

## GRAPES OF RAPTURE

River restoration isn't usually the first thing that comes to mind when most people think of vineyards. But the Rutherford Dust Restoration Team (RDRT — or "Our Dirt"), which spawned from the Rutherford Dust Society, a coalition of 33 wineries and 67 growers in the Napa Valley, is trying to prove that cabernet sauvignon and creeks can co-exist. On a 4.5-mile stretch of the Napa River in the Rutherford area, wine growers are working with regulators and restoration experts to come up with a plan for reducing erosion, managing flooding, controlling invasives and Pierce's Disease, and improving habitat.

John Williams, president of the organic Frog's Leap Winery, who co-founded the program along with Davie Pina, had purchased some land of his own along the river and had begun to investigate what could be done about erosion problems. When he and Pina presented what they were learning about erosion control and habitat improvement to other Dust Society landowners, they were met with enthusiasm. "Dust has as one of its bylaws that it be community-oriented, as opposed to just doing wine production," explains Williams, who says the group realized that it made sense both financially and ecologically to coordinate on a large stretch of river rather than having everyone work separately on their own property. That group became RDRT.

Andrew Collison, of Philip Williams & Associates, who was hired to come up with a conceptual geomorphologic design for the river, says that while initially one of the main goals was to reduce erosion, the farmers are now thinking in terms of multi-objective restoration. Collison found that the river has incised by 12-20 feet over the last 50 years, which has in turn caused lots of erosion and scouring of the channel. The erosion and incision have resulted in a shortage of riffle habitat and a lack of channel complexity. "A lot of the river is just one big glide or pool," says Collison, who produced a conceptual plan in November 2003, with a fisheries study done by Jonathan Koehler of the Napa County RCD. The next step will be to take the conceptual plan to full design. Soil bioengineering may be used to repair eroded banks, while the active channel will be widened in certain reaches and the levees set back, as much as 65 feet where there is room. Invasive shrubs—like *Arundo donax*—will be removed and natives planted in their place. But most importantly, says Collison, because the

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## Use a Volunteer, Go to Jail?

Sometimes a grant is just a grant. But recently, some grant-funded projects have become public works projects, a costly proposition for any agency or organization in charge of a restoration or cleanup project. Just ask the folks at the Sacramento Watersheds Action Group.

The group restored a small tributary of Sulphur Creek under a \$273,000 grant from the Department of Water Resources Urban Streams Program. The project involved removing fill and a rotted culvert from a tributary in Redding's Secret Canyon. To complete the work, a contracting firm was paid to move the fill and reshape the landscape using bulldozers and diggers. By participating in the project, student volunteers in Shasta College's Heavy Equipment and Watershed Restoration classes were to receive course credit, along with hands-on experience with the construction machinery and in planting seedlings and mulching to revegetate the canyon and control erosion.

This combination of paid contractor and volunteer work is common to thousands of environmental restoration and cleanup projects—it helps nonprofits stretch their grant dollars further. But this practice violates the state's labor code, says the California Department of Industrial Relations. Last fall, the department informed the action group that it was liable for nearly \$50,000 in back wages to all workers and penalties on the Sulphur Creek project. A spokesperson for the action group declined to comment on the case.

By interpreting "public works" projects broadly, the department's actions have the potential to alter the scope of state-administered grant programs and voter-approved bond measures for a variety of projects ranging from education to the environment. The department's actions have also caught grant-giving departments in the state by surprise.

"This wasn't on our radar screen," explains Stephan Lorenzato of the Urban Streams Program. "We've stopped soliciting [proposals] for the Urban Streams Program until we clearly understand our obligations."

**"The department's decisions... would either force nonprofits to pay high wages... or push them away from volunteer labor."**

At issue is how the Department of Industrial Relations reads section 1720 of the labor code, which defines a public works project as "construction, alteration, demolition, installation, or repair work done under contract and paid for in whole or in part out of public funds." Under this definition, says the department's Eric Rood, "any time there are state funds—and a grant would be included if it's from the state—then a project is public works."

Sections 1771 and 1774 of the labor code stipulate that prevailing wage be paid to all who work on public works projects.

Just how this interpretation of public works and prevailing wage will affect grant-based projects is evident in two recent situations. In 2001, the department ruled that a sports field renovation project in the southern California city of Santee, where volunteers seeded and fertilized the fields, was a public works project. The project hired an electrical engineer to add lights to the ball fields. As with Sulphur Creek, the department cited the same sections of the labor code regarding public works and prevailing wage.

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**VOLUNTEER CONTINUED**

The Santee case also brought up another issue—whether any of the work was exempt under section 1720.4. Projects are exempt from public works rules if, among other things, they are done entirely by volunteer labor, and if project managers send a written request to the department director for approval of the project at least 45 days before it begins.

Advance approval is what the Department of Water Resources has asked Eric Miller of Butte County Water and Resource Conservation to acquire before he can begin a restoration project under a \$195,000 urban

stream restoration grant. Miller is still waiting to hear from the Department of Industrial Relations as to whether he can get an exemption from prevailing wage for California Conservation Corps crews, and whether he can enlist students from local elementary schools, college students in a field class, and his young daughter to mulch, and plant seedlings alongside paid contractors.

"Hey, I'd love it if my daughter could be paid \$30 an hour, but you have to ask whether the intent of this [grant] program is to pay union members \$30 an hour to push a wheelbarrow or be a flagman," says Miller.

The wait has caused Miller to delay the start of his project until at least summer. If all

grant- and bond-funded projects must go to the department for advance approval, they may be in for a wait, says environmental policy consultant Vern Goehring. "I doubt that with the [past and future] budget cuts they would have the capacity to review all cases," he says.

The delays and the broad definition of public works will also mean that grant or bond money may not be spent efficiently. Goehring says the department's decisions would either force nonprofits to pay high wages for inexperienced volunteers or, more likely, push them away from volunteer labor. The result will not be pretty for grant programs or bond measures like Proposition 40.

"Bonds will end up funding fewer projects, and most of these bonds pass because they cover a broad range, so you'll lose a lot of support when only half [the projects] can be funded," explains Goehring. "I think the bigger policy question is that [the Department of Labor] decision would make it infeasible to use volunteer labor."

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**GRAPES CONTINUED**

restoration project will tackle the causes of channel erosion, not just the symptoms, sediment loads to the Estuary will ultimately be reduced (the S.F. Regional Board considers the Napa "impaired" due to its sediment loads).

Ellie Insley, of Insley & Associates, who was hired by Williams and Pina to organize the landowners and select the consultants, and who performed the riparian habitat analysis, says the key to RDRT's success was making sure that all landowners, managers, and agency staff felt their opinions were being heard. "Without that, the project would have failed," says Insley. "The landowners would have felt the project was being imposed upon them, and environmentalists and regulators would have felt it was just eyewash."

Williams says the group is trying to balance the river's needs with preserving valuable farmland. They will come up with a preferred plan for different stretches of river within the

overall reach; if the preferred plan isn't feasible, a second-choice, but still environmentally friendly, approach will be used. Williams says there has been an "amazing amount of growth and concern" about the environment on the farmers' part for a variety of reasons, including farmworker health issues and other social concerns. So far, riverside vintners have put up \$60,000. The landowners approached the regulatory agencies for information and assistance—and in some cases, helped the agencies resolve conflicting mandates. "We're showing that property owners can be proactive with government agencies; we're giving them a good model," says Williams.

Collison says some farmers are becoming river experts. "They come up to me and say, 'I think I've got a Stage 4 Schumm channel,'" he muses.

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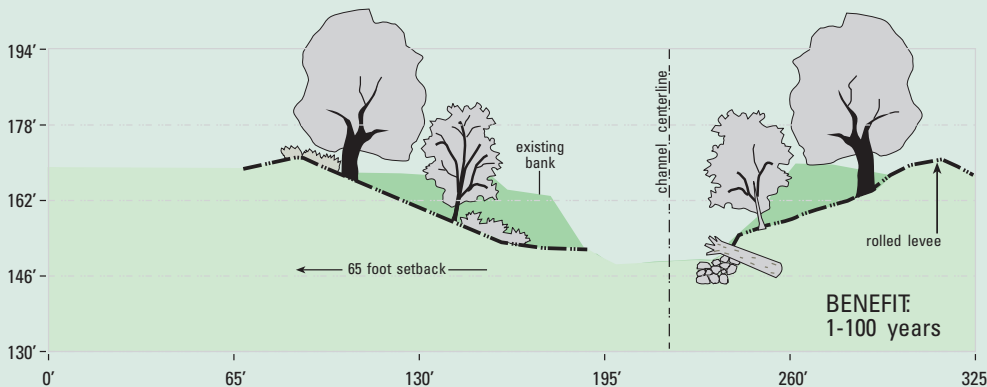
**ALTERNATIVE FOR RESTORING CONFINED SECTIONS OF THE NAPA RIVER**

**Inside Bend**

- Comprehensive grading & in channel structures for multistage channel & expanded river corridor
- Riparian revegetation

**Outside Bend**

- Comprehensive grading & in channel structures for multistage channel & expanded river corridor
- Riparian revegetation



Source: Philip Williams & Associates

**FUNDING OPPORTUNITIES**

**NORTH AMERICAN WETLANDS CONSERVATION ACT GRANT**

DEADLINES: MARCH 5 & JULY 30

The U.S. Fish & Wildlife Service seeks proposals to conserve wetlands and wetland-dependent fish and wildlife through acquisition, restoration, enhancement, and establishment. State, county, and local governments; independent school districts; state-controlled higher education institutions; Native American tribal governments; public and Native American housing authorities; and nonprofits other than higher education institutions are eligible.

Lori Bennett (703)358-2033, [lori\\_bennett@fws.gov](mailto:lori_bennett@fws.gov); <http://birdhabitat.fws.gov/NAWCA/USstandgrants.html>

**CENTER FOR INVASIVE PLANT MANAGEMENT RESEARCH GRANTS**

DEADLINE: MARCH 24

The Center for Invasive Plant Management is now accepting proposals for research grants targeting invasive plants of concern in the western United States. The 2004 grant program seeks proposals in the areas of seed money, innovations in early detection, and impacts of invasive plants.

<http://www.weedcenter.org/grants/overview.html>

# BUREAUCRACY

## CRACKING THE WINDOWS

An "environmental work window," for anyone looking it up in their "Dredging 101" dictionary, refers to a magic period of time when clamshells and hoppers can scoop out or suck up Bay mud without a care in the world for fish or fowl. Back in 2001, while struggling to implement the 1999 Long Term Management Strategy for Bay dredging (LTMS) and accompanying protections for endangered wildlife, government agencies developed a schedule of 16 "windows" of opportunity, ranging from 10-32 weeks long, when salmon weren't migrating, herring weren't spawning, and terns weren't nesting, for example, and thus were unlikely to be harmed by dredging. At first, the work windows seemed so limiting that dredgers nearly declared war. But after two years of effort on the part of the new multi-agency, multi-interest Windows Work Group, the region is enjoying an unprecedented all-quiet on the dredging front.

"It's not like everyone has been holding hands and singing Kumbaya," says Levine Fricke's Phillip Lebednik, a member of the new group. "But we have been able to bring up a lot of very touchy issues and deal with them head on."

Dealing with the touchiest issues involved in implementing the LTMS, including the windows, was one of the main reasons the Windows Work Group was formed in 2001. "When the idea for the group was first broached, some thought it might be the crowbar that could smash the windows," says Save the Bay's David Lewis. "But instead, we have a good-faith attempt to improve the efficiency and economy of a regulatory regime for dredging (LTMS) that protects the Bay environment."

Through LTMS, more than a dozen state, federal, and local agencies and stakeholders spent 12 years working to identify ways to resolve controversies over dredging practices, protect the environment, and simplify the permitting process. They set a regionwide goal of reducing dredge spoil disposal in Bay waters from 80% to 20% of all projects by reusing as much of the dredged material as possible to create wetlands and cover landfills, and by carrying whatever remained to ocean and upland

sites farther removed from Bay fish and wildlife. Creating the programmatic fish, crab, and bird windows was an attempt, on the part of LTMS agencies, to make species protection more manageable. But the dredgers didn't see it that way at first.

A fish window was nothing new. But add a mandate to avoid impacts on the 11 other species identified in the LTMS biological opinion, plus the time necessary to get permits and funding in place for dredging projects, and no wonder it seemed like there was no time left in the year when there was a green light for dredging.

Through the efforts of the Windows Work Group, however, dredgers soon learned that the windows were not as sticky as they seemed. "The windows don't mean yes or no, green or red light," explains NOAA Fisheries' David Woodbury, who conducts the oncedreaded Section 7 endangered species consultations required of any project that must dredge outside a work window. "If you work during the window, it's easier and less paperwork, but outside the windows, it's not like we pull teeth," he says.

Three dredgers enjoyed smoother Section 7 consultations than they expected this year, according to Woodbury. Each needed to dredge outside the work window for various reasons, so Woodbury met with them early in the planning stages of

the projects, before details were set in stone, to minimize fish losses. At Port Sonoma, for example, Woodbury suggested putting a net across the mouth of the marina, which kept fish out. This temporary net, which boats and barges could not cross, would not have worked for a clamshell dredger needing to dump its barge loads elsewhere. But it worked fine for the little marina's hydraulic dredger—basically a giant vacuum cleaner that pumps slurry off the bottom and onto adjacent upland drying ponds.

Two other projects got the go-ahead to dredge outside the work windows by changing their disposal locations. To protect the salmon migratory corridor up into the Delta, Woodbury asked managers for both the San Rafael Canal and the Valero oil refinery to switch from local North Bay and Carquinez Strait disposal sites to the Alcatraz site. More tweaking to protect fish occurred after Woodbury asked San Rafael Canal folks to put a screen on their clamshell bucket to minimize slop. Slowing down bucket operations can also reduce turbidity.

**"When the idea for the group was first broached, some thought it might be the crowbar that could smash the windows."**

## SPECIES SPOT



Lisa Krieshak

### MINI-MUCKRAKERS

If Mother Nature produced a reality show like "Survivor" and used invasive aquatic species as contestants, the New Zealand mud snail would probably win. The 1/8"-long, muck-colored mollusks from Down Under first appeared in U.S. waters in 1987 in Idaho's Snake River. Since then, the pace of their invasion through western U.S. rivers and into California streams has been far from snail-like. Because they can blanket a section of stream quickly and consume most of the algae—decimating mayfly and other invertebrate populations on which trout and salmon depend—biologists and anglers are worried.

Mud snails have no known predators in the United States. By closing a "trapdoor" in their shells, they can pass through a fish's digestive tract undigested and unharmed. A single snail can create a new colony by cloning. More than 700,000 mud snails per square meter have appeared in some waters, and snails don't mind the crowding.

The first California infestation appeared in 2000 in the Owens River. This past October, they appeared in Putah Creek and in January, were found in the Mokelumne River. The salmon that coursed through Putah Creek in significant numbers this winter for the first time since 1957, after years of restoration, will be monitored closely. Cal Fish & Game recently closed a section of the creek to fishing to prevent snails from moving to other waters, study eradication options, and raise anglers' awareness.

Experts agree that controlling the slimy critters will be tough: The snails likely hitchhike on anglers' waders. Fish & Game's Ed Pert says that eradication techniques, such as chemical applications, can't be used because they kill other species too. U.C. Davis' Peter Moyle says he's "pessimistic" about containing the snails. "They are so abundant, and you can't count on all anglers to clean their waders."

But the snails will probably prove self-limiting, he says. They won't do as well in some waters as in others, because of temperature and other factors. "Nature usually catches up with invaders. They are pests for a while, then their populations start dropping. Others remain pests, however, and it is hard to predict which ones these will be."

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**CRACKING CONTINUED**

While these smoother Section 7 consultations dealt with dredging outside the windows, the new Windows Work Group did a good job coordinating the green light work over the rest of the year. The Group's short-term solutions committee, facilitated by the S.F. Bay Conservation & Development Commission's (BCDC) Brenda Goeden, put together a master list of all the projects planned for 2003, and juggled them all within the work windows based on their size, length, timing, equipment needs, and disposal options. Individual dredgers came to the committee table to talk through project-specific problems and solutions, enjoying an entirely new level of interaction with representatives of permitting and regulating agencies.

"If a piece of paper was sitting over on some agency's desk that was holding things up, our committee would find it and move it," says Ellen Johnck of the Bay Planning Coalition, a nonprofit representing diverse maritime interests whose members went through what she calls "a yeoman's effort" to

accept the windows. "As a result, we had a miraculous improvement in planning. It was all about sitting around the table and getting things done."

The statistics seem to back up this bureaucratic breakthrough. Only three of 2003's 25 dredging projects got stalled, whereas in 2002, eight out of 25 ended up going through regulatory consultation.

The Windows Work Group's other committees, meanwhile, weren't just lazing around in a mudbath. The technology and operations committee has not only been fine-tuning how to minimize slop and seep from dredging buckets, scoops, and hoses, but also testing disposal-reducing ideas like just knocking down the mounds that often collect at the ends of boat berths rather than trying to remove them altogether.

The Group's science committee is organizing research to find out whether fish actually avoid the sediment plumes stirred up by dredging and where they really hang out in the Bay (perhaps more in the shallower margins than in the deeper shipping channels),


whether dredging adds to the suspended sediment levels of our normally turbid Bay, and whether dredging contributes to the release of long-buried contaminants. Last spring, scientists monitored the precise behavior of a sediment plume resulting from dredging in the Oakland harbor with an "environmental" bucket (screened to lessen spillover). The results of this draft study are still being reviewed, but they represent an important first stage in developing real data specific to the Bay—rather than generic national models.

The science committee has been careful to ask each agency for its wish list of the kinds of data that would ease dredging decision making. "Science can make the work windows bigger or smaller," says the Bay Planning Coalition's Heather Gustafson.

In the meantime, working more closely with marinas and industries through the committees has given regulators like Woodbury a much better understanding of how the windows impact the business of dredging. With fewer months open for dredging, for

**WORK WINDOWS FOR DREDGING: A TOOL FOR MINIMIZING IMPACTS ON SENSITIVE SPECIES**

Site	Species	Jan	Jan	Feb	Feb	Mar	Mar	Apr	Apr	May	May	Jun	Jun	Jul	Jul	Aug	Aug	Sep	Sep	Oct	Oct	Nov	Nov	Dec	Dec	
		1-15	16-31	1-15	16-28	1-15	16-31	1-15	16-30	1-15	16-31	1-15	16-30	1-15	16-31	1-15	16-31	1-15	16-30	1-15	16-31	1-15	16-30	1-15	16-31	
SF Bay Bridge to Sherman Island	Steelhead Trout																									
	Chinook Salmon Juveniles																									
Carquinez Bridge to Collinsville	Sacramento Splittail																									
	Delta Smelt																									
	Longfin Smelt																									
Pinole Shoal Suisun Bay Channel	Chinook Salmon (Adults)																									
San Pablo Bay	Longfin Smelt																									
North San Pablo Bay, Napa & Petaluma Rivers	Sacramento Splittail (Juveniles)																									
Napa & Petaluma Rivers, Sonoma Creek	Steelhead Trout																									
San Pablo Bay & South SF Bay	Western Snowy Plover																									
North SF Bay & San Pablo Bay shallow berthing areas	Dungeness Crab																									
Richardson Bay, North & South Bay	Pacific Herring																									
Waters of Marin County from the Golden Gate Bridge to Richmond-San Rafael Bridge	Coho Salmon																									
Central SF Bay	Steelhead Trout																									
	Pacific Herring																									
Berkeley Marina to San Lorenzo Creek within 1 mile of coastline	California Least Tern																									
South of Highway 92 Bridge (San Mateo-Hayward)	California Least Tern																									
In Areas with Eelgrass Beds	California Least Tern																									
Baywide in Areas of Salt Marsh Habitat	California Clapper Rail																									
Baywide within 250 feet of Salt Marsh Habitat	California Clapper Rail																									
In and Adjacent to Salt Marsh Habitat	Salt Marsh Harvest Mouse																									
Within 300' of known roost site	California Brown Pelican																									



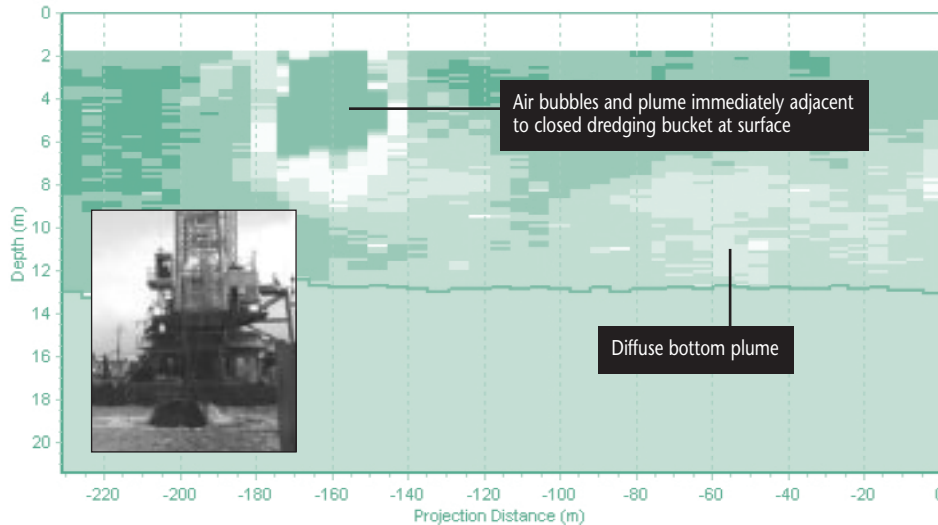
For more detailed information, see Appendix F of the LTMS Management Plan or the LTMS EIR/EIS.

WORK WINDOW

CONSULTATION REQUIRED

\* The splittail window is currently under administrative review due to the de-listing of the species in 2003.

## SNAPSHOT OF SEDIMENT SPREAD IN WATER COLUMN DURING DREDGING



Crude grayscale representation of original color scattergraph showing acoustic signatures of suspended sediment plumes near the surface and along the bottom during August 2003 dredging operations with a closed bucket at the Port of Oakland. In general, a preliminary draft of the study concludes that suspended sediment concentrations in plumes reached no more than 400 mg per litre, and that plumes were driven by weak currents during flood and ebb tides; largely confined to the lower water column; decayed within 600 meters; and were minimized by the closed bucket. Source: DRAFT study conducted by MEC Analytical Systems, Inc. and the US Army Corps of Engineers Research and Development Center, funded by USACE through LTMS as recommended by the Science Work Group.

example, contractors have a harder time keeping equipment and personnel in the Bay Area year-round. "You can't lay off a crane operator for six months and expect him to come back," says Woodbury, noting that such operators have to be highly skilled to work around boats, docks, and wetlands.

The windows exacerbated the region's shortage of equipment and staff for dredging. Recognizing this, regulators are now suggesting South Bay dredging could occur during North and Central Bay no-dredge seasons, so that dredgers can maintain their livelihoods year-round. The shortage of skilled personnel is also a problem on the agency side. Two dredging staff were cut from BCDC in the recent California budget crisis, for example, and there's never quite been enough staff to keep the much-touted one-stop Dredged Material Management Office (DMMO) running full tilt.

The office, another outgrowth of LTMS, was intended to streamline the sticky multi-agency permitting process. "When the office opened, we were very hopeful for a new day," says Johnck. "But we still have kinks in the process, and all our hard planning work around the windows means little if permits can't be processed in a timely manner."

Staff at BCDC, one of the permitting agencies, disagree that the office is out of whack. "I think the one-stop office is on goal with targeted timelines for coordinating permit actions and testing proposed dredged material for contaminants and grain size. What is a problem is how woefully understaffed the participating agencies are. With

the state budget cuts, the staff situation on the state side is dire," says BCDC's Steve Goldbeck.

Staff and equipment shortages are just two of 14 "confounding factors" identified by a fourth committee dedicated to making the windows less confounding. Other factors on the list include historic dredging backlogs, port-labor disputes, chemically challenged material with no place to go, three Bay bridges under construction at one time (monopolizing skilled crane operators and their gear), and the cost of traveling the extra mile to upland and ocean disposal sites.

Rough numbers put a price tag on in-Bay disposal of \$6-\$10 per cubic yard, with ocean at \$12-\$14 and current upland sites at \$20-\$30. Regional agencies have been working to open more upland disposal sites, especially where wetlands can be restored in the process, and also to acquire state and local sponsors so that federal cost-share requirements for such restoration efforts can be met.

"We're on the cusp of having much more beneficial reuse capacity available, but it's not ready for prime time yet," says BCDC's Goldbeck. "We're still working to provide capacity that is not any more costly to dredgers than their other disposal alternatives. But people won't be comfortable with all this until they see it working."

The poster child for the move to beneficial reuse sites has been the Port of Oakland, the region's largest private dredger, but it has come at a price port staffers aren't sure can be sustained. Regulatory approval for

Oakland's biggest recent project, deepening a channel to 50 feet to accommodate the newest class of container ships, came with agreements to take a good portion of the material to two upland wetland restoration sites—Montezuma Wetlands and a site at the former Hamilton Air Force Base. "It would have been simpler, cheaper, and faster to take everything to the ocean, rather than the two high-priced spreads," says the Port of Oakland's Jim McGrath. "I wish the agencies realized that they have a very large stake in making the costs of using dredged material as a resource for creating habitat feasible."

Others agree. "LTMS agencies have got to ensure that it is more cost-effective to put the material where it can do some good, in the thousands of acres now slated for restoration to tidal wetlands around the Bay," says David Lewis. "The feds could either increase their share of the costs for constructive beneficial reuse or decrease their share for destructive in-Bay disposal, but either way, it will be the relative difference that drives the market toward environmental stewardship."

Regular federal appropriations for maintenance dredging, combined with other appropriations for cost-shared restoration projects, have enabled the U.S. Army Corps, as an LTMS agency, to transport much of its annual maintenance dredging load of two million cubic yards (mcy) to ocean or upland sites, going a long way toward realizing LTMS' goal of 20% in-Bay disposal. "Corps maintenance dredging is the big dog that drives the program," says McGrath.

Money to drive LTMS implementation and Windows Work Group programs—\$2 million for 2004—has already been approved in this year's federal budget.

"Whether it takes more science or better administration or more communication to conduct dredging and protect species, that's what we will do," says Lebednik.

In the meantime, look for a report card on LTMS progress over the last three years in an upcoming issue of ESTUARY. "We're on the right track," says Woodbury. "Dredging is getting done, we're working in harmony, and we're all still getting along."

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## ENVIROCLIP

## BURROWED UNDER

Bad news for the western burrowing owl: On Dec. 4, the California Fish & Game Commission, in a unanimous vote, denied the unusual-looking, long-legged owl endangered status. The decision followed a negative recommendation from Cal Fish & Game and lobbying by pro-development interests and the California Farm Bureau.

A coalition of environmental groups, including the Center for Biological Diversity, Santa Clara Valley Audubon Society, and Defenders of Wildlife, petitioned last spring for listing the owl under the California Endangered Species Act, citing alarming population decreases across almost all of California. They argued that habitat conservation plans and other measures have failed to stem the decline.

The diminutive owls were once common throughout the West, but they have lost ground to agriculture and urbanization. Unlike most owls, they're active by day, and nest underground, appropriating the burrows of ground squirrels or other rodents.

The Imperial Valley is now home to almost three-quarters of the state's remaining burrowing owls. Locally, the owls have been extirpated from San Francisco and Marin counties and from most of San Mateo and Sonoma counties. They can still be found in scattered spots in the East Bay, including the Berkeley Marina. However, their Bay Area stronghold is Santa Clara County, where a census five years ago estimated 120-141 pairs. But the open spaces they need are disappearing. "The owl is in the path of development," says Craig Breon of Santa Clara Valley Audubon. Sixty percent of known nest sites in the county have been lost over the last two decades, according to Breon.

Attempts to mitigate habitat loss by relocating the birds have had poor results. The site-tenacious owls often try to return to their uninhabitable former homes. One study found that only one relocation in eight resulted in successful nesting at the new site.

The Center for Biological Diversity accuses Fish & Game of caving in to

HOW  
I SEE ITOUR GOLDEN EGG  
WILL TRAVIS

More housing, a better transportation system, and a positive business climate are essential to the Bay Area's long-term economic health, but it would be folly to achieve any of these goals at the cost of the environment. In fact, environmental protection and enhancement are the best business investments that can be made to advance economic prosperity in the Bay region.

Our region's economy is no longer based primarily on heavy industry or manufacturing that relies on human labor. Instead, ever more businesses depend on the innovation and creativity of the human mind or cater to the aspirations of the human spirit. For these businesses to thrive, they need to attract the best and brightest workers — workers who can live anywhere they choose. It would seem that high housing costs, traffic congestion, and a host of other woes would keep innovative enterprises and productive workers from choosing the Bay Area as home. Yet many choose to live here anyway, largely because of the high quality of life our region offers. Our environmental resources play a big role in making the Bay Area attractive — they add to our high quality of life by offering us the chance to enjoy the wonders of nature and partake in the vibrancy of our cities and towns.

Some will say the benefits of a beautiful and healthy environment are desirable but less important than housing, jobs, or "progress." Critics said the same thing in the 1960s when citizens wanted to save the Bay from massive landfill projects. "We need to fill the Bay for housing, for industry, and as a place to get rid of our garbage," they said. Yet when state law was passed to stop the Bay from being filled, the economy prospered.

Clearly, we need more affordable housing and better transportation facilities. Increasing our supply of housing is essential for our region to escape from its seeming destiny of becoming an exclusive upscale enclave where teachers, firefighters, police officers — and our children — cannot afford to live. We need a better transportation system so that we can get from our homes to our jobs to our kids' schools without everyone needing a car, and spending most of our time in traffic. Fortunately, both goals can be accomplished, not by focusing simply on building houses and roads, but rather by building real communities within the fabric of existing developed areas and at transportation hubs.

In the global competition for economic prosperity, the Bay Area's environment is what gives our region its edge. No one else has San Francisco Bay, and no one else ever will. The Bay Area's environment is the most valuable economic asset our region possesses. It is our goose that lays the golden egg.

In the long run, an investment in environmental protection and enhancement is guaranteed to bring good returns. We all have memories of visiting a place we found special—a charming town, a beautiful tropical island, or a vibrant and exciting city. And we all remember going back to those places a second time only to find them tarnished, polluted, overcrowded, or tacky.

As the world's places deteriorate in quality, those that have been preserved and improved will become even more precious. That is why protecting and enhancing the Bay Area's environment is the best business investment the region can make. It will assure that the Bay Area succeeds in the international competition for economic prosperity.

*Adapted from a speech given at the Bay Planning Coalition's 17th Annual Decisionmaker's Conference*

## RECOGNITION

DR. NANCY FOSTER  
HABITAT CONSERVATION AWARD

NOMINATIONS DUE MAY 14

The American Fisheries Society's Estuaries Section and the NOAA's Office of Habitat Conservation present this award to an individual with at least 10 years of continuous contributions to habitat conservation, including work to protect, study, or advance habitat issues associated with marine, estuarine, or riverine waters. Private citizens or public servants may be nominated for their work, their volunteer efforts, or any combination of contributions to the habitat conservation field.

Thomas E. Bigford [thomas.bigford@noaa.gov](mailto:thomas.bigford@noaa.gov);  
[www.fisheries.org/estuaries/nancyfoster.html](http://www.fisheries.org/estuaries/nancyfoster.html)

# PLACES TO GO & THINGS TO DO



## WORKSHOPS & SEMINARS

FEB

### WATCHING OUR WATERSHEDS

**TOPIC:** Concepts for developing pollution prevention projects and activities, with a focus on household hazardous wastes and urban runoff and their effects on local watersheds.

**SPONSOR:** Aquatic Outreach Institute

**LOCATION:** Hercules

[www.aoinstitute.org](http://www.aoinstitute.org)

11  
12  
WEDS & THURS

FEB

### CALIFORNIA FISH PASSAGE: THE BIG PICTURE

**TOPIC:** Fish passage issues, regulations, and permitting; state and federal criteria; resource and funding options; evaluation methods and alternatives.

**SPONSORS:** Cal Fish & Game, Salmon & Steelhead Trout Restoration Account, For the Sake of the Salmon, Caltrans, NOAA Fisheries & local organizations

**LOCATIONS:** Ventura(Feb.), Pacifica(Mar)  
Deb Merchant (503)223-8511, ext. 6;  
[info@4sos.org](mailto:info@4sos.org);  
[www.4sos.org/wssupport/info\\_events/caworkshop/CAworkshops.pdf](http://www.4sos.org/wssupport/info_events/caworkshop/CAworkshops.pdf)

18  
20  
THRU  
WEDS - FRI

MAR

24  
26  
THRU  
WEDS - FRI

FEB

### KIDS IN CREEKS

**TOPIC:** A guide for local creek exploration; includes water quality sampling, macroinvertebrate studies, and plant identification.

**SPONSOR:** Aquatic Outreach Institute

**LOCATION:** Oakland

[www.aoinstitute.org](http://www.aoinstitute.org)

21  
SAT

FEB MAR

### CALIFORNIA FISH PASSAGE: DESIGN & IMPLEMENTATION

**TOPIC:** Hydraulic design; stream simulation and active-channel design; retrofitting existing crossings; implementation; culvert design tools and monitoring.

**SPONSORS:** see above

**LOCATIONS:** Ventura(Feb.), Pacifica(Mar)

23  
24  
MON  
TUES

FEB MAR

### AOI'S SPRING CREEKS CONFERENCE & WORKSHOPS

**TOPIC:** Third biennial meeting of Bay Area creek and watershed groups. Workshops on working with state and regional water boards, community involvement, and land management.

**SPONSOR:** Aquatic Outreach Institute

**LOCATIONS:** Berkeley (Feb. 26), Oakland (Feb. 28) & Richmond (March)  
Mary Malko (510)231-9430,  
[mary@aoinstitute.org](mailto:mary@aoinstitute.org);[www.aoinstitute.org](http://www.aoinstitute.org)

26  
28  
THURS  
SAT

FEB

### WILDLIFE SOCIETY WESTERN SECTION CONFERENCE 2004

**TOPIC:** Celebrate the Society's 50th anniversary at its annual conference. Special events include panel discussions on the history of the Western Section and how wildlife management has changed over the past five decades.

**SPONSORS:** W. Sec. of the Wildlife Soc., L.J. & Mary C. Skaggs Foundation, Ducks Unlimited & Sandpiper Technology

**LOCATION:** Rohnert Park

<http://www.tws-west.org>

26  
28  
THURS  
SAT

MAR

### CALIFORNIA COLLOQUIUM ON WATER

**TOPIC:** The Reclamation Act and urbanization of the West (March); the evolution of California water policy (April)

**SPONSOR:** Water Resources Center

Archives, U.C. Berkeley

**LOCATION:** Berkeley  
(510)642-2666,  
[waterarc@library.berkeley.edu](mailto:waterarc@library.berkeley.edu)  
[www.lib.berkeley.edu/WRCA/ccow.html](http://www.lib.berkeley.edu/WRCA/ccow.html)

9  
TUES

APR

13  
TUES

MAR

### WATER FOUNDATION EXECUTIVE BRIEFING

**TOPIC:** California water under the Schwarzenegger Administration, implementing CALFED, and tidal flows and the Delta.

**SPONSOR:** Water Education Foundation

**LOCATION:** Sacramento  
Diane Farmer (916)444-6240,  
[dfarmer@watereducation.org](mailto:dfarmer@watereducation.org);  
[www.watereducation.org](http://www.watereducation.org)

11  
12  
THURS & FRI



## HANDS ON

FEB

### BIRD BANDING DEMONSTRATIONS

**TOPIC:** Bird banding demonstrations and tours of restored riparian habitats. Reservations required.

**SPONSOR:** San Francisco Bay Bird Observatory

**LOCATION:** Alviso  
Sharon Miyako (408)946-6548,  
[smiyako@sfbbo.org](mailto:smiyako@sfbbo.org); [www.sfbbo.org](http://www.sfbbo.org)

7  
21  
1ST & 3RD SAT  
ON-GOING

MAR

### LOWER COLORADO RIVER TOUR

**TOPIC:** Follow the course of the lower Colorado River through Nevada, Arizona, and California. Includes a private tour of the Hoover Dam, a boat ride on Lake Mead, and a visit to the Salton Sea.

**SPONSOR:** Water Education Foundation

**LOCATION:** Las Vegas  
(916)444-6240, [www.watereducation.org](http://www.watereducation.org)

24  
26  
THRU  
WEDS - FRI

## NOW IN PRINT & ONLINE

*San Francisco Bay: Portrait of an Estuary*, John Hart and David Sanger (UC Press 2003).

Did you know that Treasure Island was built from mud from the bottom of the Bay? Or that the City of Berkeley once planned to double its land area by filling to the middle of the Bay? If you didn't realize that Hunter's Point used to be a woody peninsula, or that in 1972, the Don Edwards National Wildlife Refuge in the South Bay was established as the first urban national wildlife refuge in the country, you need to read Hart and Sanger's book. It describes the Bay's Native American and military periods, industry and economy, plumbing system (the Delta), pollution and other problems, and, of course, its marshes, wetlands, and salt ponds. *Portrait* also takes us on a pictorial tour of the Bay—from stints on a herring boat and with the S.F. Bar Pilots guiding a tanker of super-cooled ammonia through the Carquinez Strait, to an outing on a DeltaKeeper motorboat accompanied by water-quality watchdog Bill Jennings, to trips to Shanks Island to see how farmers flood their fields for sandhill cranes, and other adventures.

Importantly, the writer/photographer duo describe the efforts of early activists who made sure there was still a Bay in the S.F. Bay-Delta Estuary, among them Sylvia McLaughlin and her fellow female allies in Berkeley (and the subsequent founding of Save S.F. Bay Association), and South Bay activists Florence and Phil LaRiviere as well as a lesser-known activist, Harriet Munday, who, in the 1950s, stopped the Utah Construction Company's plan to cover South Bay marshes with a hotel, conference center, tennis courts, and restaurants dead in its tracks.

The book opens with some nicely rendered maps of the South and North bays and the Delta. It closes with a series of appendices, including a list of 20 places to visit around the Bay and directions on how to get there, a reading list, and a compilation of nonprofits, environmental groups, and government agencies working to protect the Estuary.

LOV

<http://www.sanfranciscobaybook.org>

**ENVIRO-CLIP CONTINUED**

political pressure. "The Commission's decision was outrageous and lacked any credible biological or legal basis," says the Center's Jeff Miller, adding that the state's failure to protect the owl "will land it in court, and this decision will be overturned."

Contact: Jeff Miller (510)625-0136; Craig Breon (408)252-3748 JE

*Editor's note: On February 2, the Center announced that it had obtained a report by Cal Fish & Game that had been withheld from the Commission when it made its decision in December. That report recommended that the owl be listed.*

**A BIG THANK YOU**

...to our creative and "in-the-know" editorial board members:

- Chuck Batts, Bay Area Dischargers
- Peter Baye, plant ecologist
- Mark Beyeler, Coastal Conservancy
- Marcia Brockbank, SF Estuary Project
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ESTUARY is a bimonthly publication dedicated to providing an independent news source on Bay-Delta water issues, estuarine restoration efforts and implementation of the S.F. Estuary Project's *Comprehensive Conservation and Management Plan* (CCMP). It seeks to represent the many voices and viewpoints that contributed to the CCMP's development. ESTUARY is funded by individual and organizational subscriptions and by grants from diverse state and federal government agencies and local interest groups. Administrative services are provided by the S.F. Estuary Project and Friends of the S.F. Estuary, a nonprofit corporation. Views expressed may not necessarily reflect those of staff, advisors or committee members.

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