

Wading into Wetland Mitigation

by Sam Wilson

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In somewhat of a departure from our usual approaches to habitat restoration, Friends has been serving as a sort of mitigation matchmaker—bringing together Caltrans, which needs to find a site for wetland mitigation, and the College of Marin, which owns a likely parcel.

In order to widen highway 101 in the vicinity of the Corte Madera Creek estuary, the California Department of Transportation will be filling a certain amount of wetland area. But regulatory agencies including the U.S. Army Corps of Engineers and the California Department of Fish and Game require compensation for such destruction by restoration of nearby wetland habitat.

Caltrans contacted Friends to see if we could advise on finding an appropriate site, and we suggested that property now owned by the College of Marin, which was filled and leveed by the Corps about 50 years ago, is a worthwhile candidate. The approximately five-acre site is located adjacent to the college's newly renovated soccer field. Because it is an area that Friends had already identified as a good prospect for restoration, we have taken an active role in promoting an agreement between COM and Caltrans, including facilitating discussions with the college's board of trustees.

On the whole, these discussions have indicated that the college has a favorable view of selling the site into a conservation easement, which would preclude future utilization of the acreage for anything but conservation. COM's trustees are mindful of the desires of the community for open space, habitat protection, and flood protection. And since certain parts of the parcel are already wetland areas, they are aware that it would be difficult, if not impossible, to put the site to any use that would require further filling of wetland habitat.

According to the college's vice president for business services, Michael Beebe, speaking in late May: "From the college's point of view, we're positively inclined. On the other hand, our board is concerned about its financial responsibilities, and the Caltrans preliminary valuation of a conservation easement isn't adequate." Negotiations have just begun, however, and even the scale of the required mitigation has yet to be determined.

The regulatory agencies generally require mitigation at a greater than one-to-one ratio, typically at a rate of about two acres of restored wetland for each acre of filled wetland. According to Caltrans biologist Chuck Morton, the area of wetland that will be impacted by the highway-widening project will "probably amount to less than half an acre." He foresees a project that involves breaching a section of the levee and dredging to create intertidal wetland habitat. A bridge over the breached section will maintain pedestrian and bicycle access.

The proposed mitigation site has an area of about five acres, which is more than enough to offset the impact. But, as Morton points out, "If you look at the proposed mitigation site, some of it looks like it would be delineated as seasonal wetland." Such preexisting wetland area would not count toward mitigation.

Still, there will likely be acreage beyond Caltrans' immediate needs for mitigation, and there are several possibilities for how that area could be utilized or dedicated. Caltrans might, for example, seek to establish a "mitigation bank" to compensate for future degradation of wetland habitat, beyond what will occur with the current 101-widening project. But many environmentalists oppose the mitigation bank concept, because it removes a hurdle against future incursions into wetlands.

Other possibilities include purchase of a limited conservation easement by Caltrans, with buy-in by outside environmental interests to adequately compensate COM for the loss of development rights on the rest of the site. Another possibility might involve dedication of the area not necessary for the immediate mitigation needs of Caltrans to low-impact recreational use by the college and community. This is an option with appeal to Michael Beebe, who suggests the possibility of a "...a casual grassy field... This is a use that has real value to the college and the community, and if a combination of mitigation and casual use were possible, that would be quite attractive."

While Friends is unlikely to support lawn-like landscaping—with attendant need for such maintenance provisions as irrigation, fertilization and pesticide treatments—it is certainly conceivable

that we would support upland landscaping that involved drought-tolerant natives. From our point of view, the maximum amount of tidal wetland, with upland buffers, would be preferable to other alternatives for the site.

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