ATTACHMENT 2: RESPONSES TO COMMENTS
Rush Creek Open Space Preserve
Bahia Ridge Fire Road and Trail Improvement Project
Draft Initial Study/Proposed Mitigated Negative Declaration

June 18, 2021

INTRODUCTION

The Draft Initial Study/Proposed Mitigated Negative Declaration for the Rush Creek Open Space Preserve Bahia Ridge Fire Road and Trail Improvement Project (proposed project) was released for a 30-day public review and comment period on April 19, 2021. The comment period concluded on May 21, 2021. The Notice of Intent to Adopt a Mitigated Negative Declaration (NOI) proposed project was emailed and/or mailed to 62 neighborhood residents, stakeholders, responsible agencies, and individuals who previously expressed interest in receiving such notification. The NOI was posted at the existing public trailheads and was posted on the Marin County Open Space District's (MCOSD) website. A legal notice was published on April 19, 2021 in the Marin Independent Journal.

MCOSD received 9 comments during the public review and comment period. None of the comments opposed the proposed project or resulted in substantial changes to the proposed project or the IS/MND. The comments are included verbatim and copies of the submitted comments are include at the end of this Responses to Comments document.

Catherine Cole

Comment

I cannot discern from the map online if it will include a bridge across the marsh. Public enjoyment would be so much greater if could consistently do a loop regardless of water lines.

Response

The commentator may be referring to the cemetery marsh, which is outside of the project area.

Lauren Elkin

Comment

I would like to have a better understanding of exactly where the beginning of the new horseman's spur trail is going to be located at the Novato Horseman's Association. It appears you are moving the beginning of the new spur trail very close to the border of the cemetery.

Response

The trailhead of the proposed Horsemen's Spur Trail at the Novato Horseman's Association ("Association") would be in the same position as the current social trail that extends from Association's property line into Rush Creek Open Space Preserve. From this point the trail will extend further to the east and away from the cemetery property to connect with the Iron Gate Trail near Bahia Drive. Figure 3 in the Initial Study shows the general location of the proposed Horsemen's Spur Trail alignment. The proposed alignment as shown on Figure 3 has been clarified as part of the Responses to Comments.

Four of the comments pertained to materials for new trails, specifically the size of gravel for horse safety. These comments requested that small sized gravel (i.e., ¼-¾ inch loose gravel) be used with quarry fines or decomposed granite on any section of trails for which gravel would be used on the trail surface. These comments noted that larger sized gravel is difficult for horses, especially barefoot horses, to traverse and can cause injury including bruising and abscesses and can lead to lameness. One response is provided for these four comments.

Alyssa Aubrey

Comment

I am adding my voice for consideration on the issue of installing materials for new trails in the Bahia/Rush Creek area.

These historic trails are important to many of us who ride our horses through the seasons of the year. As a member of Novato Horsemen, this trails are easily accessible and utilized by our membership through the back of the Club's property. After such a long year of isolation and upset, we greatly looking forward to riding into freedom on the backs of our cherished companions.

A horses legs are their life, and despite their powerful presence, they can become very fragile when moving out on surfaces that cause pain and damage to the hoof. The size of gravel makes a big difference in this regard, especially when horses are barefoot. Larger sized gravel (1/4- 3/4 inch), can cause stone bruises that sometimes results in lameness, vet bills and lay ups.

Beth Roens

Comment

I personally ride these trails spring, summer and fall and am looking forward to new and improved access and trails. I am a 20+ year member of the horse club that boarders this preserve and have accessed it through the back of the Club's property.

I have recently learned that some open space trails have footing consisting of ¼- ¾ inch loose gravel without quarry fines on some of the trails in southern Marin to minimize the discomfort to both hikers and horses walking over the areas. This loose gavel, without a base to tamp it down, can cause fatigue to hikers and hurt barefoot horses, not to mention should a bike screech to a halt in these areas, send massive sized gravel onto passersbys and horses alike.

I would like to request that as you consider materials for the new trails in the Bahia/Rush Creek area that you take appropriate footing into consideration as these are mixed use trails and have had horses, hikers and bikers all together with very little problem. Adding loose gravel with no road base or quarry fines could potentially disrupt that peace at worst or make some of the trails undesirable to hikers and equestrians at best.

Kim OBrien

Comment

Rush Creek trails have been ridden by equestrians for over a century: by the folks in the Atherton neighborhood and by members of Novato Horsemen's since the club located on Bugeia Lane in the 1940s.

We would like to ensure the new trails have footing that is comfortable for our horses. The size of the gravel makes a huge difference to the comfort of horses. Some open space trails have 1/2- ¾ inch gravel in sections of the trail. Our barefoot horses flinch in discomfort and try to move off trails that have this size gravel. In the past, Open Space covered gravel with quarry fines. That makes a nice ride for horses and their owners, as well as helping to maintain the structure of the trail. Also, the decomposed granite that is used for the equestrian/jogging trail along the Mill Valley shared path is comfortable for horses to carry a rider without foot pain.

Please honor our request that you use decomposed granite or use quarry fines as a top coat on any section of trail that you use gravel to support the trail. It will keep the integrity of the Rush Creek trails that equestrians have used for many decades.

Marty McCowen

Comment

As a MCOS Volunteer who mountain bikes, hikes and rides horses on our lovely Marin trails, I would like to bring a suggestion as to the composition of the gravel that is used on some of the areas, in particular the soon to be constructed Rush Creek Preserve trails. Many of our horses are "barefoot", meaning they are not shod with metal shoes. This makes travelling over very rocky areas difficult for them. The horses get sore when traversing over large sized gravel, in fact they will often refuse to walk over it. Large pieces of stone can actually make horses lame from stone bruises or cause abscesses as well. In the past, MCOS had often put quarry fines on top of the large gravel which worked well for us equestrians (well for our horses anyway), but that has not been done on all the trails that have had some maintenance done recently.

If you could keep this in mind we'd sure be appreciative. Thank you for all you do out there!

Response

The proposed project includes native ground surfacing and does not include any gravel. If any overlays are needed, quarry fines or base rock with quarry fines would be used.

The Initial Study, page 16, has been updated as follows:

Project construction would require approximately 10 tons of base rock mix ~~for trail surfacing~~, construction of three low-level rock walls, and installation of approximately 30 rolling dips. Minor tree trimming would be needed along the

proposed new trail alignment. If trail surfacing is required, the material would be quarry fines or baserock with quarry fines mixed to provide a relative smooth surface.

Marin Conservation League – Nona Denis

Comment

Marin Conservation League appreciates the opportunity to comment on the Rush Creek Preserve Road and Trail Improvement Project and Draft IS/NMD. We have been familiar with the proposed projects from their inception as concepts, to their eventual alignments, which have been sited to minimize impacts on surrounding vegetation and habitats. We agree with conclusions of the IS/MND that the project presents no potentially significant impacts that cannot be mitigated, as described in the document.

Response

MCOSD appreciates these comments. The proposed project was presented to the Environmental Roundtable, of which the Marin Conservation League is a member, between March 2018 and January 2020 and a site visit was held on March 26, 2018. The Environmental Roundtable expressed general support for the proposed project because the improvements would support the project objectives. Input from the Environmental Roundtable meetings was utilized during development of the proposed project and to identify potentially significant environmental impacts, which were analyzed in the CEQA document.

Comment

Please note, however, that environmental documents on RTMP trail projects typically provide trail design only in general terms, supported by diagrams. Actual layout and design of a "multi-use" trail involves field decisions that can significantly influence its intended use, even favoring the experience of one user group at the expense of another's experience (an example, the recently-opened Ponti Ridge Trail, which is proving to be only marginally safe for equestrians, group hikers, dog walkers, etc. confronting fast-moving bikes). MCL requests that the Final IS/MND show clearly how new or improved trails designated as "multiuse" in the Rush Creek Preserve will be designed with adequate width, line of sight, modest gradients, and, where necessary, pinch points or other devices to control bike speed. The projects proposed on Rush Creek Preserve have all the attributes of a "win-win"! The design of any multiuse trail needs to ensure that ALL visitor experiences (and safety) will be improved by the projects.

Response

MCOSD recognizes that the existing use patterns at Rush Creek Open Space Preserve reflect use by families, including small children, strollers, and bicycles; seniors; MCOSD Ranger-led nature walks; equestrians; and cyclists. The proposed project includes two new multi-use trail connections, the Blue Oak Multi-Use Trail and the Iron Gate Multi-Use Trail. These proposed multi-use trails would be consistent with the existing Bahia Trail characteristics to emphasize safety, sight lines, grades less than 8 percent, and a minimum width of 5 feet to accommodate all visitor experiences and safety. New trail segments would be designed and constructed to meet engineering standards addressed in the Road and Trail Management Plan, including trail width, line-of-sight, and modest grades. The proposed Blue Oak Multi-Use Trail would have a gradient of less than 10 percent and the proposed Iron Gate Multi-Use Trail would have a gradient of less than 7 percent.

The Initial Study, page 12, has been updated as follows:

> **Blue Oak Multi-Use Trail**
> MCOSD recognizes that the S-4 trail provides a critical connection between Bahia Ridge Fire Road and the Bahia Trail; therefore, the new Blue Oak Multi-Use Trail would be constructed following decommissioning of social trail S-4. The proposed 3,410-foot, 5-foot-wide Blue Oak Trail would be a multi-use system trail connecting to the Bahia Ridge Trail to the south and the Bahia Trail to the north as shown on Figure 3, Proposed Project. It would be constructed using a curvilinear design generally following the natural contours of the hillslope to allow for installation of permanent and frequent drainage controls along the 7 percent grade trail. The average gradient of the alignment would be below 10 percent, which would result in a sustainable trail from both a soil stability and trail maintenance perspective.

As with all road and trail projects, MCOSD's intention is to provide safe trails that enhance the visitor experience while reducing environmental impacts on sensitive resources and establishing a trail system in that is sustainable. The proposed trail improvements at Rush Creek Open Space Preserve have been designed to meet these goals.

Marin Audubon Society – Barbara Salzman

Comment

The Marin Audubon Society appreciates the opportunity to comment on the Initial Study/ Negative Declaration the Open Space District (OSD) has prepared on the Rush Creek Ridge Road and Trail Improvement Project. The 100-acre project site is part of the 635 acre Bahia property that MAS purchased 15 years ago. We donated approximately 200 acres of upland hills to the OSD and they are now part of the Rush Creek Preserve. The IS defines the project purpose: "implement the county Road and Trails Plan to provide the public with a safe multi-use trail system to enhance visitor experience, by reducing sedimentation and erosion, and establish a sustainable system of roads and trails that meet design and management standards to provide safe year-round access along the trail alignment." The IS reports that approximately 7.000 feet of existing trails would be decommissioned, either actively or passively, and 2,000 feet of new trail would be created will result in a habitat benefit if visitors stay off the trails that are decommissioned.

Response

The statements regarding the purpose of the proposed project are accurately stated in the comment. The proposed project would result in 6,750 linear feet of new trails and fire road-to-trail conversion, and 5,630 linear feet of trail closure through passive and active methods described in the project description.

To acknowledge the property donation from the Marin Audubon Society, the following language will be added to the Initial Study, page 29:

Marin Audubon Society Property Donation

In 2002, the Marin Audubon Society took title of the Rush Creek Open Space Preserve property as part of a larger acquisition, approximately 635 acres, utilizing funds from private donations, a California Department of Transportation Environmental Enhancement Program Grant, and Marin County Open Space District. Under the Environmental Enhancement Program Grant, the property was purchased as mitigation for 357 acres of critical habitat for species adversely affected by Sonoma Creek Bridge and other transportation projects along the Highway 37 corridor. The Environmental Enhancement Program Grant required that a restrictive covenant be filed on the property which requires that the property must remain protected for its conservation values and recreation uses such as walking, jogging, bird watching, horseback riding, and bicycling. Marin County Open Space District received 208 acres of the property from the Marin Audubon Society as part of an assignment and transfer agreement authorized by the Marin County Open Space District's Board of Directors on January 28, 2003. The Marin Audubon Society transferred the wetlands portion of the property to the California Department of Fish and Wildlife and the remainder of the property was retained by the Marin Audubon Society.

The objectives of the proposed project, which are to eliminate unsustainable social trails and road segments, enhance habitat quality, improve visitor access, reduce road and trail related erosion, and reduce trail density and habitat fragmentation; are aligned with the requirements of Environmental Enhancement Program Grant. The proposed project meets the requirements of the restrictive covenant to protect the conservation values by passively closing and actively decommissioning trails that are located in sensitive areas, are eroding, and are unsafe for users. The new trails would be located in locations that can sustainably support users and protect the site's natural resources. The wetlands are not part of the proposed project.

Comment

The consulting firm of Prununske Chatham prepared a Biological Assessment that evaluated the natural resources which they describe as consisting of "Intact woodlands that provide important wildlife habitat. extensive oaks and bay woodland interspersed with grasslands, patches of coyote bush and tidal marsh .... " They also report that the property is rich in special status species with 15 identified onsite and on the adjacent tidal marsh. MAS restored the adjacent tidal marsh to tidal action in 2008. The presence of the Blue Oak woodland, which is an unusual resource adjacent to the Bay, was an important component in our obtaining funding to purchase the property.

Response
These statements accurately summarize the results of the Biological Assessment completed by Prunuske Chatham, included in the draft Initial Study/Mitigated Negative Declaration.

Comment
The site contains all four vegetation zones described in the Marin County Vegetation Management Plan: Legacy Zone is the most sensitive zone with undisturbed natural systems, Sustainable Natural Systems, Natural Landscape and Highly Disturbed zone. We can't determine from the information provided whether the relocated trails would extend through the Legacy and/or the Sustainable Natural Systems zones, the two most protective zones in the county's system. If new trails extend through these zones, it would impact the sensitivity of these zones, and wouldn't it result in lowering them to a more disturbed zone? The discussion should cover the impact on the vegetation zones of the trails. If the Legacy and/or Sustainable Natural Systems Zones would be impacted, the discussion should address why the trail cannot be relocated to outside the zones.

Response
During development of the proposed project, MCOSD considered several alternative trail alignments to provide a sustainable multi-use trail connection between the Bahia Ridge Fire Road and the Bahia Multi-Use Trail, and to provide a sustainable multi-use connection between the Bahia Ridge Fire Road and Bahia Drive. After analyzing the alternatives, the Blue Oak Trail and the Iron Gate Trail, as described in the Project Description, were selected to provide these trail connections as part of the proposed project. Considerations included minimization of potential impact to the plant communities, particularly tree removal.

The S-4 Trail proposed for decommissioning is a former jeep road mostly located within the Sustainable Natural Systems Zone and Natural Landscape Zone, with a very small amount of the trail in Legacy Zone. The proposed Blue Oak Trail will be realigned in a manner that will remain consistent, mostly in Sustainable Natural Systems Zone and Natural Landscape Zone with a very small amount of the trail in Legacy Zone. Legacy Zone data is not specific in nature and is used for an initial evaluation. MCOSD contracted with Prunuske Chatham to obtain more site-specific granular data which superseded the quality and level of data that the Legacy Zone data provided. Utilizing the Prunuske Chatham bioassessment data, staff was able to align the proposed Blue Oak Trail in a manner to avoid the need to remove any mature trees and avoid impacts to sensitive species. Multiple alignments were evaluated over a 2-year period by staff and Environmental Roundtable feedback to minimize natural resource impacts as well as improve trail sustainability and the visitor experience.

Comment
More information is needed to be able to evaluate the impacts of the trails. We were unable to determine where some of the new trails would be located on a recent site visit. To enable the proposed changes to be identified and possible impacts evaluated:

- The proposed Spur and Iron Gate Trails and new alignments of the New Blue Oak Multiuse Trail and the Horsemen's should be marked on the ground.
- The IS should contain a figure(s) showing the new trails overlayed on the topographic map so that the steepness of the slopes the new trail would be on can be determined. The impact of the trails on the sloped hillsides and vegetation they support should be discussed also.
- A figure should be included overlaying the proposed new trail alignments on the map showing the Legacy zone and the Sustainable Natural Systems zones.

Response
The Project Description describes the average slopes for the various proposed new trails and the figures that illustrated their proposed locations included topographic lines. The Existing Setting section describes various aspects of the existing environmental features for each of the trail areas, including topography, vegetation, and hydrology. The potentially significant environmental impacts that could result from implementation and use of the proposed project are analyzed throughout the Environmental Checklist. It is difficult to maintain ground markings where new trails are proposed, and for this reason, MCOSD does not conduct this activity.

The following figures have been revised. The are included in this Responses to Comments document and replaced the previous figures in the draft Initial Study/Negative Declaration:

- **Figure 3: Proposed Project** – to clarify the general location of the proposed Horsemen's Spur Trail alignment.
- **Figure 13: MCOSD Vegetation Zones Map** – to show the new trails on the relative to the Legacy and Sustainable Natural System Zones
- **Figure 15: Vegetation Types, Areas of Interest, and Proposed New Trails** - – to show the new trails on the existing topographic map
- **Figure 18: Vegetation Types, Areas of Interest, and Proposed New Trails** – to show the new trails on the existing topographic map

Comment
The trail near S 9 immediately to the right after entering the trail head gate, is a steep unvegetated downhill slope where a segment of the split rail fence has been removed and that clearly has been used for access. However, the path downhill does not appear to be much used now. It is not clear why this section is not propose for decommissioning. We recommend that the rail be replaced so the hill can be closed off, and the hillside be revegetated.

Response
MCOSD will repair the broken fence to physically block the trail.

Comment
Proposed for decommissioning, two spur trails S 9 and 8 lead down from the Bahia Trail to a levee around a former tidal cove that was leveed off by the homeowners for their dredged spoils from their lagoon. The area is now a seasonal wetland. The unauthorized trail on the levee extends between the restored tidal marsh and the seasonal wetland creating a significant disturbance to species that may be attracted to the marshes. These connections have been, in our experience, difficult to remove but they are important to close off and we urge that every effort be made to do so. Further along, S 2 also is important to decommission. The trail that goes down to the north-south levee shows that people go around the signed wire fence. This might be difficult to decommission also, but efforts should continue. Perhaps the fence will need to be extended until people stop going around it.

Response
The trail referenced in the comment where some visitors go around the wire fence is not on MCOSD property, which is a typical condition associated with the trail closures on this levee.

MCOSD agrees that it is important to decommission the trails referenced in the comment. Active and passive trail decommissioning methodology are described in the Project Description of the Initial Study, beginning on page 10. In summary, the existing social trail S-2 would be actively decommissioned to reestablish the natural hillslope drainage and obliterate the trail bench-cut. Methods would include tread decompaction, cross drain installation, and recontouring to restore the area and deter future use. The existing social trails S-8 and S-9 would be passively closed. These trails are mostly off MCOSD property and therefore, closure methods are limited. Closure methods proposed for the S-8 trail include visitor education. Closure methods proposed for the S-9 trail include installation of erosion control blanket and a split rail fence at the trail entrance along with use of visitor education to discourage use.

Monitoring passive trail closures and active trail decommissioning is described on page 12 of the Initial Study. In summary, MCOSD would incorporate the Rush Creek Open Space Preserve trails that would be closed and decommissioned into the existing monitoring program. The closed and decommissioned trails would be regularly inspected, which would identify locations where visitors are bypassing closed entrances, determine the effectiveness of passive and active revegetation efforts, and assess the effectiveness of trail drainage features. If monitoring indicates closed or decommissioned trails is ineffective or does not meet MCOSD objectives to reduce environmental impacts, MCOSD would identify and implement remediation actions. Remediation actions would include increased ranger presence to enforce the closure, increase signage about the trail closure, and installation of cameras to help with law enforcement efforts. Physical remediation actions may include additional active revegetation efforts to improve conditions and additional erosion control efforts to help stabilize the area. Monitoring and remediation work would continue until results meet expectations.

Comment
The New Blue Oak Multi-Use Trail (S 4) would be relocated to the east and west. The current trail is actually not as straight as it is shown on Figure 3. It weaves in an uneven line. We had difficulty finding where the new trail would be located. On our recent visit we saw a few blue and orange ties on trees but it was unclear if they marked the new routes. The slope for the proposed new alignment to the east is steep. We are concerned that this alignment would require deep cuts into the hillside, which could cause damage to tree roots and possible eventual loss. The upper half of the trail would extend to the west into an area that is also sloped although less than on the east. The upper half of the relocated trail makes a jog - not clear to us why. We also observed an area of madrone trees, which we considered rare and worthy of mention and protection. It is not shown on the vegetation figure and it should be.

Response
The proposed Blue Oak Multi-Use Trail would be constructed following decommissioning of social trail S-4 and would provide a multi-use system trail connecting to the Bahia Ridge Trail to the south and the Bahia Trail to the north, as shown on Figure 3 in green. It would be constructed using a curvilinear design generally following the natural contours of the hillslope to allow for installation of permanent and frequent drainage controls along the 7 percent grade trail. The average gradient of the alignment would be below 10 percent, which would result in a sustainable trail from both a soil stability and trail maintenance perspective. No deep cuts would be required to develop the Blue Oak Multi-Use Trail. The alignment was informed by the Biological Assessment prepared by Prunuske Chatham specifically to identify an alignment that would minimize resource impacts. The proposed alignment was discussed and selected through stakeholder meetings including the Environmental Roundtable to avoid higher quality habitat quality, as depicted in Figure 15 – Vegetation Types and Areas of Interest. Figure 15 has been revised as part of the Responses to Comments to include new trails. The proposed Blue Oak Trail alignment was identified to meet sustainability goals by decommissioning steep erosive fall line trails and replace them with low grade trails that would minimize erosion. The proposed Blue Oak Trail alignment considered the significance of the mature forest, specifically the blue oak trees, and no mature trees would be removed to implement the proposed trail alignment and the root zones would not be impacted. The directional changes (jogs) in the proposed Blue Oak Trail alignment would reduce grades and maintain the trail alignment within the area of existing recreational use, leaving the larger areas of habitat undisturbed.

The location of the proposed social trail S-4 decommissioning is shown on Figure 3 in red. The decommissioning would be concentrated at both ends of the trail to reduce chronic erosion from the exposed trail and would include trail closure signage, installation of split rail fencing, decompaction of the trail tread, construction of cross-drains, and installation of erosion control blanket are the proposed active trail decommission measures. Central segments of the closed trail would be allowed to revegetate naturally. The proposed trail decommissioning would reduce existing erosion by re-contouring, trail tread decompaction, and cross-drain installation to reestablish drainage patterns and improve infiltration. These measures would eliminate existing erosion problems.

Comment
A New Iron-Gate Multi-Use Trail would replace social trails to the Horsemen's facility and to Bahia Drive, and would extend to the Ridge Trail. The Fire Road that is proposed to be decommissioned is steep and should be decommissioned. The new alignments, however, have several sharp turns which might be difficult to maneuver and result in people creating switchbacks/more direct routes. Perhaps the sharp turns should be looked at again. We were unable to evaluate the sections of Iron Gate Fire road proposed to be decommissioned.

Response
The proposed Iron Gate Multi**-**Use Trail would include one climbing turn, one turnpike or causeway structure to cross a small depositional area of loose, unconsolidated material near the lower trailhead at Bahia Drive, and a trail grade of less than 7 percent, as described in the Initial Study beginning on page 12. Directional changes utilizing switchbacks and climbing turns are necessary to reduce the overall trail grade to minimize erosion on the trail, maintain the footprint of the proposed trail with the existing areas of recreational use, and maintain larger unfragmented habitat undisturbed. Proposed new trails would be included in MCOSD's trail monitoring program. If new social trails are observed, MCOSD would actively decommission them.

Comment
The IS proposes no changes to the Bahia Trail that parallels the marsh shoreline, however, it appears that modifications have already occurred that raise question about management of the resources. As discussed with Jon Campo, flattening vegetation on the uphill slope has widened the trail, large swaths of vegetation have been destroyed and

removed from the downhill side and the trail surface appears to have been flattened. These actions have resulted in a wider, less natural trail than existed before. More importantly, the hacking of vegetation destroyed habitat. These actions raise serious concerns about management of the resources of this Preserve. Although these actions are not part of this environmental review, the IS should state the management goals and principles for this section of this Preserve to guide management.

Response

The comment correctly states that area of Rush Creek Open Space Preserve referenced in the comment are not part of the proposed project. The vegetation work described in the comment was completed in September 2020. Approximately one year ago, a large oak tree fell across the trail and a MCOSD crew had to cut and stack the brush for disposal at a later date. The brush was stacked in rows on various sections along the trail edges and mulched on site. The MCOSD crew also mulched a few of the corners in this area in order to improve line-of-site for all users.

Comment

Erosion is noted multiple times as being a current problem that would be corrected by improving or relocating various trails as proposed. It is also acknowledged that the erosion is not causing degraded water quality. The IS should describe the adverse impacts of the erosion that are occurring and that need to be corrected.

Response

The Initial Study describes existing erosion in several places.

The terrain in the project area is highly variable with areas of steep slopes. Although most trails within the project area are primarily less than 10 percent slope, social trails in some locations are steep and show signs of soil erosion. The steeper trails with poor drainage show signs of accelerated erosion (IS/MND, page 93). In summary, these include: the S-5 trail in the proposed Blue Oak Trail area is an abandoned dozer line and social trail that crosses through an ephemeral drainage channel with an approximate 35 percent gradient and shows signs of active erosion (IS/MND, page 6). The proposed Bahia Berm Trail area includes an existing social trail that shows signs of rainfall-induced erosion due to poorly drained soils and trail gradient of up to 25 percent (IS/MND, page 7 and page 12). The lower segment of Iron Gate Fire Road shows signs of erosion during runoff events due to a gradient of approximately 30 percent (IS/MND, page 7). The S-10 trail segment includes steep gradients of up to 20 percent and is susceptible to erosion (IS/MND, page 7). The draft IS/MND described the effects of existing soil erosion as a factor of concern regarding the health of vegetation and wildlife throughout Rush Creek Open Space Preserve (IS/MND, page 2).

Beginning on page 95, soil erosion and instances of soil erosion are discussed:

> Erosion is a natural process whereby soil and highly weathered rock materials are worn away transported, most commonly by wind or water. Soil erosion can become problematic when rapid soil loss and the development of erosional features, such as incised channels, rills, and gullies undermine roads, buildings, or utilities or when erosion results in impacts to water quality aquatic resources, and other natural resources. Natural rates of erosion can vary depending on slope, soil type, and vegetative cover.
>
> Soils in the study area are mapped as Bressa variant - McMullin variant complex. Both soil types in the complex are well-drained, gravelly loams that are considered moderately susceptible to erosion, especially when subject to concentrated runoff. Evidence of concentrated runoff was present during evaluation of trail conditions throughout the proposed project area.
>
> According to field observations recorded during mapping and assessing the MCOSD's trail and road network, soils in the vicinity of roads and trails were moderately drained with high erosion potential, which was most evident in areas where runoff was concentrated. The breakdown of soil under heavy trail use often leads to accelerated erosion and trail rutting.[1] One of the primary purposes of the RTMP is to establish and maintain a sustainable system of roads and trails that meet design and management standards. This includes reduction of soil erosion.

[1] MCOSD. 2014b. Road and Trail Management Plan Recirculated Final Tiered Program Environmental Impact Report, November.

Site evaluations during development of the proposed project identified approximately 3,740 feet of social trails (S-2, S-3, S-4, S-10) located in areas prone to runoff and erosion. In addition, the lower 500 feet of the existing Iron Gate Fire Road is actively eroding.

The proposed project includes trail decommissioning would reduce existing erosion by re-contouring, trail tread decompaction, and cross-drain installation to reestablish drainage patterns and improve infiltration. These measures would eliminate existing erosion problems. The proposed new trails would be constructed on less than 10 percent slopes in most locations, and trail construction would include use of outsloping, rolling dips, and water bars to provide a well-drained trail surface to reduce the risk of concentrated runoff and subsequent erosion as described in the project description. The proposed project includes implementation of BMPs from the RTMP designed to limit disturbed areas and minimize potential for erosion and requires temporary erosion and sediment control on all disturbed areas resulting from project construction. MCOSD would use silt fences, erosion control blankets, and mulch to prevent significant erosion during and after construction to reduce erosion to less than significant levels. Decommissioning of actively eroding social trails and the Iron Gate Fire would improve drainage and reduce erosion of topsoil and result in the beneficial reduction of existing erosional problems.

Comment

A reason given for improving the Iron Gate Trail access is to provide access for residents of Bahia and H lane (page 12). Why should the residents of H Lane have a special entrance to the Preserve? They are a distance away and walk or ride to the main trailhead as can non-residents. Is the access needed for maintenance, emergencies? Other reasons for are location of this entrance should be stated.

Response

The mission of Marin County Parks, which includes MCOSD, is dedicated to educating, inspiring, and engaging the people of Marin in the shared commitment of preserving, protecting, and enriching the natural beauty of Marin's parks and open spaces, and providing recreational opportunities for the enjoyment of all generations. The proposed project would remove the Iron Gate Fire Road, which is a steep, eroding, and redundant fire road and replace it with the Iron Gate Multi-Use Trail. This action would continue to provide recreational access on the south-western side of Bahia Ridge, in the areas of Bugeia and H Lanes, but in an environmentally sustainable and less impactful way. In addition, this will also allow a designated connection to be made to the Novato Horsemen's Association, further improving the sustainable trail network and facilitating the decommissioning of steep equestrian social trails in this area of the preserve. The Iron Gate Fire Road is not needed by the fire department as they have access into the preserve by the Bahia Ridge Fire Road.

Comment

The IS reports that the project would modify wildlife habitat by causing disturbance and displacement. Ongoing impacts would also occur from tree trimming as well as increased visitor use and extension of trails into new sections of the Preserve.

Response

Since the draft IS/MND was published for public review, MCOSD has refined the start date for implementation of the proposed project to be on or after August 1st which would avoid nesting season for birds within the project area. This change was made in response to the schedule for adoption of the IS/MND, project approval, and project implementation scheduling.

The following text on page 15 has been modified to reflect this change:

> **Construction Activities**
> Construction of the proposed project would adhere to the Road and Trail Standards and BMPs outlined in Chapter 6 of the RTMP and included in Appendix A. The specific construction-period BMPs that would be implemented for this project are also listed in the Best Management Practices section, below. Construction would begin in ~~mid-April~~ on or after August 1st, contingent on dry weather and the results of pre-construction special-status species surveys. Project construction would not include in-water activities, and no water crossings are proposed.

The draft IS/MND discusses tree trimming that may be required to implement the proposed project as follows:

> Minor tree trimming would be needed along the proposed new trail alignment (IS/MND, page 16).

While tree pruning required to implement the proposed project would be minimal, bats could be harmed during tree trimming activities. MCOSD would implement the following bat protection measure: Mitigation Measure BIO-2: Special-status and Common Bats Protection (IS/MND, page 42).

The proposed project has been designed to avoid tree removal; although, implementation could result in tree trimming to provide sufficient space to construct new trail segments or to close existing social trails. Vegetation removal and tree pruning would not result in a substantial adverse effect on scenic vistas because the area following implementation would remain heavily vegetated (IS/MND, page 45).

Vegetation removal and tree trimming could impact special-status or nesting birds if present during construction activities because the nesting season would overlap with the May/June construction timeframe. Vegetation removal to accommodate construction of the proposed new trails or during improvement of existing trail segments could destroy eggs or occupied nests, result in mortality of young, or cause abandonment of nests with eggs or birds prior to fledging. Such potential impacts resulting from the loss or abandonment of nests could be significant. However, the project description incorporates applicable RTMP Policies and BMPs to minimize or avoid potential environmental impacts to biological resources, including special-status and nesting birds. Implementation of Mitigation Measure BIO-1 clarifies how RTMP BMP Special-Status Wildlife-3: Seasonal Restrictions During Bird Nesting Season would be implemented and would supersede the buffers included in the RTMP BMPs. In addition, implementation of Mitigation Measure BIO-1, along with implementation of applicable RTMP BMPs, would mitigate potential impacts on special-status and nesting birds to less than significant levels by requiring pre-construction surveys by a qualified biologist to determine whether special-status or bird nests are present at or near project activities and by providing appropriate distance between the proposed construction activities and the and by implementing related protection measures. The requirements are specified in BMPs Special-Status Wildlife-2: Preconstruction Surveys and Special-Status Wildlife-3: Seasonal Restrictions During Bird Nesting Season (IS/MND, pages 72-73).

The proposed project would focus visitor use to trails that are more sustainable. The potential for increased visitor use that could result from implementation of the proposed project is discussed in the draft Initial Study/Mitigated Declaration as follows:

Implementation of the proposed project would improve conditions along decommissioned social trails and redundant fire roads to consolidate visitor use to a sustainable trail network (IS/MND, page p109).

Implementation of the proposed project is not anticipated to result in any increase to the level and type of recreational use of Rush Creek Open Space Preserve, although a nominal increase in visitor use could result from improved trail conditions. The proposed project does not include parking or other amenities and therefore any increased use of the project area would be negligible and proportional with regional population growth (IS/MND, page 120).

The purpose of the proposed project is to provide the public with a safe multi-use trail system to enhance the visitor experience, reduce the environmental impacts, and establish a sustainable system of roads and trails that meet design and management standards and would provide year-round recreational access. Implementation of the proposed project would not increase use of existing neighborhood and regional parks because the proposed project creates a sustainable trail network that would accommodate appropriate use for each trail segment. The proposed project would not eliminate or exclude any user groups that would seek recreational opportunities that might increase uses elsewhere. MCOSD expects approximately the same number of visitors to use the preserve following project implementation, and visitors would continue to use available street parking. The level and types of recreational use of the project area to remain essentially the same as existing use patterns after implementation of the proposed project, although the improved conditions could attract a nominal increase in visitor use; however, increased use is expected to be minimal and largely result from the local communities. The proposed project does not include parking or other amenities which would typically induce increased visitation. For this reason, increased visitation associated with implementation of the proposed project is expected to be negligible, and proportional with regional population growth. Implementation of the proposed project would reduce the number of unsustainable roads and trails, which would reduce erosion, sedimentation, habitat fragmentation, and improve the visitor experience. No new, off-sight facilities would be needed to accommodate recreationalists as a result of the proposed project. (IS/MND page 128).

The Initial Study concluded that with implementation of the RTMP Policies and BMPs, and proposed mitigation measures, tree trimming required to implement the proposed project and the nominal increase in visitor use expected as a result of the proposed project would not result in significant environmental impacts to wildlife habitat modification by causing disturbance and displacement.

Comment

According to the IS, increase in visitor use is expected to be minimal and from the local community. We disagree. This is far from a local community park. The Preserve attracts many people from outside the community. Further, the trails will be displayed on the OSD website, which will inform and attract new users. With more publicity more users should be expected. Also, several of the trails will be less steep which would also attract more users into the oak woodland hill. The project will not interfere with the movement, nesting, or foraging birds and their habitats, only if the habitats are not significantly degraded by direct damage or overuse.

The IS should address enforcement that would occur to ensure people stay on designated trails, and other measures to mitigate for potential impacts of increased public use. How often would enforcement staff be expected to visit the site and what actions will be taken to ensure compliance? How accessible would rangers be to address problems? If decommissioned trails continue to be used, what other actions would be taken to address the issue and the impacts of the unauthorized uses? When would further action be taken and what are the actions that would be taken?

Response

The location of the proposed trails intentionally stays within the areas of existing use. Furthermore, the proposed project does not create new connections, but rather improves existing trail connections. Trails closures will be monitored and enforced to ensure that habitat is restored. MCOSD does not view trail closures as a single action to close the trails, but rather a long-term commitment to maintain the closure and restore the habitat.

Furthermore, the draft IS/MND described the existing monitoring program for trail closures on page 12:

> MCOSD maintains a monitoring program that would include regular inspections of closed and decommissioned trails. This allows for early detection of, and rapid response to, any trail closure problems. The decommissioned trails at Rush Creek Open Space Preserve would be incorporated into this monitoring program, which would identify locations where visitors are bypassing closed entrances, determine the effectiveness of passive and active revegetation efforts, and assess the effectiveness of trail drainage features. If monitoring indicates passive trail closures or active trail decommissioning is ineffective or does not meet MCOSD objectives to reduce environmental impacts, MCOSD would identify and implement remediation actions. Remediation actions would include increased ranger presence to enforce the closure, increase signage about the trail closure, and installation of cameras to help with law enforcement efforts. Physical remediation actions may include additional active revegetation efforts to improve conditions and additional erosion control efforts to help stabilize the area. Monitoring and remediation work would continue until results meet expectations.

Comment

Mitigation BIO 1 allows construction for the trail to occur within nesting season with surveys required. Because of the sensitivity and importance of the site habitats, the construction work should be required to be scheduled outside of nesting season.

Response

Since the draft IS/MND was published for public review, MCOSD has refined the start date for implementation of the proposed project to be on or after August 1st which would avoid nesting season for birds within the project area. This change was made in response to the schedule for adoption of the IS/MND, project approval, and project implementation scheduling. The following text on page 15 has been modified to reflect this change:

> **Construction Activities**
> Construction of the proposed project would adhere to the Road and Trail Standards and BMPs outlined in Chapter 6 of the RTMP and included in Appendix A. The specific construction-period BMPs that would be implemented for this project are also listed in the Best Management Practices section, below. Construction would begin in ~~mid-April~~ on or after August 1st, contingent on dry weather and the results of pre-construction special-status species surveys. Project construction would not include in-water activities, and no water crossings are proposed.

Mitigation Measure BIO-1 is a MCOSD standard mitigation measure and will remain unchanged.

REVISIONS TO THE DRAFT INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The following revisions have been made to the draft Initial Study/Mitigated Negative Declaration for the Bahia Ridge Fire Road and Trail Improvement Project as a result of the Responses to Comments:

The Initial Study, page 12, has been updated as follows:

> **Blue Oak Multi-Use Trail**
> MCOSD recognizes that the S-4 trail provides a critical connection between Bahia Ridge Fire Road and the Bahia Trail; therefore, the new Blue Oak Multi-Use Trail would be constructed following decommissioning of social trail S-4. The proposed 3,410-foot, 5-foot-wide Blue Oak Trail would be a multi-use system trail connecting to the Bahia Ridge Trail to the south and the Bahia Trail to the north as shown on Figure 3, Proposed Project. It would be constructed using a curvilinear design generally following the natural contours of the hillslope to allow for installation of permanent and frequent drainage controls along the 7 percent grade trail. The average gradient of the alignment would be below 10 percent, which would result in a sustainable trail from both a soil stability and trail maintenance perspective.

The Initial Study, page 15 has updated as follows:

> **Construction Activities**
> Construction of the proposed project would adhere to the Road and Trail Standards and BMPs outlined in Chapter 6 of the RTMP and included in Appendix A. The specific construction-period BMPs that would be implemented for this project are also listed in the Best Management Practices section, below. Construction would begin in ~~mid-April~~ on or after August 1st, contingent on dry weather and the results of pre-construction special-status species surveys. Project construction would not include in-water activities, and no water crossings are proposed.

The Initial Study, page 16, has been updated as follows:

> Project construction would require approximately 10 tons of base rock mix ~~for trail surfacing~~, construction of three low-level rock walls, and installation of approximately 30 rolling dips. Minor tree trimming would be needed along the proposed new trail alignment. If trail surfacing is required, the material would be quarry fines or baserock with quarry fines mixed to provide a relative smooth surface.

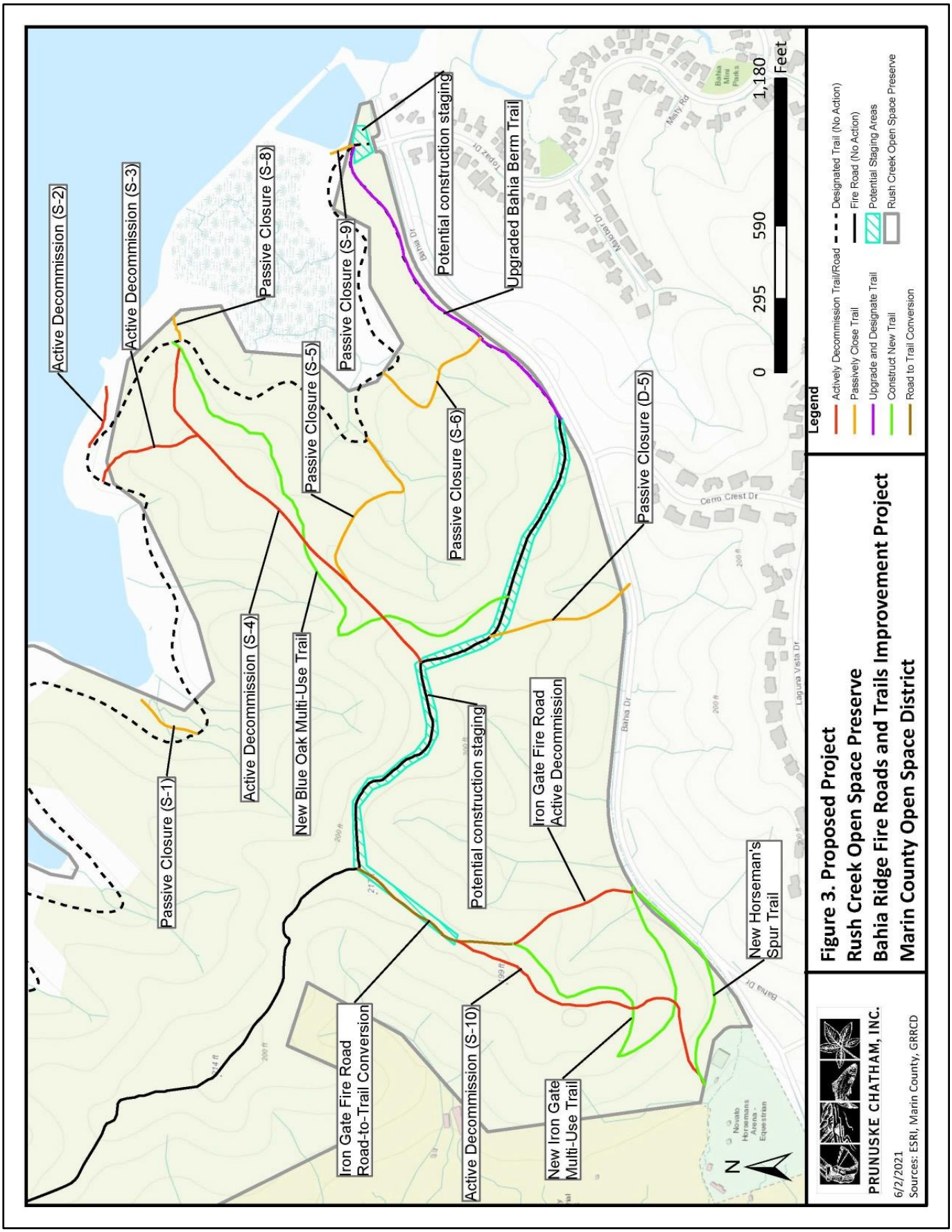
The Initial Study, page 29, has been updated as follows:

> **Marin Audubon Society Property Donation**
> In 2002, the Marin Audubon Society took title of the Rush Creek Open Space Preserve property as part of a larger acquisition, approximately 635 acres, utilizing funds from private donations, a California Department of Transportation Environmental Enhancement Program Grant, and Marin County Open Space District. Under the Environmental Enhancement Program Grant, the property was purchased as mitigation for 357 acres of critical habitat for species adversely affected by Sonoma Creek Bridge and other transportation projects along the Highway 37 corridor. The Environmental Enhancement Program Grant required that a restrictive covenant be filed on the property which requires that the property must remain protected for its conservation values and recreation uses such as walking, jogging, bird watching, horseback riding, and bicycling. Marin County Open Space District received 208 acres of the property from the Marin Audubon Society as part of an assignment and transfer agreement authorized by the Marin County Open Space District's Board of Directors on January 28, 2003. The Marin Audubon Society transferred the wetlands portion of the property to the California Department of Fish and Wildlife and the remainder of the property was retained by the Marin Audubon Society.

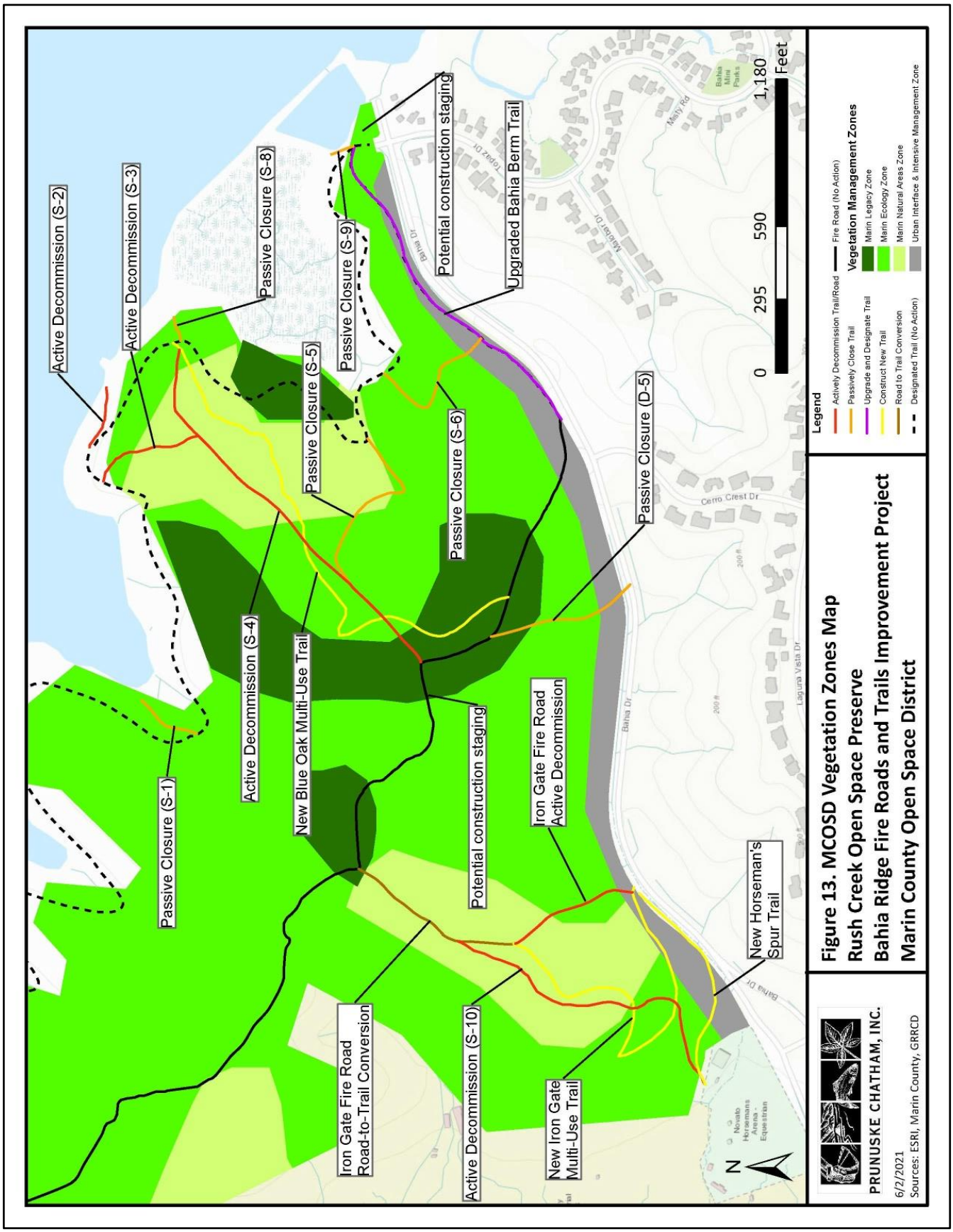
The following figures have been revised:

- **Figure 3: Proposed Project** – to clarify the general location of the proposed Horsemen's Spur Trail alignment.
- **Figure 13: MCOSD Vegetation Zones Map** – to show the new trails on the relative to the Legacy and Sustainable Natural System Zones
- **Figure 15: Vegetation Types, Areas of Interest, and Proposed New Trails** - – to show the new trails on the existing topographic map
- **Figure 18: Vegetation Types, Areas of Interest, and Proposed New Trails** – to show the new trails on the existing topographic map

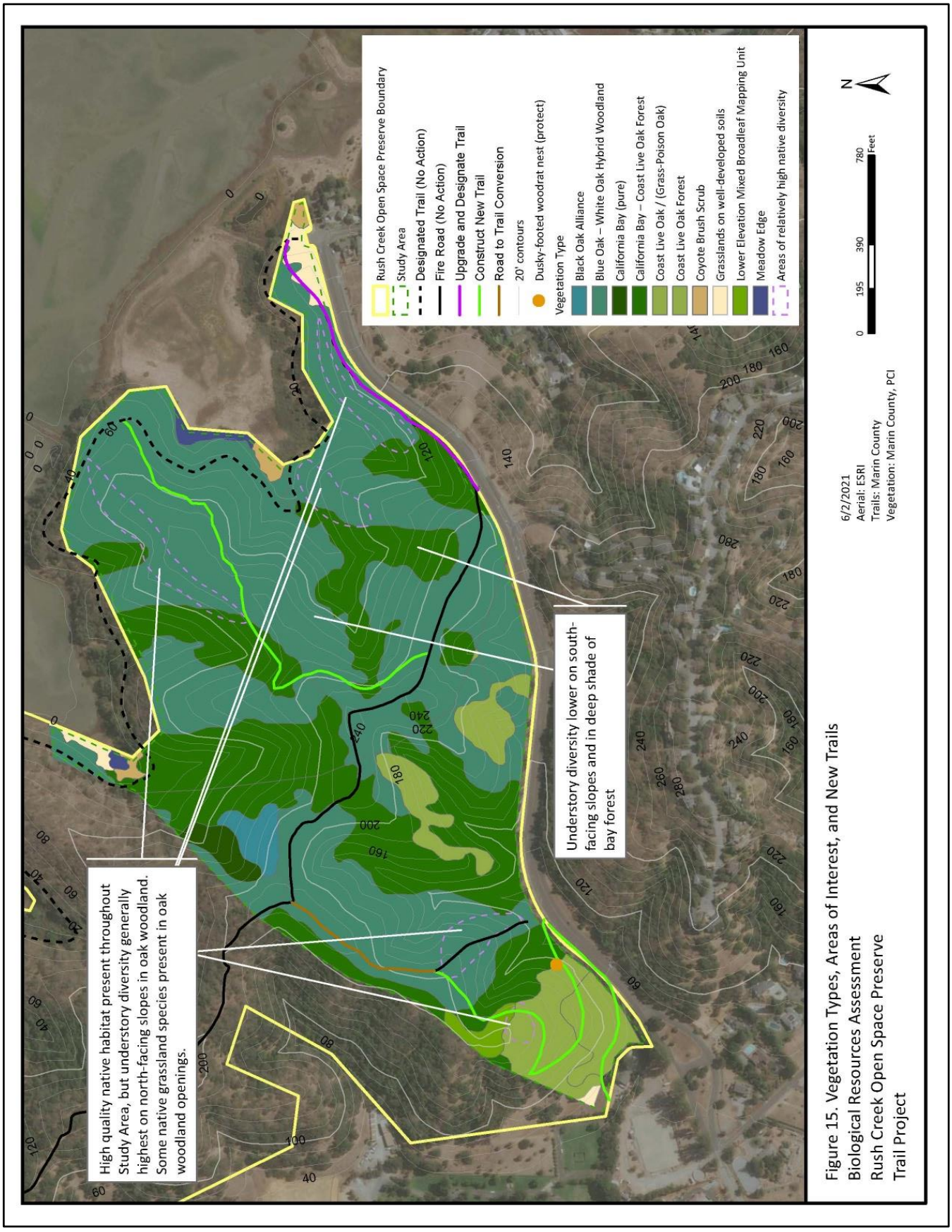
Revised Figure 3: Proposed Project



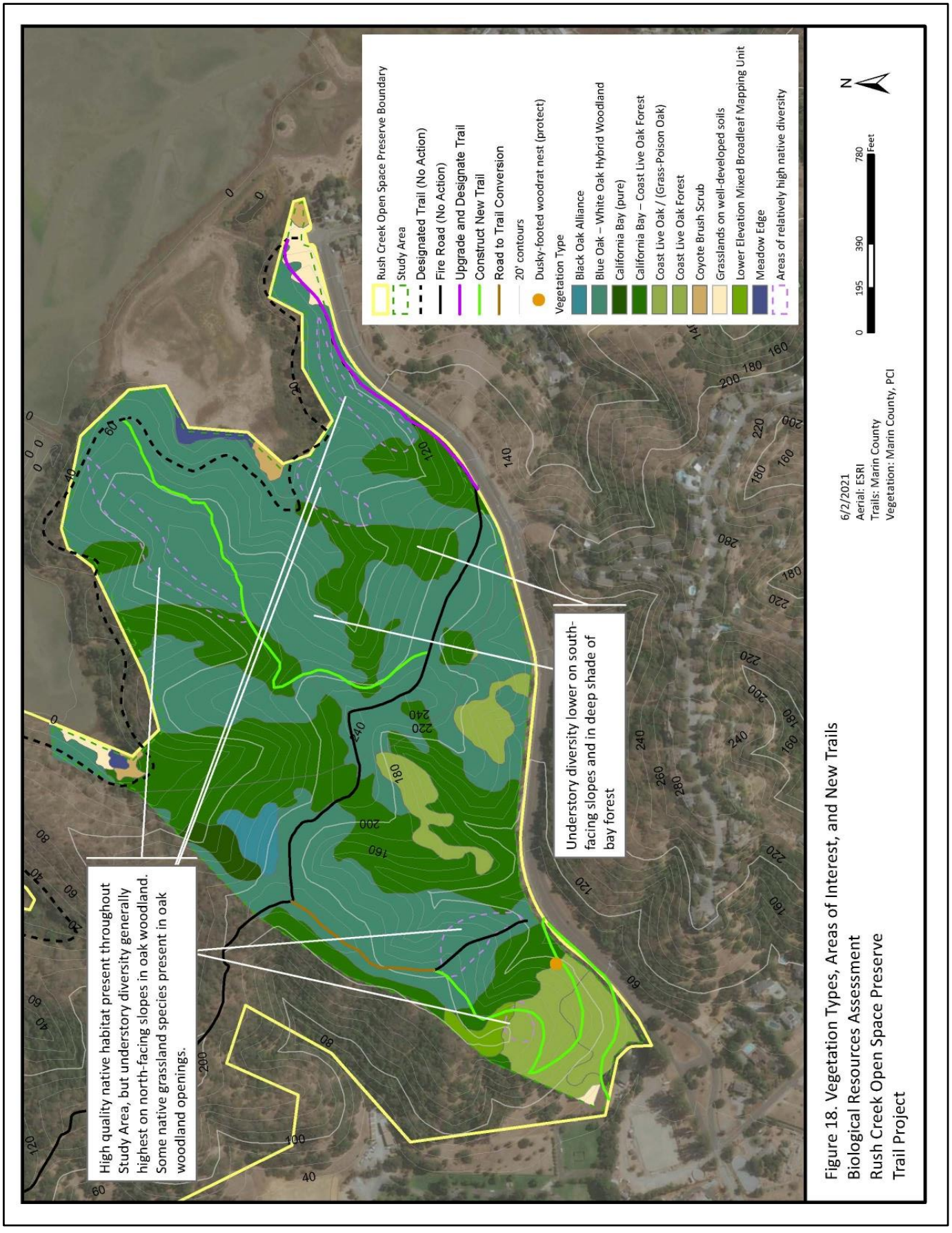
Revised Figure 13: MCOSD Vegetation Zones Map



Revised Figure 15: Vegetation Types, Areas of Interest, <u>and Proposed New Trails</u>



Revised Figure 18: Vegetation Types, Areas of Interest, and Proposed New Trails



REPRODUCTION OF COMMENTS RECEIVED

MCOSD received 8 comments during the public review and comment period. None of the comments opposed the proposed project or resulted in substantial changes to the proposed project or the IS/MND. Comments are included in the following order:

Catherine Cole
Lauren Elkin
Alyssa Aubrey
Beth Roens
Kim OBrien
Marty McCowen
Marin Conservation League – Nona Denis
Marin Audubon Society – Barbara Salzman