

# RIVERWATCH

SAVE THE AMERICAN RIVER ASSOCIATION, INC.

VOLUME 41 - ISSUE 2

ORGANIZED AND INCORPORATED MARCH, 1961

SUMMER -2003

## PARKWAY PARADISE PLUNDERED!

### **CASSANO RESIDENCE APPROVED by BOARD OF SUPERVISORS**

by Frank Cirill, SARA President Emeritus

### **PROPOSED RIVERWOOD PROJECT OPPOSED BY SARA & COMMUNITY**

by Pat Waterbury

On June 4, 2003, Supervisors Roger Niello, Muriel Johnson and Don Nottoli voted to grant a permit to Cyndee Cassano to build a 10,800 square feet - 43 feet high single family residence adjacent to the Fair Oaks Bluff facing the American River. Supervisors Illa Collin and Roger Dickinson voted to deny the permit.

This residence is the largest home ever planned to be built in the Parkway Corridor Combining Zone. During the past six months, SARA, along with other organizations and concerned members of the Sacramento Community, has strongly opposed the proposed project. The home will cause a visual intrusion into the panoramic view from the Fair Oaks Bluff, which the public has enjoyed for a century.



The Sacramento Community, over the past four decades, has created the American River Parkway. Tens of thousands of hours of community effort and many millions of public and private dollars have been invested to purchase the property which is now the Parkway.

The vision of the Community and the government agencies was that the Parkway be a perpetual public trust resource for the benefit of the Community. Unfortunately, there are some individuals with great wealth who feel that their desire for a magnificent panoramic view is of greater importance than the public's traditional right to enjoy the Parkway without being subjected to offensive visual intrusion from a massive structure.

*SARA issued a call to action in the spring issue of the Riverwatch. We are therefore happy to print this article submitted by an interested SARA member.*

If you watched with interest the Cassano mansion moving through the approval process, you will soon have another opportunity to observe the various governmental agencies and the supervisors go through their agonizing, time-consuming machinations. Within the city of Carmichael is Riverwood, a planned development community, begun in the early 70's. A small parcel in the center of Riverwood managed to avoid being incorporated into the original development.

Now the parcel (a 50's house sitting on approx. 30,000 sq ft of buildable space) on an American River bluff, in the Parkway Combining Zone has been sold to the Alan Markis family, who, along with co-developers Norm Lien and Mike Lien, is planning three houses on the parcel. A total of 15,000 square feet of housing is proposed. In order to achieve this feat, they intend by way of variances and use permits, to place two houses on the bluff, 20 feet back from the cliff edge (even though the County regulations require a 70 foot setback). The result is 150+ linear feet of building with an excessive amount of glass, some of it two-story, paralleling the river and looming over the Parkway.

Riverwood was developed in the early 70's by people who envisioned a community of small homes, each averaging about 2500 square feet. The plan was to maximize the amount of land used for trees and landscaping. Some Riverwood owners have been there for more than 30 years and all of the residents are very protective of the open space and natural surroundings in which they live. Even parking in Riverwood is a problem because of their desire to concentrate available space on the natural environment rather than "footprint".

(continued on page 2)

(continued on page 2)

**Cassano Residence Approved** (continued from page 1)

There is still the possibility that the permit to build the Cassano residence may face a legal challenge. SARA may be a participant in such a lawsuit.

SARA has requested that a moratorium be initiated on all new applications to build residences in the Parkway Corridor Combining Zone until it is amended to include limits in size and height. This request will come up for review by the Board of Supervisors during this summer and fall. Our members will be kept informed so that they can participate in the process.

**In the meanwhile, SARA will continue to oppose all proposed residences which will cause significant detrimental visual intrusions into the Parkway.**

**WHAT IF???**

by Elke Guenter

It saddens me profoundly to see how one individual, single-handedly, can destroy what so many have fought for years to preserve and protect — with one single strike of the “almighty dollar wand”!!

I wonder what it would be like to live in this huge mansion high upon the bluff knowing that an entire community despises what you have done? Where would be the joy? Where would be the peace and solace? What would be there to feed one’s soul?

As hard as I’ve tried, I just can’t imagine it! And, in the twilight of one’s years, what answers would there be? Did my own narrow, selfish needs blind me to what was really important? Or, did I truly make a difference, not only to this generation but to those generations to follow? And then my thoughts drift in another direction and in my naivete I ponder that universal question, “What if?”

What if there were a change of heart? What if the house were redesigned so as not to intrude into these stunning views? And what if the wealth and good fortune of one single individual were redirected for the good of an entire community? What if a donation were made to pay off the outstanding mortgage on these bluffs so that this priceless treasure would be preserved forever?

**What If?**

***“While you have a thing it can be taken from you... but when you give it, no robber can take it from you. It will be yours always.”***

James Joyce

**Riverwood Project Proposal** (continued from page 1)

The proposed project has not fared well under suburban scrutiny. Thus far, after appearing before the American River Parkway Commission, the County Recreation & Parks Commission and the Carmichael Planning Advisory Council, the developer has received only one vote to approve out of some fifteen representatives.

County Counsel and Risk Management have taken a “strongly opposed” position. Also, the Riverwood Board of Directors and all of their Committees are unanimously opposed to the project as it has been presented. Now the developers travel downtown to the Planning Commission and the Board of Supervisors, where those who determine what kind of a community we live in will show the world what kind of people we are. Are we the kind of people who think that a beautiful natural resource like our beloved river needs a riparian necklace of trophy houses, or can we show the world that we realize our river is a living thing, beautiful in its own right, a unique resource paid for by public money, and that it is an obscenity to allow it become the financial statement of a privileged few.

The Parkway is disappearing - to a movement attempting to reinvent the Parkway into a kind of Beverly Hills Boulevard. Writing to your supervisor is of utmost importance. Tell your supervisor that you are opposed to these trophy houses and all other McMansions on the Parkway, that you support a building moratorium until the Parkway Plan can be updated. This Carmichael project is in jeopardy of being approved because of the usual political pressures. **We can make the difference by telling the Supervisors what kind of people we are.**

*“We believe that ugliness begets ugliness and that nature’s beauty, once destroyed, may never be restored by the artifice of man.”*

Carl Carmer, 1977

**THANK YOU!**

We are very grateful for the donations recently received from **The Wheelmen, CFFU, Granite Bay Flycasters** and those from some long-time SARA members. We want to especially express our continued thanks to **Print Tech**, who generously donate the printing of Riverwatch and other printing needs, and **Jet Mail Express**, who prepares the Riverwatch for mailing.

**They do a super job!**

## ***SARA Board Retreat: Upbeat Event with a CAVEAT***

Alan Wade, SARA President

SARA's long awaited Board retreat took place on Saturday, June 7 at the Carmichael home of board member Howard Ross. Under the able leadership of moderator Tim Washburn of SAFCA, we covered a range of topics including proposed revisions to our mission statement, board and membership development, community outreach, and fund-raising.

The very useful discussions took place in the spectacular setting of Howard's patio - located about 100 feet above the river, with a fabulous upstream view that visually confronted us with the heart of SARA's mission. From the viewpoint where we met, we could see upstream for about a half mile. We looked down on dozens of kayakers and river rafters enjoying a spring paddle down the rapidly flowing river, fed by high water flows from April's heavy Sierra snows. Silently, we seem to have had one simultaneous thought: What a great place for a three-story trophy mansion!

Words can scarcely convey the beauty of this setting - a beautiful well kept lawn, dropping gently toward the bluff over perhaps an acre of land, with a modest 1400 square foot house built many years ago when this land was cheap and easily available to folks of modest means. ***And herein lies the warning that leaped out at us, as our discussions were underscored by the river view.***

While none of us present could assign a dollar value to this priceless asset, our recent and continuing experience with the Cassano residence (see articles on pages 1 and 2) struck us with the realization that there are those who have both the means, and the intention, to translate properties like this one into huge, private pleasure palaces.

How many locations are there like this one along the river, with the potential to be gobbled up by people with the means to do whatever they want with the land? How many modest homes like this—situated along the river, located well back from the river bank—will face the wrecker's ball only to be replaced by huge, tasteless mansions built as close as possible to the river's edge—which a majority of the County Board of Supervisors believes "add to the Parkway's charm"? Is it possible to gather the political will to stop the proliferations of these monstrosities by changing the Parkway Combining Zone rules? Or is the political climate so tilted in the direction of Big Bucks that those of us who love the river and the Parkway must go the costly and uncertain route of the courts in order to seek redress:

SARA members and Riverwatch readers: **let us know what you think.** There is no end of Big Money out there waiting to exploit loopholes in the current laws. Or are we way off base, tilting at windmills, with no support behind us?? Let us hear from you.

### **Write letters regarding Cassano Decision to:**

Sacramento County Board of Supervisors  
700 H Street - Room 2450  
Sacramento, CA 95814

District 1: Roger Dickinson	Phone: 874-5485
District 2: Illa Collin	Phone: 874-5481
District 3: Muriel Johnson	Phone: 874-5471
District 4: Roger Niello	Phone: 874-5491
District 5: Don Nottoli	Phone: 874-5465

Fax No: 874-7593

*"To know one's landscape, to feel in sympathy with it, is often to be at peace with life. When all the world seems wrong and the burdens overwhelming he can look out on the familiar fields and hills or get among them and give way to their beauties of form and color as a resource within himself that will be an ever-present power of recuperation."*

Richard E. Dodge, 1915

## RIVER RAMBLINGS

by Jack Sohl

The American River Flow Management Plan (FMP) draft has been briefed to various Federal, State and local agencies, as well as to the WF Environmental Caucus. It has generally been favorably received, but still faces lengthy bureaucratic proceedings before its formal approval and implementation. Adoption of the FMP will be a major accomplishment by ensuring that Folsom Reservoir releases are managed so as to create and maintain a healthy environment for spawning and rearing of salmon and steelhead, as well as for recreational and esthetic values. The FMP plan is probably the single most important element in the Water Forum Agreement from SARA's standpoint.

The former Arden-Arcade Water District (now part of the Suburban WD) has formally been accepted as a member of the Water Forum. Negotiations are ongoing with the foothill water agencies.

It appears that most water districts who are WF signatories are not making great progress in respect to their conservation plan goals, as stated in their specific agreements. Better monitoring, evaluation, reporting and follow-up methods are being studied.

Members looking for opportunities to become more active in SARA, or in River/Parkway projects, please call Jack Sohl at 486-9528.

"Out of our human needs, perhaps, will come the strongest argument for preventing the blind destruction of the plant world and its natural habitats. This will not simply be for utilitarian reasons but increasingly because of the demand for that natural solace which the green world and unspoiled scenery provide."

**PLEASE CHECK OUT OUR WEB SITE:**

**[WWW.SARARIVERWATCH.ORG](http://WWW.SARARIVERWATCH.ORG)**

**OUR E-MAIL IS: [RIVERWATCH@COMCAST.NET](mailto:RIVERWATCH@COMCAST.NET)**

## EAST BAY MUNICIPAL UTILITY DISTRICT (EBMUD) / SACRAMENTO CO. WATER AGENCY FREEPORT REGIONAL DIVERSION PROJECT

Representatives met with SARA and other Water Forum Enviro Caucus members in late June to update the project status. The Draft Environmental Impact Report (DEIR) will go to the Bureau of Reclamation in early July for review, with a planned posting in the Federal Register by July 18th. It should be available for public review by the first of August. A 60 day review and comment period follows.

While SARA and other WF enviros did not actively oppose the Freeport Project, as it ensured that EBMUD would forever be unable to divert water from the American River, there are still concerns that the project could open the door in future years for other agencies to seek water from this same source and from the same delivery system--thought by some to be the equivalent of a "Folsom East Canal". SARA will make certain that our concerns and issues are dealt with in the review and comment process.

In the meantime, engineering studies and legal actions are proceeding. A "preferred" routing for the pipeline from Freeport to the Folsom South Canal has been established, and a number of public and agency briefings have been conducted. Legal actions to stop the project continue, although EBMUD won the first round. These actions, filed by Contra Costa WD and a number of Southern California and valley water interests, will continue to impede actual implementation of the project and any resolution decisions or agreements must be carefully monitored by SARA and other American River watchdogs.

by Jack Sohl

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SAVE THE AMERICAN RIVER ASSN., INC.  
P.O. BOX 277638  
SACRAMENTO, CA 95827-7638

## LOWER AMERICAN RIVER SCIENCE CONFERENCE

by Felix Smith

The Lower American River Science Conference was held at Sacramento State University on June 5 and 6, 2003.

The Lower American River is recognized as a unique resource of the greater Sacramento region, and makes important contributions to the economic, environmental, and recreational quality of the region. It is the most heavily used recreational river in California. Many public agencies and private groups are concerned about the river's welfare. Presentations at the conference involved, Fish Resources; Groundwater Resources; Weather and Weather Forecasting.



The topical thread of the conference was the bigger picture - the watershed view. This watershed view was that the American River Basin is a part of the greater Sacramento River Basin Watershed and that this watershed is a part of the Central Valley, San Francisco Bay-Delta watershed.

There was a concern about the status of the fishes of the American River as a part of the Central Valley Basin and the need to provide stream conditions to assure adequate spawning and rearing of native fish species, especially those species listed under the Endangered Species Act. The needs of the Basin's anadromous fish resources were discussed in detail. The need for groundwater management on a regional basis was discussed. There were concerns expressed about the inflexibility of the present Delta Water Quality Control Plan and the use of Folsom Reservoir for quickly supplying water to meet Delta water quality standards and to meet export contractor demands. There are concerns surrounding forecasting extreme precipitation events, any precipitation and resultant runoff and its implications for managing Folsom Reservoir and the flows released to the Lower American River.



SARA takes the position that it must be aware of what is happening in the American River watershed because such impacts could easily extend to the resources, uses and ecological values of the Lower American River, SARA's primary concern. SARA is also watching for operational changes at other CVP projects, which could impact the operation of Folsom Reservoir. SARA will comment on any proposed changes if they could impact the resources, uses and ecological values of the Lower American River.

## SARA Protests Changes of Flow Releases for Stanislaus River

Felix Smith

The Bureau of Reclamation has proposed changes to the New Melones water right permits to replace the flow objective for a dry year or below normal year for February, May 16-31 and June to that of a critical-year flow objective. The changes would apply this year only for a period of 180 days.

SARA has protested such changes. The basis for the protest is that the instream flow, water quality and other protective fisheries measures were established for the Stanislaus River following a hearing before the State Board. The instream flows and other measures were based on evidence presented to protect anadromous fish resources and other aquatic life under various hydrologic conditions. The flow conditions were the MINIMUM necessary to protect fish and other aquatic life.

Data has not been presented by the Bureau to support its position that the aquatic environment and associated resources would be protected. Fish conservation interests remain concerned whether the required flow standard will meet the purpose and intent of Fish and Game Code Section 5937 especially since both quantity and water quality issues are involved.

*The flow conditions were the MINIMUM necessary to protect fish and other aquatic life.*

Since the Folsom Reservoir is the closest Federal reservoir to the Delta, it could be used to make up any water shortage as a result of water cutbacks on the Stanislaus River. This will put additional demand on the Folsom Reservoir pool, which in turn, could impact the availability and extent of cold water needed for steelhead (a species listed under the Federal Endangered Species Act) and for Chinook salmon of the Lower American River during the summer and fall months.

SARA believes that to change (reduce) the flow conditions in the absence of data to support the changes is unreasonable.

Such a change can cause unreasonable effects to fish resources and other aquatic resources in both the Lower Stanislaus River as well as the Lower American River.

## EDITOR'S COMMENTS

Elke Guenter, Editor

As is apparent from our front page, the ink is barely dry on the use permit for the Cassano Residence and already new and more ominous threats are under way to further degrade the American River Parkway.

I hold in my hand Attachment "A" to Article 3, entitled **PARKWAY CORRIDOR COMBINING ZONE** - Purpose: The PC Combining Zone shall be used to regulate property along the American River within the unincorporated area of the County. The goals promoted by establishment of this zone include:

This is where several paragraphs in particular jump out at me.

1. Ensure, to the extent possible, the compatibility of land uses within the AR Parkway and land adjacent to the Parkway for their **MUTUAL** benefit.

2. Ensure that development with access within and adjacent to the AR Parkway is **DESIGNED TO REDUCE AS MUCH AS POSSIBLE VISIBLE INTRUSION INTO THE PARKWAY AND TO COMPLEMENT THE NATURALISTIC AMENITIES OF THE PARKWAY.**

3. Ensure that development within the AR Parkway Corridor Zone occurs in a manner which maintains a safe environment for homes and other improvements, and **PROTECTS THE AESTHETIC AND ENVIRONMENTAL QUALITY OF THE PARKWAY.**

So here it is in black and white that this monster of a house is **NOT** compatible with the Plan. But my much wiser fellow SARA board members quickly pointed out that this sort of thing is always at the discretion of the Board of Supervisors.

So, I mutter to myself under my breath, this verbiage, however great and wonderful it sounds, isn't even worth the paper it is printed on!!! Why even have any kind of plan when it can be manipulated to benefit those with enough money and power?

I want to throw up my hands in disgust and despair but after considerable mental turmoil, I suddenly remembered a quote I came across not too long ago. Mike Farrell, Hollywood actor and long-time activist, was recently asked how he kept fighting such difficult battles.

**He replied, "I am powered by my outrage."**

## CAN YOU SPARE AN HOUR TO HELP SAVE THE PARKWAY?

Although a relatively small group of dedicated people collectively spent thousands of hours preparing and presenting their compelling case against the construction of a monster house in the American River Parkway, it obviously made no difference in the outcome.

In fact, I'm personally convinced that had only a few hours been spent or, at the opposite end of the spectrum, had thousands more hours been expended, the outcome would have still been the same!

I say this because the three Supervisors who thought this monster house was a good idea never truly listened to any of the testimony. In public hearing after public hearing, it was basically, with a few exceptions, the same faces that appeared in front of the Board. So, every time another individual stepped up to the podium again, the "OFF" button in three of the minds up there was activated. Just a little mental click!!!!

Now, a deluge of mail from angry Sacramento area residents would be a matter that could not be ignored.

In spite of literally mind-boggling technological advances, the hand-written note or letter, now more than ever, packs the most punch. Every politician knows that one single, hand-written letter represents anywhere from 750-1000 constituents.

**What a powerful tool!!!**

So, here's the plan: Get out your writing paper, envelopes and stamps and write your own Supervisor. Better still, write to all five of them, thanking Illa Collins and Roger Dickinson for voting against this structure and voicing your **vehement** disapproval to the other three who voted for it.

There are actually three separate issues:

(1) The Cassano Residence, (2) proposed building in the Riverwood Community and (3) Enacting a moratorium on further building in the Parkway Corridor Combining Zone until current revision of this document has been completed. If you write a brief separate note on each issue and send it to each of the five Supervisors, these 15 pieces of mail from each of you will speak for 15,000 residents of this community!!!

**Go for it!!!** Names, addresses and phone numbers of all 5 Supervisors are listed on **page 3.**

CALENDAR OF EVENTS

EPIE'S GREAT RACE
Saturday, July 19, 2003

DOWN RIVER DAY
Saturday, August 2, 2003
Sponsored by the ARPF
(American River Parkway Foundation)

WEED WARRIORS
SATURDAYS
August 2, 2003
September 6, 2003
October 4, 2003
Call Frank Wallace at:
213-4682

GREAT AMERICAN RIVER CLEAN-UP
Saturday, September 20, 2003
Sponsored by ARPF
Call 456-7423 for details.
The Salmon Festival
Saturday & Sunday
October 11 and 12, 2003

SARA ANNUAL MEETING: SATURDAY, DEC. 6, 2003 - 10:00 A.M.

SARA BOARD OF DIRECTORS

- Alan Wade..... President
Jack Sohl.....Vice President
Elke Guenter.....Secretary
Vacant..... Treasurer
Frank Cirill.....President Emeritus
Joe Ceriani.....Bob Hanna
Jim Jones.....Harold Kerster
Howard Ross.....Felix Smith
Susan Tatayon .....
Bud Getty.....ARNHA Liaison
Pam Maybury.....ARNHA Liaison
Betsy Weiland.....Volunteer

LOCATION FOR 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 at the County Parks & Recreation Dept. located at: 3711 Branch Center Road. Turn right on Ecology Lane from Bradshaw Road. Please call ahead of time for possible changes in location or date.

The SARA line is: 916-387-1763 (Phone & Fax)
Secretary line: 916-383-1298 (Best number to call)

SARA E-mail: riverwatch@comcast.net (as of 7-1-03)
SARA Web site: www.sarariverwatch.org

WHEN WE SEND RENEWAL NOTICES WITH A YEARLY UPDATE MESSAGE, WE SEND TO ALL SARA MEMBERS, INCLUDING THOSE WHO MAY NOT BE DUE. IF AT ANY TIME YOU ARE NOT SURE OF YOUR RENEWAL DATE, PLEASE DON'T HESITATE TO CALL. YOU CAN USUALLY FIND THE DATE ABOVE YOUR NAME ON THE ADDRESS LABEL. IF ITS MISSING, PLEASE CALL WANDA AT 383-1298 FOR CURRENT INFORMATION. RENEWAL DATES PRIOR TO JULY - 2003 ARE PAST DUE.

SAVE THE AMERICAN RIVER ASSOCIATION, INC.

MEMBERSHIP RENEWAL & APPLICATION FORM

SUMMER (JULY) 2003 ISSUE

NAME \_\_\_\_\_ ARE YOU A NEW MEMBER? \_\_\_\_\_
ADDRESS \_\_\_\_\_ IS THIS A RENEWAL? \_\_\_\_\_
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_
HOME PHONE:( ) \_\_\_\_\_ WORK:( ) \_\_\_\_\_
E-Mail address: \_\_\_\_\_ FAX:( ) \_\_\_\_\_

ANNUAL MEMBERSHIP CATEGORIES:

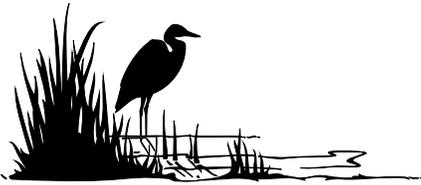
- UNDER 18 -\$5.00 SENIOR CITIZENS/STUDENTS - \$10.00 REGULAR - \$25.00 ADVOCATES - \$35.00
CONTRIBUTING - \$50.00 SUSTAINING - \$100.00 CORPORATE/ASSN. \$ OTHER\$
DONATION FOR LEGAL PURSUITS TO KEEP THE AMERICAN FLOWING \$

PLEASE MAKE CHECKS PAYABLE TO: SAVE THE AMERICAN RIVER ASSOCIATION, INC. (OR SARA)
P.O. BOX 277638 - SACRAMENTO, CA 95827-7638

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

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## ***LATE BREAKING NEWS !!***

***As the Riverwatch goes to press, we have received the following information:***

*A Fair Oaks resident is filing a law suit in Sacramento Superior Court aimed at stopping the construction of the Cassano residence.*

*SARA and ECOS will join the suit as lead environmental advocacy organizations. We are expecting that others may join also.*

*Details will be posted on the SARA web-site ([www.sarariverwatch.org](http://www.sarariverwatch.org)) as soon as they become available.*