

RIVERWATCH

SAVE THE AMERICAN RIVER ASSOCIATION, INC.

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FALL - WINTER - 2004

ILLA COLLIN DAY

by Warren Truitt

After spending all of 2004 toiling to protect the American River Parkway - for the benefit of users and inhabitants alike - folks who love and support the Parkway will be able to celebrate by honoring a person who has spent her entire public service career working to fund and preserve the Parkway.

The American River Parkway Coalition (a federation of representatives from SARA, ARPF, and ARNHA) has declared Saturday, December 4, 2004, to be **Illia Collin Day!** Ms. Collin has been invited to be the guest speaker at SARA's Annual Meeting being held December 4 at the Effie Yeaw Nature Center in the new Assembly Building. Following the business portion of the SARA meeting (10:00 to 10:45 a.m.), a ceremony honoring Illia Collin, co-sponsored by all three Coalition organizations, will follow at 11 a.m.

Ted Robinson, who was appointed to the Sacramento County Parks Commission by Supervisor Collin, will serve as Master of Ceremonies. A luncheon buffet will follow the ceremony.

Ms. Collin was a participant in the creation of the American River Parkway Foundation and received the Outstanding Public Official Award from the National Association of County Parks and Recreation Officials. Supervisor Collin was first elected to the County Board of Supervisors in 1978 and is now in her 7th term representing District 2.

If you plan on attending, please RSVP by November 25th. To RSVP, please call Wanda at (916) 383-1298

American River Flow Standards

by Felix Smith and Jack Sohl

The Water Forum (WF) recently signed a MOU with the U.S. Bureau of Reclamation (BR) and the U.S. Fish and Wildlife Service (FWS) regarding a schedule and plan for adopting and implementing a new, and much needed, **Lower American River Flow Management Standard (LARFMS)**. As has been reported numerous times in previous issues of the Riverwatch, this element of the WF Agreement (WFA) is likely the single most important objective of the WFA from the Environmental Caucus members perspective. It has taken nearly five years of negotiations, studies, modeling, lobbying, and tons of bucks to get to where there is at least some light at the end of the tunnel. However, we're not home free yet.

The Memorandum of Understanding (MOU) includes critical dates/objectives: **March 1, 2005**-Reach agreement on the Lower American River flows to be incorporated in the CVP-Operations Criteria and Procedures (OCAP), assuming all necessary modeling and assessment work are completed; **April 1**-Complete and submit to FWS and NOAA Fisheries the proposed amendment to the CVP-OCAP so it can reflect agreed-upon changes to the Water Forum's Flow Standard; **August 15**-Complete review of Section 7 consultation under the Federal Endangered Species Act with FWS and NOAA Fisheries; **September 1**-- Amendment of CVP-OCAP and, **September 15**-Reclamation files petition with the State Water Resources Control Board to amend its water rights for operation of the Folsom Project and to incorporate the agreed-upon American River Flow Management Standard.

(Continued on page 3)

EDITOR'S CORNER

by Elke Guenter, Editor

The first Sunday in November was a stunningly gorgeous day! I was on my bike, headed for the Nimbus Fish Hatchery to meet up with a friend. From there, we continued on to Folsom and had brunch at our favorite little café.

Having returned from Florida several days earlier where I had volunteered as a poll monitor on Election Day, I was still deeply saddened and disturbed by the outcome of the elections—especially what it would continue to mean for the environment, not only locally but nationally and indeed, globally. An inexplicable sense of “numbness,” for lack of a better word, had enveloped my mind and body.

The sky was an especially brilliant azure blue that morning. The air seemed crystal clear with an invigorating crispness. Small swatches of golden yellow and burnt orange promised of more brilliant colors yet to come and a rich, deep green carpet was beginning to appear amid the dead, brown grasses of summer.

As I reached the hatchery, the parking lot was absolutely jam packed and a long line of cars was waiting for the next available spaces. I wondered what special event might be taking place but soon realized this special event was none other than the salmon returning to their place of birth!

“How many of these visitors know that a huge fish kill was only barely averted by the two recent and unseasonably early good-sized rainstorms?” I thought to myself.

Returning home that afternoon, I felt refreshed in body, mind and spirit. I also made a promise to myself - that I would work harder and smarter, become and stay more informed on issues that I care about most deeply and tread ever more lightly on this precious, vulnerable and ever-shrinking planet. After all, as someone once said, “It is far better to light one small candle than to curse the darkness.”

JOHN HARVEY CARTER

by Elke Guenter

SARA lost a longtime friend, member and benefactor with the death of John Harvey Carter on October 2, 2004. Mr. Carter died of complications, including pneumonia, following knee replacement surgery. He was 82.

A prominent architect in Sacramento, he designed over 400 buildings in northern California. One of his life's goals was “to make the world beautiful.”

As a member of the Sacramento County Planning Commission in the early 1960's, he played a significant role in the establishment of the American River Parkway and remained a staunch supporter of the Parkway throughout his lifetime.

For many years, Mr. Carter provided the funds for the luncheon served every year after SARA's Annual Meeting and he was very insistent that his donations remain anonymous.

“Humbleness,” according to Mr. Carter, “is one of the greatest attributes a man can possess and is a true measure of his worth.”



“If my marks in this world are small,
I pray they will be many.”

John Harvey Carter

“This country can never permanently
be a good place for any of us to
live unless it is eventually
a good place for all
of us to live.”

Theodore Roosevelt

Long-term Parkway Funding Solution being sought with SARA Support

by Gary Keill

In September a poll of likely voters was conducted to assess interest in supporting some sort of a new tax to help finance regional parks, parkways and open space in Sacramento County, including the American River Parkway. SARA and other private and non-profit interests contributed financially to the poll, which also received pro-bono support from the opinion research firm of Fairbanks, Maslin, Maullin & Associates.

The poll results were very positive and showed that county residents place great value on the region's parkway and open space assets, and appear generally willing to support a tax that would be used to help maintain and expand that system. Not surprising to SARA members was the fact that the American River Parkway topped the poll as the most well known and appreciated of those assets.

American River Flow Standard, from page 1

We will know within a few months into 2005 whether or not the Bureau (and USFWS) will live up to the purposes and intent of the LARFMS - MOU. In an encouraging note, at a Water Forum meeting on November 4th, Mr. Kirk Rogers, Regional Director of the Mid-Pacific Region of the US Bureau of Reclamation, said (more than once) that he was "**absolutely committed**" to seeing that the new flow standard is in place in accordance with the clauses/milestones of the MOU.

On the other hand, Mr. Rogers didn't have a positive response to a question from a WF member on how the Regional B of R management will be able to deal with the powerful South-of-the-Delta water users who have strong political ties to the administration and deep pockets - and who are lobbying for more water than they've received in past years. SARA and the other WF Enviros will continue to keep pressure on the MOU signatories to meet the scheduled milestones and acceptable minimum flows. We will keep our readers informed on the status of this process.

Members of the Regional Parkway Funding Group, in which SARA participates, are in the process of meeting with interest groups including local elected officials to develop support for a possible tax initiative for regional parks, parkways and open space. The tax initiative could take the form of a parcel tax or a benefit assessment district. Each mechanism has its pros and cons. Ultimately a tax measure of some type will be developed based on input from interested parties and the results of further polling.

Much work needs to be done, but the poll results have given the Regional Parkway Funding Group and SARA much reason for optimism that we can be successful in funding the American River Parkway and other regional assets in the future.

NEW PUBLICATION ANNOUNCED BY ARNHA

The revised and expanded edition of ***THE OUTDOOR WORLD OF THE SACRAMENTO REGION*** is now available at the Effie Yeaw Nature Center in Ancil Hoffman Park and local bookstores. It contains descriptions and drawings of more than 600 native plants, birds, mammals, fish, reptiles, amphibians and insects.

The 236-page volume, co-edited by Jo Smith and Pete Hayes, is published as a fund-raiser by the American River Natural History Association.

NOTICE TO SARA MEMBERS

Please take a moment to check the membership renewal line printed above your address. If the date is prior to November - 2004, your membership is past due and should be renewed as soon as possible to remain a member in good standing.

Flow Standard Note:

(The Water Forum's Lower American River Flow Standard is 800 cfs to 2,250 cfs depending on hydrology / watershed conditions).

American River Parkway Coalition Update

by Warren Truitt

The threat of a potential disaster triggered an important alliance, and bonding, of American River Parkway protection organizations. Reaction to the 2004 Sacramento County budget crisis and the subsequent threat of closure of the American River Parkway brought together a federation of three like-minded, yet uniquely focused, organizations to form the American River Parkway Coalition.

SARA, the original river protection organization, and the two other traditional Parkway organizations, ARNHA (American River Natural History Association), and ARPF (American River Parkway Foundation) have formed an excellent new relationship, with an agreed upon agenda to protect the health and well-being of the Parkway - now and for generations to come.

There was little evidence of close ties between these three organizations in the past. However, with the possible Parkway closure looming, the urgent need for a unity of response was recognized, and the Coalition was formed. The Coalition is comprised of 2 persons from each member organization. SARA is represented by Betsy Weiland and Warren Truitt. SARA President Alan Wade also attends the meetings, and is a key participant, providing his experience, wisdom and suggestions. Ron Suter, Director of County Parks, Recreation and Open Space attends periodically as well to keep the Coalition aware of related issues. Representatives of ARNHA include Lou Heinrich and Pam Maybury; Representatives for ARPF are Board Member Ken Miller & Annemarie Vincent, Executive Director. Meetings are held on the 2nd & 4th Fridays of each month.

PDA Day and BOS Sessions

Meetings in the first half of 2004, as possible Parkway closure was looming, dealt with short-term responses to the *Parkway in Peril* crisis. One example; to make sure the community is sufficiently aware of the real threat to the Parkway, the Coalition manned tables on the Parkway on May 1st, 2004, calling the event: *PDA (Public Display of Affection) Day*.

The public response was overwhelming and most encouraging. A huge number of Parkway users turned out that day offering their support, e-mail addresses and dollars to help save the Parkway.

The involvement of the Coalition member organizations at Board of Supervisor budget sessions, as well as correspondence sent to the supervisors, definitely contributed to their decision to fund the Parkway for at least another year.

The topics currently being addressed by the Coalition are the Ila Collin Day celebration on December 4, 2004, (which will follow SARA's Annual Meeting), the February, 2005 American River Parkway Stakeholder Summit, and the Parkway Pass Promotion, set for a Spring launch.

2005 Stakeholder Summit

The February, 2005 Stakeholder Summit will be a meeting of the Parkway grassroots user, protection and funding organizations, gathering together to discuss how we are going to solve the problem of preserving the Parkway well into the future. The organizations to be invited are those who have indicated they are willing to invest time, talent and treasure to preserve the jewel of the community - the American River Parkway.

Parkway Pass Promotion

Betsy and Warren, plus Annemarie Vincent, Executive Director of ARPF, have been meeting with Chief Ranger Dave Lydick, and Liz Bellas of County Parks to assist in the launching of an Annual American River Parkway Pass Promotion. The intention is to create an incentive for Parkway users to buy an annual pass - receiving discounts and special offers from local merchants in return.

The Coalition has successfully merged together the combined energy of the three original American River Parkway Organizations. The Stakeholder Summit and the Parkway Pass Promotion will further strengthen our momentum.



PROPOSED CALIFORNIA INDIAN HERITAGE CENTER

Frank Cirill, President Emeritus

On October 1, 2004, the California Indian Heritage Center (CIHC) Task Force voted that the preferred location for their center is the Northgate site near the junction of Highway 160 and Northgate Blvd. in the American River Parkway.

The CIHC Task Force's second preferred location is a bluff site along the south side of Lake Natoma. A third location, not selected, is known as the Freeport site, near Interstate 5 in the Stone Lakes Wildlife Refuge.

The Save the American River Association (SARA) believes that the proposed California Indian Heritage Center would be a great asset to the Sacramento Region and California, if properly planned and sited. Unfortunately, based upon information currently available, the proposed project seems incompatible with the goals and specific area plans of the American River Parkway Plan (1985) and therefore, SARA must oppose the location of the project in its current conceptual form, within the American River Parkway.

Because SARA feels that the Center is of great importance to the Californian Indian Communities and also to the City and County of Sacramento, it has formed a select committee comprised of three members of the SARA Board of Directors for the purpose of assisting the California Indian Heritage Center Task Force in its goal of finding a suitable site for their center.

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*SAVE THE AMERICAN RIVER ASSN., INC.
P.O. BOX 277638
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Lawsuit to Stop Proposed Cassano Residence on Fair Oaks Bluff

Frank Cirill, President Emeritus

In the previous edition of the Riverwatch we reported that the Environmental Council of Sacramento (ECOS) and the Save the American River Association (SARA) were participating in a lawsuit to stop construction of the Cyndee Cassano residence - a 43 ft. high single family residence of approximately 11,000 square feet adjacent to the Fair Oaks Bluff facing the American River.

Valerie Gates, a Fair Oaks community activist, initiated the filing and provided a significant monetary contribution for legal costs. Without her contribution, it would not have been possible to start litigation. Later, SARA and ECOS joined the lawsuit as additional Petitioners.

Since the filing of our lawsuit, we are pleased to report that the property has been sold. The new owner will remodel the existing residence;

SARA and many residents of Fair Oaks and the Greater Sacramento Community have over the past three years expended a great amount of time and effort to prevent the construction of the proposed residence. Because of its height and large mass the structure would have caused a significant detrimental visual impact to the Fair Oaks Bluff and the Parkway. SARA wishes to extend its thanks and appreciation to all of those persons who spoke in opposition to the proposed project during the five BOS public hearings.

Ed. Note: SARA has filed a new lawsuit regarding the Markis-Lien project-see page 6 for the **Markis/Lien Proposal Update** article by Jim Morgan . Plans are underway as we go to press to seek private funds to pay for the litigation. Phone **(916) 383-1298** for details on how to help defray legal expenses.

Markis/Lien Proposal Update

by Jim Morgan

As many readers already know, the Markis/Lien proposal was to build three fairly large houses in the Riverwood community, at the edge of the American River Parkway near the downstream end of Ancil Hoffman Park. Two of the houses were proposed to be located 20 feet back from a tall bluff. This proposal was and is controversial due to the potential esthetic impacts of the houses, and the possibility of the bluff receding. Also, there was and is concern that this project would set a precedent for additional construction of large houses near the bluffs in other areas of the Parkway.

A County ordinance called the Parkway Corridor Combining Zone contains special conditions and restrictions on development adjacent to the Parkway. This ordinance was adopted in the 1980s after two bluff failures (landslides) along the Parkway. One of the provisions of the Combining Zone ordinance is that a person seeking to build a house closer than a specified distance from the edge of the bluff must obtain a "conditional use permit" from the permitting agency. In order to obtain this, the proposed builder must submit technical reports and the permitting agency must make a number of findings, including that the development will not adversely affect the Parkway.

For the Riverwood area, and the Markis property in particular, the Combining Zone ordinance requires a conditional use permit for any house closer than 70 feet from the bluff. This 70 feet is composed of 20 feet of buffer, to allow for land remaining after 100 years, 30 feet of erosion from river scour, and 20 feet of bluff erosion because the near vertical face of the bluff produced by river scour is not stable.

Since the proposed Markis/Lien houses would have been within 20 feet of the bluff instead of 70 feet, there was considerable public opposition. It was opposed by County Planning staff, which put forward a compromise 50 feet setback, based on esthetic screening requirements. It was opposed by the Riverwood Homeowners Association Board of Directors, the County Parks Commission and the Carmichael Community Planning Advisory Council. It failed to win approval on a 2-1 vote at the County Planning Commission, with 3 votes needed for approval. After the Planning Commission vote, the Markis/Lien group appealed the decision to the Board of Supervisors.

At a series of three hearings before the Board of Supervisors, the Markis/Lien group was represented by a local attorney, and presented experts who testified about the stability of the bluff. These experts in essence testified that there was no potential for the bluff to recede either due to river scour or to bluff erosion. Experts hired by the Riverwood Homeowners Association and by the County came to a different conclusion: that there was and is potential for the bluff to recede. There were a considerable number of public speakers at the hearings. The overwhelming majority of public speakers were opposed to the Markis/Lien proposal, although a few were supportive.

In the end, the Board of Supervisors was divided on the issue. Supervisors Illa Collin and Don Nottoli supported the staff recommendation of a 50 foot setback. Supervisors Roger Niello and Muriel Johnson supported 27-28 feet, after the Markis/Lien group indicated they could live with this setback. Supervisor Roger Dickinson suggested a 35 foot setback. Ultimately, the Board of Supervisors approved the 35 foot setback, with either two or three houses, by a 3-2 vote. A number of conditions were part of the approval, ie. vegetative screening.

What of the future? Many Parkway advocates were under the impression that the Combining Zone ordinance prohibits the building of houses within the specified setback distance. As discussed above, this is not the case. It appears likely that there will be future proposals for large houses closer to the bluff than the setbacks specified in the Combining Zone ordinance. The Markis/Lien group invested a large amount of money in the proposal and hearings. If not for the vigorous public opposition, they could well have received approval for the original 20 foot setback.

After careful consideration and much thought, SARA has filed a California Environmental Quality Act (CEQA) lawsuit. SARA's attorney, after review of the proceedings, confirmed the belief that the County should have required an Environmental Impact Report (EIR) for this project. It has always been SARA's position that the Markis/Lien project could have significant impacts on the river and the parkway due to erosion potential and esthetics

(Please see item on page 5 regarding this lawsuit.)

THANKS TO ALL OUR SUPPORTERS

SARA wants to give special thanks to **Print Tech**, for the reliable, prompt and valuable service that they provide to us in printing our Riverwatch and to **Jet Express Mail** for mailing it to our members. We also owe special thanks to **American Fly Fishing Co.**, who teamed up with **Granite Bay Flycasters** this year, and donated the proceeds of the Annual Shad Tournament to SARA. Donations from the **River City Paddlers**, **American River Raft Rentals** and **California Fly Fishers Unlimited (CFFU)** have also helped us greatly. Your support has helped us to continue with our many activities in protecting the American River and Parkway.

SARA OFFICERS AND DIRECTORS

Alan Wade.....President
 Jack Sohl.....Vice President
 Elke Guenter..... Secretary
 Jack Sohl.....Acting Treasurer

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 Felix SmithWarren Truitt
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 Betsy Weiland.....Volunteer Liaison
 Bob Burrows.....Advisor

LOCATION FOR SARA BOARD MEETINGS

SARA's Board meetings are held on the 3rd Tuesday of each month at 7:30 p.m. Meetings are currently being held in the Conference Room in the County Parks and Recreation Dept. located at 3711 Branch Center Road. From Bradshaw Road turn right onto Ecology Lane -- Turn right again into the first parking lot. Call ahead of time for possible changes to date or location.

For information: Call Wanda Denson at (916) 383-1298

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Word Processing & Layout by Wanda Denson

**SAVE THE AMERICAN RIVER ASSOCIATION, INC.
 MEMBERSHIP RENEWAL & APPLICATION FORM**

FALL - WINTER - 2004 ISSUE

NAME _____ ARE YOU A NEW MEMBER: _____
 ADDRESS _____ IS THIS A RENEWAL? _____
 CITY _____ HOME PHONE: () _____
 STATE AND ZIP CODE _____ WORK PHONE: () _____
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ANNUAL MEMBERSHIP CATEGORIES

WANT TO VOLUNTEER? _____

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- [] SUSTAINING...\$ 100.00 YEAR [] FAMILY \$100.00 YEAR [] CORPORATE/BUSINESS \$250.00 YEAR
- [] LIFETIME / PATRONS\$ 1,000.00 OR MORE YEAR

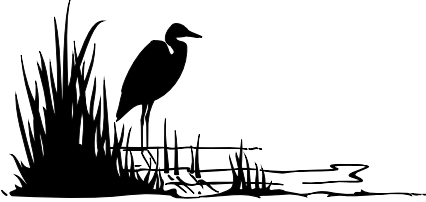
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NOTE: BECAUSE SARA IS THE PRIMARY ADVOCATE APPEARING BEFORE GOVERNMENT AGENCIES & COMMUNITY AGENCIES ON BEHALF OF THE AMERICAN RIVER & PARKWAY, YOUR MEMBERSHIP DUES AND/OR SPECIAL DONATIONS ARE NOT TAX DEDUCTIBLE.

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A SPECIAL GIFT

This Holiday Season, please consider giving a very special gift —
one that continues to give year after year —
a tax-deductible donation to the Fair Oaks Bluff.

Your help is still very much needed to pay off an outstanding loan of \$130,000.

Please make your check payable to: *“Fair Oaks Recreation Foundation”*
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For more information please visit their web site at: www.savethebluffs.org