**The Killing of Carmel Mountain**

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Cooked up in 1991 by George Bush and Pete Wilson of California, then seized on by Al Gore and Bruce Babbitt, a crafty ploy called the Multi-Species Conservation Plan has become the weapon of choice of real estate developers to nullify the Endangered Species Act and destroy the choicest remnants of natural habitat that still survive in America today. It will be coming soon to an ecosystem near you. Here's what happened in its first big test run in San Diego County.\*

Every day hundreds of hikers and joggers sweat their way uphill to the red cliff tops at San Diego's Torrey Pines State Park, whence a view of the Pacific ocean, maybe a glimpse of a migrating grey whale, the scent of black sage. Keep your eyes on the western horizon and try not to glance back to the view eastward over Los Penasquitos estuary and Interstate Five.

At the intersection of the San Diego Freeway and Routes 805 and 56 the California Department of Transportation is building one of the largest interchanges in Southern California, presumptively in the entire world: a convulsion of concrete and asphalt that in just a few years will knit together twenty north-south lanes. Rising above this "merge" is Carmel Mountain (so named for the convent founded by Irish nuns back in the 1890s), a series of tilted mesas once covered with some of Southern California's last remaining coastal sage scrub and maritime chaparral. Under the freeways is the upper end of the delicate Penasquitos estuary, one of California's last unpaved wetlands.

In any silhouette familiar to all the previous inhabitants of the region, Carmel Mountain has ceased to exist. The mesa has been scraped and graded, its canyons filled in and paved, its cliffs and ridges re-contoured into strangely symmetrical waves. Millions of tons of its soft, sandy shoulders are being sliced off and hauled away. The landform looks like a giant green cake that's been attacked with a serrated knife. On its newly shaved surfaces, shallow steps are cut to keep soil from washing or blowing away. The steps are then sprayed with green dye and ground cover seeds. The result is a low, sandy pyramid that stretches for several sad miles. The pyramid's sides have been planted with stucco cubes holding insurance, HMO, and real estate offices. Its flat top is spread thick with ocean view estates, many priced “from the low $1,000,000s".

I don't know if most commuters traveling I-5 remember what Carmel Mountain looked like even a few years ago. When traffic is moving, I imagine most hunch away from the side window and try to not to look. In daily conversation, no one mentions what's happening to Carmel Mountain. The awful scene creates a kind of numbness. On the other hand, when you're stuck in the traffic at the merge, it's hard to miss the fleets of bulldozers above you, hectically reworking Carmel's slopes. As I watch them, though the memories are becoming harder to retrieve, I can recall the mesa's massive flanks, green with wild mustard in springtime, a dangerous crisp gold in fall.

San Diego's coastal mesas used to be ocean bottom -- soft, compressed sand and mud that pushed upward less than a million years ago. Small rivers and creeks draining from the east eroded wide valleys like Penasquitos, Sorrento and Carmel, and cut hundreds of tiny, steep finger canyons. Soft chaparral evolved to cover the hills and canyons. The coast gets less than ten inches of rain a year, but with fog and ocean mist there's enough moisture to support a fragrant scrub of sages, mints, lemonade berry, cactus and brittlebrush. Hundreds of varieties of plants and wildflowers make a unique mosaic; some species, like Dudleyia brevifolia and Del Mar manzanita, are found nowhere else. Fragile networks of vernal pools sustain amphibians and the San Diego fairy shrimp, a rare invertebrate.

Native Americans fished and gathered; the Spanish and Mexicans, and later Anglos ran cattle in the valleys. In this century, they also dry-farmed beans and irrigated for tomatoes and strawberries. By the 1960s Carmel Valley was one of the last undeveloped valleys running to the coast. Carmel and Sorrento Creeks still flooded twice daily with the tides, and the hills held affordable rural digs for a few hundred college professors, students, artists and retirees. In the side canyons, semi-hidden ranchos housed Mexican migrant workers. Although humans impinged, estuary, valley and mesa were still connected in a rich, working ecosystem, in part because San Diego held much of the area around Carmel Mountain in an urban reserve of agricultural and wild lands. Up and down the valleys, from the river mouth to the foothills of the mountains, deer, cougar and bobcat freely roamed.

As I-5 was completed in the sixties, the big developers understood that freeway access had turned the scrubby-looking coastal mesas into prime real estate. Pardee Construction Company, a subsidiary of Weyerhaeuser, bought up large patches of land and persuaded elected officials that the urban reserve needed to be planned to save it from....developers. A thirty years' war ensued between the developers, with the city and its planners in their pocket, and community activists and ecologists mustered in an uneven coalition that fought, year after year, the area's destruction.

One of these long-haul warriors is Isabelle Kay, an ecologist who manages land reserves for the University of California. She's fought for Carmel Mountain for years. "It's an absolutely unique land form', she says. Even though most of it fell outside the protected area, "it was designated by the city as a core area of the highest quality habitat and very important to save. From the 1960s on, it was always marked red on every map." But by the mid-1970s, the San Diego Planning Commission was issuing orders limiting development in the urban reserve one day, and granting loopholes and exceptions the next. Under public pressure to conform to their own past plans, city council members repeatedly decried the "lack of planning". The calls for more planning led in turn to zoning shifts and more sketches for "managing" the growth of the new tract neighborhoods Pardee had begun to build. Carmel Mountain was becoming an island.

In retrospect, Isabelle Kay sees the planning process itself was an enormous part of the problem. "It was a shell game." Once developer-guided planning was underway in the urban reserve, speculative pressure fell upon on Carmel Mountain. Here too Pardee had bought several hundred acres and was pressuring the city to allow construction. The city produced an environmental impact report which argued that development of the mesa, now renamed "Neighborhood 8-A", would have devastating environmental effects. But then, at the developer's behest, the planners broke the mesa into five smaller neighborhoods; each of these developments was put through the city's approval process separately, absorbing enormous amounts of local activist energy. And although the neighborhood plans were said to be just "plans" -- not facts about the future -- land values shot up as each was approved, raising the developers' stake in each project. When Kay and the Carmel Mountain Conservancy objected that building subdivisions would have terrible effects on plants, animals and the watershed as a whole, they were told "8A has had an EIR." Never mind that the piecemeal plans flouted it.

If planning simply greased the wheels of development, could anything else have saved the mesa? The federal Endangered Species Act did slow things down, since the mesa was home to the California gnatcatcher, and the fairy shrimp, both listed. But Carmel's real biological uniqueness was the patterns of its vegetation, and the Endangered Species Act does not protect plants on private lands. The Carmel Mountain Conservancy and its allies fought the subdivisions, one by one, while urging the city to buy the mesa outright.

Then Pete Wilson brought Natural Communities Conservation Planning to San Diego. Influenced by Pardee's vice-president Mike Madigan, and ever sensitive to the needs of big real estate, in 1991 the governor claimed that the Endangered Species Act and the gnatcatcher were causing an "environmental train wreck" that had to be stopped. Under Wilson's scheme, enforcement of the ESA would be suspended while a coalition of governments, planning authorities, developers, and state and federal agencies, including the Fish and Wildlife Service and the State Department of Fish and Game, set up systems of linked preserves to provide permanent habitat for threatened birds, plants and animals. Not coincidentally and at the same time the Bush administration slashed Fish and Wildife's staff and declared a moratorium on species listings.

With astonishingly diverse terrain and more than eighty threatened and endangered plants and animals, San Diego County was one of the first big test cases of Wilson's, Babbitt's and Bush's magical plan. Its Multiple Species Conservation Plan is a patchwork of 172,000 acres spread over 900 square miles. The "Plan" directs regulatory focus to whole habitats, and so Carmel Mountain had everyone's close attention: Southern California's coastal sage scrub was nearly gone, and by the mid-1990s, San Diego had lost 97% of its vernal pools. Southern maritime chaparral had been reduced to 2,400 acres in the United States, and four hundred of these were on Carmel Mountain.

An important operating principle of Wilson-Babbitry is that local governments rather than the feds should take the lead in interpreting environmental regulations. Of course, local officials are likely to be very close to local real estate interests. In San Diego they are nearly one and the same. Wilson-Babbitry urges "flexible" (winsome word!) interpretation of the rules to create "win-win" solutions. Flexibility means that developers get to cut environmental deals, swapping or selling left-over and undesirable land into the habitat preserve against the right to develop on or next to sensitive land. These scraps need have no value as habitat and in San Diego "essential corridors" between bits of habitat can turn out to be asphalt highways or concrete culverts. The City of San Diego completely inadequate mechanisms for monitoring protections, preserve areas and mitigations.

And most important, the MSCP installs special protections for the land speculators: after a development has been approved under the plan, no further environmental limits can be imposed for fifty years (in the Riverside and Orange County versions of the plan, it is seventy years). This "no surprises" clause means that no matter what happens to a species, a watershed, or in the world of science, nothing will interfere with the owner's ability to profit from that piece of land.

Carmel Mountain was one of the first casualties of the Multiple Species Conservation Plan. The activists were optimistic at first. Alison Rolfe of the Southwest Center for Biodiversity says "We were really hopeful that the MSCP would help us save Carmel Mountain, and we tried to work with it." "All the talk of holistic planning made people think it was going to be done right," Isabelle Kay laments. The mesa glowed bright red on Fish and Wildlife's maps. But Kay and her allies quickly found out what flexibility really meant. Frustrated by the locals' insistence that the mesa was an irreplaceable resource, Pardee huddled with City Manager Jack McGrory, a noted pro-development fixer, to talk about the fate of what by now were fabulously valuable holdings. Together, behind closed doors, they simply redrew the dimensions of the core habitat area on the mountain's map.

Although this creative cartography was rejected by every scientist and environmental group as scientifically unsound, Fish and Wildlife approved it. Although city council timidly disavowed the new line, somehow it always appeared on subsequent maps. In the bait and switch that followed, the developers simply began moving the boundaries on parcels as needed, transferring sensitive packages out from under scrutiny, trading small wildlife reserves for the space to build golf courses and artificial lakes. In the endgame, Pardee proposed that it would cede 150 acres of the most contested acres to a habitat preserve if the city would guarantee it unrestricted development of another package in the urban reserve. Since this release of public land had to be approved by voters, Pardee demanded that the Sierra Club publicly endorse the swap. The Sierra Club graciously complied.

Fourteen local organizations, led by Alison Rolfe, are suing Fish and Wildlife to halt the Multiple Species Conservation Plan in San Diego, Riverside and Orange Counties, arguing that it destroys wetlands and creates the fragmentation it claims to prevent. Isabelle Kay figures that even the old agricultural zoning, with the ESA, would have protected much more of Carmel Mountain and its environs. The MSCP, she says, "treats subdivisions like living organisms and living organisms as if they are inert".

It's over for Carmel Mountain, Del Mar Mesa and Penasquitos Lagoon as an ecosystem. Canyons through which seasonal streams ran are blocked with concrete. Wildlife corridors where Isabelle Kay once photographed thousands of animal tracks in mud have been sealed off by the I-5 expansion. Though still beautiful to look at, the estuary is a heavily silted catchment for suburban storm sewers. Its exit into the ocean at Torrey Pines beach is too polluted for swimming: under new Coastal Commission rules, it is daily posted as unsafe. Even the valley's sense of open space has been lost. Residents who could once walk to the lagoon are now cut off by six lanes of surface traffic. "Public hiking trails" border the freeways and cut through parking lots.

Even though the MSCP was a George Bush-Pete Wilson production, it will no doubt be used this year to help position Al Gore as a forward-looking green. The "success" of the Multiple Species Conservation Plan in San Diego County is being touted by the Nature Conservancy, and various "flexible" green activists. Don't doubt that this same process is coming soon to an ecosystem near you, especially if your region has a hot economy and a lot of open space left. But take a drive down I-5 and get a look at what's left of Carmel Mountain. It's what a win-win solution really looks like.

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