at McKinnon Gulch, with an expenditure of \$5,600, but had to defer a \$29,545 budgeted improvement due to the effect of Proposition 13.

Balancing the food and space needs of the various marine, avian and animal inhabitants of the lagoon is a continuing responsibility requiring the exchange of ideas, collection of data, and cooperation from representatives of many fields of knowledge. Individual researchers have completed formal studies on geology of earthquake faults, invertebrates, shorebirds and planning. In 1975, the Board of Supervisors endorsed a proposal that the USCE review previous reports to determine whether the quality of the lagoon ecosystem can and should be preserved and enhanced by dredging. The purpose of any modification would be to restrict degradation of the lagoon by sedimentation, involving review of uses and impacts, aquatic and upland resources, water quality, hydrology, and other scientific disciplines mentioned above. Public hearings were held, and Congress authorized funding of \$80,000 for the first year. On a more modest basis, the county furnished a movie camera and film to Point Reyes Bird Observatory to conduct a time lapse study of harbor seals who come under the Marine Mammal Protection Act, which is administered by the Federal and State Governments. Coordination of a variety of small and large projects to preserve and restore the Lagoon ecology and permitting the dual use of the area for nature experiences by a statewide and regional public and for scientific research purposes is a major achievement under county management.

EXHIBIT: A. Site Map.

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT THE COUNTY OF MARIN HAS SUBSTANTIALLY COMPLIED WITH THE TERMS OF CHAPTER 787, STATUTES OF 1969, SECTION 1(h).

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2. AUTHORIZE THE EXECUTIVE OFFICER TO NOTIFY THE COUNTY OF MARIN, THE SECRETARY OF THE SENATE AND THE CHIEF CLERK OF THE ASSEMBLY THAT THE COUNTY HAS SUBSTANTIALLY COMPLIED WITH THE TERMS OF CHAPTER 787, STATUTES OF 1969, SECTION 1(h).

