1.1 COMMENTS FROM ORGANIZATIONS AND RESPONSES (COMMENT LETTERS 8–13)

Written comments on the Cowell Ranch/John Marsh State Historic Park GP and EIR received from organizations are presented on the following pages. Each comment letter is followed by the responses to that letter.
Hi Steve,

Please find attached our comments to the General Plan for the Cowell Ranch/John Marsh State Historic Park. Thank you in advance for your attention.

Kind Regards,

Alexandra Ghiozzi
Board Member
John Marsh Historic Trust
The John Marsh Historic Trust (JMHT) would like to express our profound enthusiasm and support for the overall scope of the Preliminary General Plan and Draft Program EIR for the Cowell Ranch/John Marsh State Historic Park. In partnership with State Parks, the Trust has recently made great strides in stabilizing and rehabilitating the John Marsh Stone House and would like to acknowledge the importance of our partnership going forward as the Park is planned and opened for all Californians to enjoy.

The major goal and intention of the JMHT is to restore the House to its former glory and use the property as an educational center commemorating both the native cultures dating back 7,000 years and encompassing the important role that Dr. John Marsh played from the 1830s to his death in 1856 as a California pioneer and champion of statehood. Our vision of the house is that it will be reconstructed as closely as possible to reflect that dynamic 30-year period of history and serve as an educational and recreational environment for Californians of all ages.

With that goal in mind, we have the following comments to the Preliminary General Plan. We have broken them down into these categories:

- Naming the Park
- History of the Adobe
- Bidwell-Bartelson Party and Marsh’s significance
- House usage
- Highlighting the historic agricultural and ranching uses of the property
- Partnership with East Bay Regional Park District and City of Brentwood
- Promoting the educational history of healthcare and classifying Marsh as a practicing doctor
- Including to the State Route 4 bypass in the plan, the naming of “John Marsh Heritage Highway”
- Strengthen the dual focus of history of Native Americans and John Marsh.
**Naming the Park**

Section 1-1 of the General Plan indicates that the Park has not been formally named as yet. We submit that the name of the Park must include John Marsh as to indicate his important role in the most dynamic period of history, the 1830s to 1850 when Dr. Marsh played a significant role in encouraging westward migration for permanent settlement and was influential in California’s admission to the Union. We respectfully submit as evidence his letters to Senator Cass forwarded to President Polk extolling the virtues of this agriculturally diverse and beautiful area. As a director of the John Marsh Historic Trust, Ted Alesna, who is a Miwok descendant, supports the naming to include John Marsh for the reasons stated.

By including John Marsh in the Park name, we also envision an educational and hands on area highlighting the importance of both the native peoples who lived on the site millennia before Dr. Marsh and the period of Spanish history and Mexican governance that was so vital in eventual statehood. We see the park as a three dimensional prism through which all of these periods in history intersect and Dr. Marsh was the focal point and common link.

**Marsh Adobe**

Section 2-54 briefly mentions that Dr. Marsh first built an adobe and lived near an existing native village. We respectfully submit that the adobe location should be identified and eventually rebuilt as an important educational piece of the history of California. Dr. Marsh lived in the adobe, used it to provide medical treatment, and as a fortress to fight off squatters and livestock thieves for approximately 20 years before building and living a few short months in the stone house on the property. It was the adobe that members of the Bidwell-Bartelson Party looked for as a marker that they had reached their goal. In seven distinct pieces of literature ranging from legal documents to sketches and letters, the adobe is located and referenced as an important part of history. Rebuilding the adobe will help visitors envision lifestyles of that period just how tough life was for Marsh and early settlers.

**Bidwell-Bartelson Party and Marsh’s significance**

Section 2-54 indicates that Marsh sent letters and newspaper articles east to attract settlers, in fact, the first planned overland immigration to California, the Bidwell-Bartelson Party, came as a direct result of Dr. Marsh’s letters. Dr. Marsh’s adobe was the terminus of their 1841 journey from Westport, Missouri. Thus, a wave of immigration rarely seen in human history was underway and Marsh was crucial in its inception. We ask that future versions of the Plan include reference to this significant contribution to history and provide for programmed depiction of it.
House Usage
Section 2-87 lists potential uses for the John Marsh Stone House once it has been restored and is safe to occupy. The Trust would like to promote the house primarily for educational, cultural and community use. Overnight accommodation, research, group meeting and office space can be considered only if they do not impede on the educational use as the primary focus of the house.

Highlighting the Historic Agricultural and Ranching Uses of the Property
Outlined in Section 2-89 there is an opportunity to utilize existing farming and ranching facilities for visitor facility use such as demonstrations and interpretation of historic agricultural and ranching activities. We feel that this can be a significant contribution to hands on learning of life in California in the mid-1800s. The current trend towards sustainable and organic farming is a natural fit and link to the historic past. The first thing Dr. Marsh planted on his Rancho was a vineyard, with help from the natives returning from Mission San Jose. Marsh later became one of the largest cattle ranchers in California. Leasing Park land for the planting of historic vineyards and crops could potentially be a source of revenue for the Park, as well as a living history lesson. Similarly, leasing land to cattle ranchers may help to ease the burden of maintaining the entire 3600 acres.

Partnership with East Bay Regional Parks and Brentwood Park and Recreation
Section 2-88 discusses linking the new Park with both the existing trail system at Round Valley, Marsh Creek Trail and Mt. Diablo Trail, as well as the Los Vaqueros watershed. We strongly agree and encourage as much integration as possible to give visitors to the House a fulfilling recreational experience and give those interested in primarily out door activities the chance to stop in to the House and learn an important piece of California history. Interpretive signage at the site and along the trails could be an efficient means of achieving this. Linking the park with the planned amphitheater and other proposed leisure activities will give visitors a reason to stay after a day of hiking and enjoy a concert or event. Similarly, attracting locals from Brentwood and giving visitors from other areas a chance to explore our historic downtown in conjunction with their park visit will create a more well-rounded experience and help to stimulate the local economy.

Promoting the educational history of healthcare and classifying Marsh as a practicing doctor
Section 2-54 states that John Marsh studied Anatomy, worked with a local physician, and practiced as the first Anglo doctor in California, treating native Americans, pioneers and Mexican officials. In fact, he earned the money to purchase Rancho Los Meganos by treating patients in Los Angeles before coming

8-5

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8-8
north. The Trust feels that it is important to note Marsh’s medical career and use it as a lesson in what frontier medicine really entailed. Marsh cared for many of the native people on the Rancho and won their respect and trust in doing so. This is an important part of the link between the Anglo and natives sharing the space at that time.

**Referring to the State Route 4 bypass in the plan as the “John Marsh Heritage Highway”**

We respectfully submit that all mentions of the State Route 4 bypass between Marsh Creek Road in Brentwood and Hillcrest Avenue in Antioch, include the reference as the “John Marsh Heritage Highway”. Signage was installed in 2008 so indicating to motorists.

**Strengthen the dual focus of history of Native Americans and John Marsh**

Section 2-64 states that the archeological resources at Cowell Ranch/John Marsh SHP are some of the most unique and important within the California State Park System. Section 4-25 states that the continuity of Windmiller type artifacts and burials is a powerful argument for defining CCO-18/548 as a significant pre-historic occupation area that would be eligible for listing on the CRHR or NRHP.

We strongly support recognition of the present day Native Americans and their accomplishments, as well as previous individuals and cultures of this site. Advanced communications techniques inside and around the House site, as well as artifacts should be used to research, educate and tell the stories of the various historic cultures represented by this Park. Placing them in context to each other is the best way to educate ourselves and teach our emerging generations. Students of the adjacent Los Medanos College can be expected to play a major roll in this effort.

Respectfully submitted by the Board Members of the John Marsh Historic Trust

Eugene Metz, President  
Kathy Leighton, Vice President  
Carol Jensen, Treasurer  
Don Stirling, Secretary  
Rebecca Bloomfield  
Patricia Bristow  
Fred Ehler  
Ted Alesna  
Dewey DeMartini  
Alexandra Ghiozzi
DATE: __________

FAX FROM GENE METZ

PLEASE DELIVER TO:

NAME: ____________________________
COMPANY: __________________________
FAX NUMBER: _______________________
CONFIRMATION NUMBER: ____________

SENDER:
NAME: GENE METZ
COMPANY: __________________________
FAX NUMBER: 510-522-1437
CONFIRMATION NUMBER: 510-522-1437

NUMBER OF PAGES INCLUDING COVER SHEET: ______

COMMENTS

At request of [Recipient's name], please review these [contents].

Thank you for your hard work.

9 Regulus Court
Alameda, CA 94501
take actual possession of California, emulating their compatriots who had recently freed Texas from Mexican rule.74

As a direct result of Marsh's letters, the Western Emigration Society was formed in western Missouri in 1841 with an explicit purpose of recruiting immigrants for settlement in California. Although the recruitment drive was strongly opposed by frontier businessmen, the greatest discouragement came from Thomas J. Farnham. As recalled by John Bidwell, one of the first to join the Western Emigrant Society: "Just at this time [1841], and it overthrew our project completely—was published the letters of Farnham in the New York papers and republished in all the papers on the frontier at the instigation of the Weston [Missouri] merchants and others." In his volume, Farnham made no bones about his disdain for California and its Mexican rulers.75

But Bidwell was undeterred. He was the first to reach Sapling Grove, the rendezvous site, on May 9. Finally, by May 18, those who had determined to immigrate formally organized the party. This was the first planned overland immigration to California, a portent of what was to come. After adopting rules of conduct on the trail, the assembly elected John Bartleson as captain. Subsequently, the party was restyled the Bidwell-Bartleson party because Bidwell wrote the first published account of the company's overland trip. Fortunately for the greenhorns, the party attached itself to a Jesuit missionary band bound for the Northwest, guided by the experienced mountain man, Thomas Fitzpatrick, "Old Broken Hand."

The saga of the Bidwell-Bartleson party's westward trek need not be recounted, other than to note that at Soda Springs in present-day Idaho, the immigrants split into two groups: one bound for Oregon, the other California. The Bidwell-Bartleson party was forced to abandon their wagon and perilously made their way through the Sierra on foot. Fortune smiled, though; the party of thirty-two men and a
ALTA CALIFORNIA'S TROJAN HORSE

Called the “Prince of California Pioneers” by his biographer, John Bidwell crossed the Sierra Nevada and entered the broad expanse of the San Joaquin Valley in the autumn of 1845, one of the leaders of the first organized party of overland immigrants from the “States.” In the vanguard of an ever-growing number of restless norteamericanos who would overrun the Mexican province, Bidwell subsequently acquired a vast rancho in northern California, mined for gold on the Feather River, and served as a United States Congressman. Courtesy California State Library.

woman with a baby daughter, reached Marsh’s rancho in the shadow of Mt. Diablo on November 4, 1847. One of the ironies of history was that this band of American immigrants was made welcome by Commandant General Mariano Guadalupe Vallejo. Although they lacked proper passports, he waived that formality. Subsequently, Vallejo and his brother Salvador became ardent enthusiasts for American immigration, since both were staunch admirers of democracy, typified, in their view, by the United States. They both later espoused the cause of an American takeover of California.

Parallel with the Bidwell-Bartleson party was a like effort organized in Santa Fe. Two long-time American residents, John Rowland and William Workman, recruited a similar emigrant party. It may well be that Rowland had previously visited southern California several times, traveling with the annual trade caravan. To ensure their safety, the Workman–Rowland party traveled in tandem with the traders, the caravan totaling 134. The Workman–Rowland party—twenty-six men, four families, and servants (number unknown)—reached Tiburcio Tapia’s Rancho Cucamonga in November, the exact date remains in dispute. A message was dispatched to Los Angeles officials. Esteban Vigil, captain of the annual trade caravan, wrote, “I give you notice that a party of American merchants are coming, and with them are others who have the intention of residing in this country.” Rowland later reinforced this by stating that “The men with families come with the intention of establishing
Contested Eden
CALIFORNIA BEFORE
THE GOLD RUSH

Editors
RAMÓN A. GUTIÉRREZ and RICHARD J. ORSI

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ANTHONY KIRK

Associate Editor
MARLENE SMITH-BARANZINI

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Letter 8 Response – John Marsh Historic Trust

8-1: State Parks acknowledges and appreciates the John Marsh Historic Trust’s support for the GP and EIR, as well as its efforts to rehabilitate the John Marsh House in partnership with State Parks. However, this comment does not require an additional response related to the GP and EIR.

8-2: Please refer to Master Response 2, Decision Process for Naming of the Park.

8-3: The original adobe site remains unidentified to date (see page 2-64 in the GP and EIR). A comprehensive historic resources inventory and evaluation for the ranch complex within the historical context of the early 20th century and a cultural landscape inventory for the Park have not yet been undertaken. This information is important for planning for future uses and activities in the Primary Historic Zone, and for determining best management strategies for resource protection. Goal CUL 3, presented on page 3-43 of the GP and EIR, seeks to document, protect, preserve and where appropriate restore or rehabilitate historic resources and landscapes within the Park. Resource goals applicable to the Primary Historic Zone encourage further cultural resource research, especially research involving a comprehensive inventory of pre-historic and historic resources, a cultural landscape inventory for the ranch site, and developing a strategy to understand and illuminate the overall evolution of human settlement patterns in the Park (see page 3-16 of the GP and EIR). Reconstruction and/or interpretation of the Marsh adobe may be a consideration in planning for future facilities and interpretive programs based on results of cultural resource investigations on the site.

8-4: The text on page 2-54 of the GP and EIR has been revised to include information regarding the Bidwell-Bartelson Party. Please refer to Chapter 4 of this document to see the specific text revision.

Primary Theme 2 on page 3-29 focuses on John Marsh and the post-native settlement history, which would include the westward migration period.

8-5: As stated on page 2-87 of the GP and EIR opportunities for visitor facilities in relation to the John Marsh House include a visitor center, an interpretive facility, overnight accommodations, an academic research station, a day use area and a group meeting place. The Preferred Alternative described in the GP and EIR focuses on rehabilitating the John Marsh House and using the area for visitor facilities and staff offices, including education and interpretation purposes. Specific uses of the John Marsh House will be determined during future project-level planning, including the development of interpretive and education programs.

8-6: The interpretive mission of the Park is to provide interpretive and education programs, facilities and media to communicate the significance of pre-historic and historic cultural resources, as well as the Park’s natural resources. As described in the Visitor Use and Facilities goals and guidelines presented on page 3-29 of the GP and EIR, one of the primary interpretive themes would focus on the agriculture and ranching that occurred on the site and
in the region in the late 19th and early 20th centuries. Any use of the site must be consistent with allowable uses in State Parks, as outlined in the Public Resources Code.

8-7: State Parks acknowledges the support that the John Marsh Historic Trust has expressed regarding trail connections and suggestions for linking with nearby recreational areas. Goal INTERP 3, presented on page 3-31 of the GP and EIR, supports partnering relationships with the City of Brentwood and other organizations to promote access, education and connectivity with adjacent land uses that may add to the visitors’ experiences.

8-8: This comment regarding John Marsh’s medical career is noted. Development of interpretive program content is part of the activities that would be undertaken as the Park is planned and facilities are constructed.

8-9: The text on page 2-2 of the GP and EIR has been revised to reflect that the Highway 4 Bypass has been designated the John Marsh Heritage Highway. Please refer to Chapter 4 of this document to see the specific text revision.

8-10: This comment regarding interpretation of the Native American and pre-historic cultural history of the site is noted. Parkwide goals and guidelines presented in the GP and EIR include Interpretation and Education goals and guidelines that describe the primary interpretive periods of the Park. As described on page 3-29 of the GP and EIR, there will be two primary areas of focus for the interpretive programs: 1) pre-historic culture of pre-Windmiller and Windmiller people, and 2) the historic period including 19th century native peoples, Mexican California, John Marsh, the American emigration, and the Gold Rush period up to present day open space and recreation uses.
Dear Steve,

Please accept this e-mail as my comments on the General Plan for the Cowell Ranch / John Marsh State Historic Park. An eye injury has delayed and complicated my comments to you.

Thank you for all your help.

Best Regards,

Gene

Mr. Steve Bachman
California State Parks
Acting District Superintendent
Diablo Vista District
845 Casa Grande Road
Petaluma, CA 94954

Thank you for this opportunity to comment on the proposed General Plan for the Cowell Ranch/John Marsh State Historic Park. The following are my personal comments and they reflect very closely the official commentary from the board of the John Marsh Historic Trust.

The major goal and intention of the JMHTrust is to restore the House to its former glory and use the property as an educational center commemorating both the native cultures dating back 7,000 years and encompassing the important role that Dr. John Marsh played from the 1830s to his death in 1856 as a California pioneer and champion of statehood. Our vision of the house is that it will be reconstructed as closely as possible to reflect that dynamic 30-year period of history and serve as an educational and recreational environment for Californians of all ages.

NAME THE PARK, THE JOHN MARSH STATE HISTORIC PARK
The name of the Park must be The John Marsh State Historic Park for the following reasons. (1) There is not another Park or historic individual in California that better represents the most dynamic period of Ca.history, the 1830s, 40s and 50s. (2) Marsh was proactive in working with the Bay Miwok returning from the Missions. (3) Dr. Marsh's medical treatment was effective with fellow pioneers, Mexican officials as well as with the natives at a time when foreign diseases killed a huge percentage of their population. (4) The success of his cattle ranching and agricultural products started a trend in the upper Central Valley, encouraged prominent officials interest in the west, and provided an income for him to build a magnificent stone house. (5) Marsh's
letters and news articles played a significant role in encouraging westward migration for permanent settlement. The General Plan’s weakness in this regard erroneously states that the first migration group “passes through this site” with their destination of Mt. Diablo. Prominent Ca. history writings make it clear that Marsh’s rancho was the planned terminus of this first migration group.

A site archeologist stated that the Marsh House has become a “marker” for the presence of the prehistoric “Windmiller Peoples” because it is the prominent structure on this site where they are now discovered. Marsh’s role as teacher, doctor, Indian agent in the Midwest and the successful promoter of settlement in the west causes his name for the Park to be best for representing these dynamic threads of history. Educators in E. Contra Costa including curriculum director, Mary Black, agree with this position as does Ted Alesna, a bay Miwok native serving on the board of the JMHTrust. My conversation with the Ohlone elder present at the final Gnl. Plan meeting reveals her agreement for the Marsh name for the Park but with the stipulation for programs and recognition for the indigenous peoples. It is also important that the culture and life experience of current Native Americans be strongly represented in the Park plan.

By using John Marsh in the Park name, the JMHTrust envisions an educational and hands on area highlighting the importance of both the native peoples who lived on the site millennia before Dr. Marsh and the period of Spanish history and Mexican governance that was so vital in eventual statehood. We see the park as a three dimensional prism through which all of these periods in history intersect and Dr. Marsh was the focal point and common link.

Many petitions supporting the naming of the Park as the John Marsh State Historic Park are in the mail to the District office

IDENTIFY THE LOCATION OF THE MARSH ADOBE
The adobe location should be identified and eventually rebuilt as an important educational piece of the history of California. Dr. Marsh lived in the adobe for twenty years of this dynamic period of California history in which he was a prominent player. In seven distinct pieces of literature ranging from legal documents to sketches and letters, the adobe is located and referenced as an important part of history. Rebuilding the adobe will help visitors envision and learn of that period of history.

PROMOTE THE SAGA OF WESTWARD MIGRATION
The first planned overland immigration to California, the Bidwell-Bartelson Party, came as a direct result of Dr. Marsh’s letters. Dr. Marsh’s adobe was the terminus of their 1841 journey from Westport, Missouri. A wave of immigration rarely seen in human history was underway and Marsh was crucial in its inception. The Park plan must include reference to this significant contribution to history and provide for programmed depiction of it.

USE OF THE STONE HOUSE
Renewed urgency for the for the completion of the rehabilitation of the Marsh House is essential. The House should be proactively used primarily for educational, cultural and community use. Advanced technology for unobtrusive presentation of information and educational materials should be explored.
HISTORIC AGRICULTURAL AND RANCHING USES OF THE PARK
Demonstrations and interpretation of historic agricultural and ranching activities can be a significant contribution to hands on learning of life in California in the mid-1800s. The current trend towards sustainable and organic farming is a natural fit and link to the historic past. Leasing Park land for the planting of historic vineyards and crops could potentially be a source of revenue for the Park, as well as a living history lesson. Similarly, leasing land to cattle ranchers may help to ease the burden of maintaining the entire 3600 acres. The East Bay Regional Park at Ardenwood may be considered as an example to follow.

RECREATION AND INTERPRETIVE TRAILS
Linking the new Park with both the existing trail system at Round Valley, Morgan Territory and Mt. Diablo Trail, as well as the Los Vaqueros watershed should be developed. Interpretive signage at the site and along the trails could be an efficient means of integrating recreational experience with opportunity to learn and appreciate the history of the site. Linking the park with the planned amphitheater and other proposed leisure activities will give visitors a reason to stay after a day of hiking and enjoy a concert or event.

HISTORICAL MEDICAL PRACTICE
It is important to acknowledge Marsh’s medical career and use it as a lesson in early medical treatment and instruments used. Marsh cared for many of the native people on the Rancho and won their respect and trust in doing so. This is an important part of the link between the Anglo and natives sharing the space at that time.

STATE ROUTE 4 BYPASS NAME
For directions and identification purposes all mentions of the State Route 4 bypass between Marsh Creek Road in Brentwood and Hillcrest Avenue in Antioch, should include the reference as the “John Marsh Heritage Highway”. Signage was installed in 2008 so indicating to motorists.

STRENGTHEN THE DUAL FOCUS OF HISTORY OF NATIVE AMERICANS AND JOHN MARSH
Section 2-64 states that the archeological resources at Cowell Ranch/John Marsh SHP are some of the most unique and important within the California State Park System. The JMHTrust and I strongly support recognition of the present day Native Americans and their accomplishments, as well as previous indigenous cultures of this site. Advanced communications techniques inside and around the House site, as well as artifacts should be used to research, educate and tell the stories of the various historic cultures represented by this Park. Placing them in context to each other is the best way to educate ourselves and teach our emerging generations. Students of the adjacent Los Medanos College can be expected to play a major roll in this effort.

Respectfully submitted by Gene Metz, President, John Marsh Historic Trust
Letter 9 Response - John Marsh Historic Trust

9-1: Please refer to response to Comment 8-1.

9-2: Please refer to Master Response 2, Decision Process for Naming of the Park.

9-3: Please refer to the response to Comment 8-3.

9-4: Please refer to the response to Comment 8-4.

9-5: Please refer to the response to Comment 8-5.

9-6: Please refer to the response to Comment 8-6.

9-7: Please refer to the response to Comment 8-7.

9-8: Please refer to the response to Comment 8-8.

9-9: Please refer to the response to Comment 8-9.

9-10: Please refer to the response to Comment 8-10.
COWELL RANCH/JOHN MARSH STATE HISTORIC PARK
PRELIMINARY GENERAL PLAN AND
PROGRAM ENVIRONMENTAL IMPACT REPORT

COMMENT CARD

Comments may be submitted today, or mailed to:
Steve Bachman, Acting District Superintendent
Diablo Vista District
845 Casa Grande Road
Petaluma, CA 94954
sbachman@parks.ca.gov

Name:     GEHE METZ
Address:   9 REGALOS CT.
           ALAMEDA, CA 94501
Phone:     510-522-1437
E-mail:    wmgmetz@pacbell.net

Comments:
Attached are the same comments e-mailed
to you December 7, 2010 to be sure they
were received on time.
I now attach this hard copy to be sure
of this official format
I am also attaching numerous Resolutions
requesting that this new State Historic Park
be named "The John Marsh State Historic Park"
These Resolutions are from many individuals
as well as numerous Historical groups
Please consider these in the final naming of the Park

Please use the reverse side or attach any additional pages
Mr. Steve Bachman  
California State Parks  
Acting District Superintendent  
Diablo Vista District  
845 Casa Grande Road  
Petaluma, CA 94954

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**The saga of westward migration must be promoted**
The first planned overland immigration to California, the Bidwell-Bartelson Party, came as a direct result of Dr. Marsh’s letters. Dr. Marsh’s adobe was the terminus of their 1841 journey from Westport, Missouri. Thus, a wave of immigration rarely seen in human history was underway and Marsh was crucial in its inception. The Park plan must include reference to this significant contribution to history and provide for programmed depiction of it.

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Respectfully submitted by Gene Metz, President, John Marsh Historic Trust
Resolution of the John Marsh Historic Trust, Inc.
Regarding the naming of the New State Historic Park

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THERFORE BE IT RESOLVED that The Society of California Pioneers urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be “The John Marsh State Historic Park”.

Adopted September 29, 2010
San Francisco, CA

[Signature]
President

[Signature]
Secretary

Our mailing address: The Society of California Pioneers
300 Fourth Street
San Francisco, CA 94107
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that the Contra Costa Winegrowers Assn urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be “The John Marsh State Historic Park”.

Adopted 7/11/10

Brentwood

Date
City

President/Chair

Secretary

California Constituent

California Constituent

Our mailing address:  P.O. Box 1672
Brentwood, CA 94513
925-209-3360
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be "The John Marsh State Historic Park".

Adopted 6/25/10 Lafayette, CA 94549

President/Chair Secretary

Jan Berkefeldt President California Historical Society

California Constituent California Constituent Society

Our mailing address: 1070 Martino Road Lafayette, CA 94549

CALIF HISTORICAL SOCIETY
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that Sam Brannan ECV Chapter 1004 urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be “The John Marsh State Historic Park”.

Adopted JULY 22, 2010 NAPA, City

President/Chair

Secretary

California Constituent

California Constituent

Our mailing address: P.O. Box 457

NAPA CA 94559
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as Rancho Los Meganos State Historic Park in Brentwood, California,

AND WHEREAS that new officially named, The John Marsh Historic Trust proposes the name selected as american history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that Verna Cakebread Kruse & Bonnie LeCaire urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be "The John Marsh State Historic Park".

Adopted _____________________________  _____________________________  
Date  City

President/Chair  Secretary

California Constituent  California Constituent

Our mailing address: ____________________________________________
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that [signature] urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be “The John Marsh State Historic Park”.

Adopted ________________________ Date ________________________ City ________________________

President/Chair ________________________ Secretary ________________________

California Constituent ________________________ California Constituent ________________________

Our mailing address: 116 Pleasant Place Antioch, CA 94509
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that \textit{Ken Sween} urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be "The John Marsh State Historic Park".

\textbf{Adopted} 6-6-10 \hspace{1cm} \textbf{BRENTWOOD, CA}

\begin{tabular}{ll}
\textbf{Date} & \\
\hline
\textbf{President/Chair} & \\
\hline
\textbf{Secretary} & \\
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\textbf{California Constituent} & \\
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\textbf{California Constituent} & \\
\hline
\textbf{Our mailing address:} 476 DESERT GOLD TERR & \\
\textbf{BRENTWOOD, CA 94513} & \\
\hline
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Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be "The John Marsh State Historic Park".

Adopted ___________________________     Date ___________________________     City ___________________________

President/Chair ___________________________     Secretary ___________________________

California Constituent ___________________________     California Constituent ___________________________

Our mailing address: ___________________________     ___________________________
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that ________________ urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be “The John Marsh State Historic Park”.

Adopted 6-6-10
Date

Antioch, California
City

President/Chair

Secretary

California Constituent

California Constituent

Our mailing address: ________________________________
RESOLUTION
of the
Board of Trustees of the
San Joaquin County Historical Society

Supporting the Naming of John Marsh Historic Park

WHEREAS, the California Department of Parks and Recreation has designated more than 3,500 acres under its protection as a new State park in the vicinity of Brentwood, Contra Costa County, California; and

WHEREAS, nearly all this land comprised part of Rancho Los Meganos, originally owned and developed by pioneer Dr. John Marsh, including the Stone House near Brentwood, the magnificent home built by Dr. Marsh in the 1850s; and

WHEREAS, Dr. John Marsh came to California in 1836, settled permanently on the Rancho as the first American settler in the Great Valley, urged Americans to settle in California, and was an energetic force to bring California into the United States of America; and

WHEREAS, in response to the encouragement of Dr. Marsh, in 1841 the first immigrant wagon train to California—the Bartleson-Bidwell party which included individuals important in California history such as John Bidwell, founder of Chico, and Charles Weber, founder of Stockton—completed its historic journey at Dr. Marsh’s Stone House; and

WHEREAS, the new California state park has yet to be officially named;

NOW, THEREFORE, BE IT RESOLVED that the Board of Trustees of the San Joaquin County Historical Society hereby encourages the California Department of Parks and Recreation and the California State Parks and Recreation Commission to designate the new California state park “John Marsh Historic State Park.”

Approved and adopted the 28 day of July, 2010.

* * *

I, the undersigned, hereby certify that the foregoing resolution was duly adopted by the Board of Trustees of the San Joaquin County Historical Society.

[Signature]
open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that Patricia A. Grindle urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be "The John Marsh State Historic Park".

Adopted 6-18-2010

Date

Brentwood

City

President/Chair:

Secretary

California Constituent

California Constituent

On mailing address: 20 Briarwood Dr

Brentwood, Calif. 94513

Patricia A. Grindle
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that A.F. Bray Family urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be "The John Marsh State Historic Park".

Adopted June 30, 2010 Martinez, CA

Date City

President/Chair Secretary

California Constituent California Constituent

Our mailing address: 600 Plaza St. Martinez, CA 94553

$50 DONATION LORRAINE FARM
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that Rockwell N. Greene family urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be "The John Marsh State Historic Park".

Adopted ______________________ Date ______________________ City ______________________

President/Chair ______________________ Secretary ______________________

Rockwell N. Greene California Constituent

California Constituent

Our mailing address: Rockwell N Greene
PO Box 843
San Ramon CA 94583
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be “The John Marsh State Historic Park”.

Adopted 7/4/2010 Brentwood, CA

Date City

President/Chair Secretary

California Constituent California Constituent

Our mailing address: 523 Quinbell Way

Brentwood, CA 94513
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that August G. Manzur urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be “The John Marsh State Historic Park”.

Adopted July 10, 2010 Berkeley, CA

Date City

President/Chair Secretary

August G. Manzur August G. Manzur
California Constituent California Constituent

Our mailing address: 879 Grizzly Peak Blvd.

Berkeley, CA 94708-1313

$100 Donation
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that Gilbert Somerhalder urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be “The John Marsh State Historic Park”.

Adopted July 14, 2010
PO Box 222 Knightsen Ca 94548

President/Chair
Secretary

California Constituent
California Constituent

Our mailing address: Gilbert Somerhalder
PO Box 222
Knightsen Ca 94548
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos,

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that ____________________________ urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be "The John Marsh State Historic Park".

Adopted ____________________________ Date ____________________________ City ____________________________

President/Chair ____________________________ Secretary ____________________________

[Signatures]

California Constituent ________________ California Constituent ________________

Our mailing address: 155 Marina Blvd

San Francisco, CA 94123

$50 DONATION
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that ____________________________________________ urge the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be “The John Marsh State Historic Park”.

Adopted 7-15-2010 Brentwood
Date City

President/Chair Secretary

California Constituent California Constituent

Our mailing address: 908 SUNSET LANE
BRENTWOOD, CA 94513
Resolution of the John Marsh Historic Trust, Inc.

WHEREAS the California Department of Parks and Recreation has designated over 3500 acres of open space under their protection as a new State Historic Park in Brentwood, California,

AND WHEREAS that new State park has yet to be officially named, The John Marsh Historic Trust proposes the name selected should honor the American history connected with the property known in the past as Rancho Los Meganos.

AND FURTHER, that such history was deeply involved with the pioneer American John Marsh, who came to California in 1836 and settled permanently on the property known as Rancho Los Meganos, and that John Marsh became an energetic force for the effort to bring California into the United States of America.

THEREFORE BE IT RESOLVED that Lloyd Heidinger urges the California Department of Parks and Recreation and the State Park Commissioners, designate the new State Historic Park name to be "The John Marsh State Historic Park".

Adopted ___________________________ City ___________________________

Date ___________________________ Chico, California

Lloyd Heidinger
President/Chair

Secretary

California Constituent

California Constituent

Our mailing address: Lloyd Heidinger

P.O. Box 1332

Chico, Calif. 95927
Letter 10 Response - John Marsh Historic Trust

10-1: This is a duplicate of Comment Letter 9. The responses to comments contained in this letter are presented in the responses to Comment Letters 8 and 9. The resolutions addressing the naming of the Park have been noted. Please refer to Master Response 2, Decision Process for Naming of the Park.
December 9, 2010

Steve Bachman, Acting District Supervisor
Diablo Vista District
845 Casa Grand Road
Petaluma, CA 94954
sbachman@parks.ca.gov

RE: Cowell Ranch/John Marsh State Park General Plan and EIR

Dear Mr. Bachman,

The East Bay Chapter of the California Native Plant Society (EBCNPS) appreciates the opportunity to comment on the General Plan and EIR for the Cowell Ranch. The California Native Plant Society (CNPS) is a non-profit organization of more than 10,000 laypersons, professional and academic botanists organized into 33 chapters throughout California. The mission of the CNPS is to increase the understanding and appreciation of California's native plants and to preserve them in their natural habitat through scientific activities, education, and conservation.

We are pleased to hear that the opening of Cowell Ranch is moving closer. We support the opening of this state park as a needed addition to the preservation of open, relatively undisturbed public space in northern California. However, we do wish to address several more specific proposals in the plan concerning camping and physical facilities.

General Comments

State parks is planning to build and develop two overnight camping areas. Instead, we suggest that the state park build only one overnight camping facility, at the location shown as nearest to Brentwood. We suggest that state parks simply not develop the second camping area, and leave that land as undeveloped open space or with only day use or limited staging area parking and facilities. The information publicly available shows that the second campsite lies too close to several areas of rare plant populations to avoid an adverse impact to the plants. In particular, the iodine bush scrub (*Allenrolfea occidentalis*) vegetation and big tarplant (*Blepharizonia plumosa* ssp. *plumosa*) have few, if any, populations outside of some public land in the East Bay. Preserving rare plants and unusual vegetation is part of the park's mission stated in the General Plan, both as a core goal of environmental protection and as preservation of the historic geography known to the Native Californian populations that used the area.

In addition, limiting development of overnight camping to the site nearest the urban area will help meet several other goals stated in the General Plan. Limiting the "carbon footprint" (see the General Plans remarks concerning AB 32) of vehicle traffic in and around the park can be more
easily met by limiting overnight camping to one location. The on-line maps of the park location and existing land use (Maps 2 and 3 on-line) show that the land around the reservoir nearly divides Cowell Ranch in two. The private "Vineyards" development north of the reservoir further divides the park into two halves. Environmental goals in the General Plan should be met by clustering the state park’s campground and building facilities in the area nearest the city of Brentwood. Public day use can provide access to the uncultivated land and flora in the other half of the park, and campers who wish to visit the undeveloped half of the park could do so by staging areas off of either Briones Valley Road or Marsh Creek Road/Camino Diablo.

Specific Comments

Validity of Plant Surveys

EBCNPS is concerned that State Parks is failing to capitalize on an important opportunity to help preserve native California flora and maintain the mission of the State Parks. Without adequate, timely surveys, impacts from the construction of hardscape\(^1\) in Facility Zones cannot be adequately assessed in this document. We are sure that everyone involved in this process would be disappointed if a facility was placed on top of rare California resources because adequate surveys were not completed.

The most recent surveys that took place within the entire park boundaries were in 1993/1994 (listed in Appendix C). The plant surveys for the Vineyards at Marsh Creek are not relevant here because this part of the ranch was removed from what the state bought to build single family residences. Therefore, the only documented protocol-level surveys that are presented in this document are some 15 to 16 years old. Although the document references other plant surveys and vegetation classification activities, EBCNPS believes that these surveys are not comprehensive nor do they meet regulatory guidelines. These surveys presented for rare plants do not following the USFWS, CDFG, and CNPS survey guidelines.

Please read that USFWS plant survey guidelines (1996) stipulate:

"Project sites with inventories older than 3 years from the current date of project proposal submission will likely need additional survey. Investigators need to assess whether an additional survey(s) is (are) needed."

Based on an assessment of the rare plants known from Cowell Ranch, all the rare plants are annuals (Pers. Com., Heath Bartosh, EBCNPS Rare Plant Botanist). Because of this the distribution of these populations may be quite different than what is mapped in the plan (which I believe is pulled from the 1993/1994 LSA report). For that reason they entire ranch should be resurveyed.

\(^1\) Hardscape includes the development and construction of areas that are not suitable habitat for native plant growth. Examples of hardscape are gravel roads, trails, campsite tent pads, mulched areas, etc.
Cowell Ranch and the Eastern Contra Costa Habitat Conservation Plan

Additionally, the reporting of these additional surveys (whenever they take place) should include a brief discussion that the rare plants on Cowell are covered species in the Eastern Contra Costa Habitat Conservation Plan (ECCHCP). Although, to my knowledge, State Parks will not be trying to permit this plan through the ECCHCP, the rare plants within the park have conservation goals associated with them as address in the ECCHCP. For these reasons some discussion of their listing status as “Covered” species in the HCP should be included. This is especially important for *Navarretia nigelliformis* subsp. *nigelliformis*, also a Covered species in the HCP. Although this taxon isn’t known from within Cowell Ranch it was one of the species found on the Vineyards at Marsh Creek site and could be found on the larger Cowell Ranch site (Pers. Com., Heath Bartosh). Currently, this is only a List 4.2 species and wouldn’t be addressed in a typical CEQA review but because it is a covered species in the ECCHCP it should be included in the analysis.

Vegetation Mapping

The above comment relating to rare taxa is also valid for uncommon vegetation types included in the ECCHCP: purple needlegrass grassland, wildrye grassland, wildflower fields, one-sided bluegrass grassland, saltgrass grassland (= alkali grassland), and alkali sacaton bunchgrass grassland. Investigating publically available 2009 NAIP aerial photos, it seems possible that the extent of saltgrass grassland associated with the valley sink scrub (Map 10) should be enlarged. Mapping this vegetation type should be a target for the project specific EIR and therefore addressed/stated in this programmatic EIR. We believe that this comment is also valid for purple needlegrass grassland, wildflower fields, and one-sided bluegrass grassland. EBCNPS believes that there are map-able stands of this rare vegetation on-site (Pers. Com., Heath Bartosh).

Honoring the Contract with the State Coastal Conservancy

An agreement between the State Coastal Conservancy and the CA Department of Parks and Recreation was signed on October 15, 2002. This agreement involved the acquisition of the Cowell Property for the purpose of habitat and open space protection, public access, and recreation. It seems that existing habitat will be impacted and/or developed in order to construct some of the recommended general plan facilities. We at EBCNPS would consider impact to a rare vegetation type of rare plant as an impact that would not meet the guidelines of the Oct 15, 2002 agreement, especially considering that alternative areas for “facility zones” exist. Does State Parks staff believe that developing facilities on top of rare resources areas meets the agreement purpose of “habitat protection”? We would ask that reasonable and conservative avoidance measures be used around sensitive areas, including buffering “occupied habitat” by some acceptable distance away from hardscape.
Development of Extensive Campgrounds and Facilities

EBCNPS is concerned with the large percentage of the park that is designated as “Facility Zones”. We estimate that some 33% of the park will be designated as such. This includes the buildout of large campgrounds which frankly seem excessive for this area. We would like to understand what “occupancy rates”/visitation rates State Parks expects at this site. We hope that these numbers will be compared to similar parks such as Olompali State Historic Park, or others. The following specific impacts concern EBCNPS:

1) The alkali sink vegetation found near the southwest portion of the site seems to have been subsumed into the Round Valley Visitor Facility Zone. This Facility Zone looks to develop 43 - 75 campsites (Map 10) as well as a large parking lot. It is evident that this area will be impacted by high amounts of proposed visitation. We would ask that the footprint of this development stay outside of the alkali habitat and allow a 100 ft buffer so this rare East Bay resource isn't impacted.

2) Two of the three extant populations of big tarplant are located in or directly adjacent to Facility Zones (Eastern Visitor and Dry Creek Visitor). Only one population found in the Briones Valley seems free from potential development activities. Since this is a CNPS 1B plant species, whose type specimen was collected not far from this Park, we ask that the Facility Zones do not impact occupied habitat for this rare plant. We also ask that a buffer be allotted around occupied habitat so that the population can flourish without immediate hardscaping concerns.

Trails

Trails should avoid bisecting or impacting sensitive areas. Off-trail hiking can impact sensitive vegetation. Trails also tend to serve as a vector for weed dispersal. Specifically, we believe these impacts could be significant in Briones Valley where multiple stands of rare vegetation thrive.

Thank you for your consideration of the above comments. We look forward to working with State Parks on a General Plan that will treasure the rare plant resources of this site as well as the rich history of John Marsh. Please do not hesitate to contact us with questions at (510) 734 0335.

Sincerely,

Janet Gawthrop
Corresponding Secretary

Lech Naumovich
Conservation Analyst

California Native Plant Society
East Bay Chapter
conservation@ebcnps.org
Letter 11 Response – East Bay Chapter of the California Native Plant Society (CNPS)

11-1: This comment regarding camping facilities is noted. Please refer to Master Response 1, Program-level Analysis and Facility Siting. The precise campground and campsite locations have not been determined, however the largest concentration of camping and visitor use facilities are located in the Eastern Visitor Facility Zone, located at the eastern edge of the park, near the city of Brentwood. The Briones Valley Visitor Facility Zone and Dry Creek Visitor Facility Zone are proposed for day use only. Visitor Facilities Goal (FAC 1) on page 3-26 of the GP and EIR emphasizes the department’s commitment to cluster development to reduce disturbance and any adverse impacts by including the following guidelines:

- Integrate visitor facilities with other day use and trail development, concentrating these developments to minimize impacts on the resources and to reduce energy consumption.

- Develop site designs for new facilities that cluster development in prescribed visitor use zones, reducing ground disturbance and possible impacts to biological and cultural resources.

Specific site selection for camping areas is subject to future project-level review, including the appropriate site-specific environmental studies.

11-2: Protocol-level surveys for sensitive biological resources would be conducted in support of site specific planning efforts. Vegetation inventories will be updated and vegetation mapping will record the locations of special-status plant species and their habitats. Park visitor facilities will be sited in the future using information gathered by resource inventories. State Parks will make every effort to preserve and protect important resources while providing recreational activities and visitor use facilities, consistent with the Department’s mission. Table 12, Plan Management Zones, on page 3-6 of the GP and EIR indicates the size (in acres) of all proposed management zones, including the Visitor Facility Zones. As indicated in this table and on Map 12, Management Zones, on page 3-7 of the GP and EIR, the Visitor Facility Zones are less than 25% of the total park. As noted in the response to Comment 11-1, visitor facilities will be concentrated and clustered within the Visitor Facility Zones which will minimize hardscape, disturbance and impacts. Please also refer to Master Response 1, Program-level Analysis and Facility Siting.

11-3: As discussed on page 2-32 of the GP and EIR, the significant biological resources at the Park were determined through a review of existing documentation, consultation with knowledgeable biologists familiar with the local biological resources, and data collected during reconnaissance-level surveys. A resource is deemed significant if it is: (1) important to the essential character of the Park and contributes, in part, to its statewide significance, or (2) is regionally significant, is an important component of a systemwide plan, or contributes to the preservation of regional or statewide biodiversity, or (3) is documented as significant on recognized preservation or protection lists or otherwise designated with special-status by a
recognized authority. As noted by the commenter, the adobe navarretia (Navarretia nigelliformis ssp. nigelliformis) is a List 4.2 species, defined as a plant of limited distribution “and their vulnerability or susceptibility to threat appears low at this time.” (California Department of Fish and Game, Natural Diversity Database, Special Vascular Plants, Bryophytes, and Lichens List, July 2011). Guidelines under Goal VEG 1 and Goal WLIFE 4 provide for cooperation with regional conservation plans and polices including the ECCCHCP/NCCP.

11-4: Goal VEG 2, presented on page 3-35 of the GP and EIR, requires an update of existing inventories in order to document and map locations of special-status species and their habitats. In addition, Goal VEG 4 and associated guidelines emphasize the Park’s intent to preserve and/or restore native grasslands. Sensitive natural communities, such as the ones mentioned by the commenter and included in the East Contra Costa County Habitat Conservation Plan/Natural Communities Conservation Plan (ECCCHCP/NCCP), would be identified during project specific vegetation mapping, and potential impacts to these communities would be analyzed during project specific CEQA review.

11-5: The GP contains Natural Resource Management goals and guidelines that require the protection, maintenance, and restoration of local and regionally important native plant communities, including preparation of a vegetation management plan, management of special-status plants and sensitive plant communities for habitat enhancement, and management of unique communities such as vernal pools, alkali sink scrub, and native grasslands (see pages 3-34 to 3-36 of the GP and EIR). Vegetation inventories will be updated and vegetation mapping will record the locations of special-status plant species and their habitats. Park visitor facilities will be sited in the future using information gathered by resource inventories. State Parks will make every effort to preserve and protect important resources while providing recreational activities and visitor use facilities, consistent with the Department’s mission and the agreement between the State Coastal Conservancy and California State Parks. Please also refer to Master Response 1, Program-level Analysis and Facility Siting.

11-6: As described on page 3-5 of the GP and EIR, each management zone has unique characteristics and existing features that are intended to be considered and incorporated into future plan implementation. Management zones provide the basis for the direction of the type and intensity of development and use within each area of the Park. However, within each zone, existing natural and cultural resources will be protected and managed as part of the development plan for that zone, consistent with all Parkwide and zone-specific guidelines for resources contained in the GP. The Visitor Facility Zones indicate areas where specific facilities and management would occur. The delineated zones do not imply that the entire area of that zone will be developed. Please also refer to the response to Comment 11-2.

Recreation carrying capacity is discussed beginning on page 3-54 of the GP and EIR. As noted on page 3-54, State Parks is required to assess carrying capacity for proposed park lands in accordance with Public Resources Code Section 5019.5. The GP is a first step in the long-term
planning and development process at the Park, and certain data related to the anticipated number of visitors and the intensity of use is not available at this time. As new information is obtained, a series of environmental quality indicators will be used to implement adaptive management methods in order to preserve the Park's natural and cultural resources.

The key components of the GP will provide the groundwork for establishing the carrying capacity for the Park. The GP contains the results of the initial data collection in Chapter 2, which is a summary of all known data available when the GP was prepared. The Park’s purpose and vision are presented on pages 3-1 to 3-3. Desired future conditions and quality indicators are presented in Section 3.5, Parkwide Goals and Guidelines, and subsequent planning actions required for implementation of the GP and EIR are described in Chapters 1 and 4 as they are related to CEQA compliance.

11-7: As noted in the responses to Comments 11-5 and 11-6, Natural Resource Management goals and guidelines require the protection, maintenance, and restoration of local and regionally important native plant communities (Goal VEG 1), and natural and cultural resources will be protected and managed in each zone as part of the development plan for that zone. Please also refer to Master Response 1, Program-level Analysis and Facility Siting.

11-8: As described in the response to Comment 11-7, Natural Resource Management goals and guidelines require the protection, maintenance, and restoration of local and regionally important native plant communities. Special-status plant species and sensitive plant communities will be managed for habitat enhancement and protection (Goal VEG 2). Therefore, planning for specific developed uses in the management zones will take into consideration protection of natural and cultural resources present in the zones. Proposed facilities will be located to avoid sensitive resources wherever possible. Please also refer to Master Response 1, Program-level Analysis and Facility Siting.

11-9: Please refer to the responses to Comments 11-5, 11-7, and 11-8, and Master Response 1, Program-level Analysis and Facility Siting.
December 10, 2010

Steve Bachman, Acting District Supervisor
Diablo Vista District
845 Casa Grand Road
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sbachman@parks.ca.gov

RE:  Cowell Ranch/John Marsh State Park General Plan and EIR

The East Bay Chapter of the California Native Plant Society respectfully requests that this letter be included as an addendum to our comment letter submitted yesterday, December 9, 2010 and that it become part of the public record.

Under Specific Comments, we include the four following subsections:

Locally Rare Plants

EBCNPS requests language modifying Goal 2 in Chapter 3 of the General Plan to address the need to protect locally rare native plant species. Thus, Goal 2 would read protection of special-status species including those considered locally rare. We would also like to request that the GP include in Appendix C a definition of locally rare species that defines what special-status species are.

Here is some language adapted from Lake 2010 that we suggest:

As consistent with CEQA’s Article 9 and Guidelines 15125(a) and 15380 which state that “special emphasis should be placed on environmental resources that are rare or unique to that region” and with CNPS’s goal of preserving plant biodiversity on a regional and local scale, Lake has assessed the occurrence of locally significant plant species. Locally significant plant species, also known as “peripheral populations,” are those considered to be at the outer limits of their known distribution, a range extension, a rediscovery, or rare or uncommon in a local context (CNPS 2001, CDFG 2009, Lake 2010). These species are not regarded as special-status species by the USFWS or CDFG. However, the East Bay Chapter of CNPS has a program, started in 1991, that tracks rare, unusual, and significant plants that occur within Contra Costa and Alameda counties. East Bay CNPS has three ranked designations for these species: A (which includes *A1, A1, *A1x, *A2, and A2); B; and C. The asterisk indicates that the plant species is also listed statewide as rare. The criteria of each ranking are presented below. This determination is partially based on the number of botanical regions in which the subject taxon occurs. For the purposes of this General Plan/EIR, locally rare plant species with an “A” designation should also be considered as having special-status.

Ranking Criteria for Rare, Unusual, and Significant Plants of the East Bay
*A This category includes *A, *A1x, and *A2. The asterisk indicates that these species in Alameda and Contra Costa counties are listed as rare, threatened, or endangered by federal or state agencies are by the state level of CNPS.

A1 This category includes species from 2 or fewer botanical regions in the two counties, either currently or historically.

A1x This category includes species previously known from the two counties, but now believed to have been extirpated and no longer occurring here.

A2 This category includes species currently known from 3 to 5 regions in the two counties, or if more, meeting other important criteria such as small populations, stressed or declining populations, small geographic range, limited or threatened habitat, etc.

B This category is a high-priority watch list: species currently known from 6 to 9 regions in the two counties, or if more, meeting other important criteria as described for A2.

C This category includes a second-priority watch list: species currently known from 10 or more regions in the two counties, but potentially threatened if certain conditions persist such as over-development, water diversions, excessive grazing, weed or insect invasions, etc.

References:
California Department of Fish and Game (CDFG). 2009. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities. Wildlife and Habitat Data Analysis Branch.


Invasive Plant Species
Goal 4 states *Protect native plant communities and effectively manage invasive and non-native species*. The guidelines associated with this goal should include a reference to BAEDN (Bay Area Early Detection Network), an organization that has established protocols for rapid response to weed invasions in their early phases. We suggest that state parks review BAEDN’s new target weed list so that it can coordinate efforts to keep weed populations from becoming established and spreading throughout the park.

This goal should specifically reference the protection of rare plants as well. Even if the project level EIR calls for avoidance of rare plant populations, the close proximity of toilets, parking/staging areas, day use sites, campsites, trials, etc. brings weed infestations to the site and would create indirect impacts. CEQA defines an indirect impact in its guidelines as “Impacts (or secondary effects) which are caused by the Project and are later in time or farther removed in distance, but are still reasonably foreseeable. These may include growth-inducing effects and other effects related to induced changes in the pattern of land use. [CEQA Guidelines, Title 14, CCR, Section 15358 (a)(2)].

**Grazing Management**

It is incumbent that state parks continue the practice of grazing as a management tool within the park. Grazing Management Plans should be periodically reviewed as part of an adaptive management program to ensure that timing and intensity are appropriate, especially in drought years when normal grazing regimens may result in over-grazing.

**Miscellaneous Comments**

Section 2-33: Biological Resources—Introduction

This section refers to utilization of the CNPS 2006 Inventory. There is a more current version of the inventory which should be used. In a similar manner, the document references Sawyer and Keeler-Wolf 1995. The document should update the reference to Sawyer et al. 2009 and should reflect new information from this reference such as changing series to the appropriate alliances.

Section 2-38: Wetlands

On page 4-22 sensitive habitats are defined as *Impacts on sensitive habitats (including wetland and riparian habitats subject to the regulatory authority of USACE, under section 404 of the Clean Water Act, and DFG, under section 1600 of the California Fish and Game Code) would also be considered potentially significant; however, significant impacts to sensitive habitats are not anticipated with the Plan goals and guidelines in place*. On page 2-38 none of the wetlands are expressly described as sensitive, and they should be.
We thank state parks for this opportunity to include our further comments. We look forward to working together to ensure that the Cowell Ranch/John Marsh State Park become a park known to the public for the protection of its rich native plant flora.

Sincerely,

Laura Baker
Conservation Committee Chair
East Bay Chapter of the California Native Plant Society
Letter 12 Response – East Bay Chapter of the California Native Plant Society (CNPS)

12-1: Goal VEG 2, presented on page 3-35 of the GP and EIR, currently applies to locally rare native plant species. As defined on page 2-32, Biological Resources, Introduction, “a resource is deemed significant if it ...(2) is regionally significant, is an important component of a systemwide plan, or contributes to the preservation of regional or statewide biodiversity, or (3) is documented as significant on recognized preservation or protection lists or otherwise designated with special-status by a recognized authority.” A recognized locally rare native plant species is considered special-status in this GP and EIR.

12-2: Please see response to Comment 12-1 regarding locally rare plant species.

12-3: A reference to Bay Area Early Detection Network protocols and target weed list has been added to the guidelines under Goal VEG 3 on page 3-35 of the GP and EIR. Please refer to Chapter 4 of this document to see the specific text revisions. The protection of special-status plants is addressed in Goal VEG 2.

12-4: Please refer to Master Response 3, Grazing as a Vegetation Management Technique and as an Interpretive Activity. As a resource management tool, grazing would be evaluated as part of a variety of tools and actions that could be used to establish effective and appropriate methods for Park vegetation management. Grazing would be permitted to continue, consistent with State Parks policies on grazing, until a vegetation management plan is developed (see Goal VEG 4 and Goal AGREE 1).

12-5: State Parks acknowledges that many of the references use for this GP and EIR were current at the time that the Notice of Preparation (NOP) for the GP and EIR was filed (April 2006), when preparation of the EIR began. According to Section 15125(a) of the State CEQA Guidelines, existing conditions described in the EIR are those conditions existing at the time the NOP is published. Additional focused biological surveys were completed in 2007, 2008 and 2010 and sections of the GP and EIR were subsequently updated with this current information. There have also been unforeseen circumstances that have delayed the completion of the GP and EIR, including legal issues with an adjacent property owner, the discovery of significant cultural resources, and project funding. As specific projects are planned within the Park, and project-specific CEQA compliance documents are prepared, the resource inventories and surveys will be updated using the most current version of the CNPS inventory, databases, and other references. Please refer to Master Response 1, Program-level Analysis and Facility Siting.

12-6: The text on page 2-38 of the GP and EIR has been revised to indicate that wetlands are sensitive habitats. Please refer to Chapter 4 of this document to see the specific text revisions.
From: Seth Adams <sadams@savemountdiablo.org>
To: Bachman, Stephen
Cc: Shafer, Cyndy; hbartosh@nomadecology.com; <hbartosh@nomadecology.com>; conservation@ebcnp.org <conservation@ebcnp.org>; radair@dfg.ca.gov <radair@dfg.ca.gov>; nwenninger@ehparks.org <nwenninger@ehparks.org>; Sheila_Larsen@fws.gov <Sheila_Larsen@fws.gov>
Sent: Tue Dec 14 22:17:21 2010
Subject: SMD comments - GP-dEIR Cowell Ranch State Park 12-8-2010

Steve,

Attached are Save Mount Diablo's comments on the GP-dEIR Cowell Ranch State Park. Sorry they're a few days late. I included both a pdf and a digital version in which I stripped out the map to decrease file size, in case whoever is doing the responses wants to excerpt text from our comments.

Following this e-mail is a high res version of the Cowell part of our regional recreation map - it shows more of the fire roads in the Park than the report's graphics, almost all of it GPS'd, etc.

I hope they're helpful.

Seth Adams

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Save Mount Diablo's Mission is to preserve Mt. Diablo's peaks, surrounding foothills, and watersheds through land acquisition and preservation strategies designed to protect the mountain's natural beauty, biological diversity, and historic and agricultural heritage; enhance our area's quality of life; and provide recreational opportunities consistent with the protection of natural resources.

What We Do
Preserve natural lands through acquisition & cooperative efforts.
Defend Mt. Diablo and its foothills from development threats through land use planning & public education.
Restore habitat, wildlife and creeks & build trails prior to transfer to public agencies for permanent preservation & public use.
Enjoy Diablo's parks through events & recreational opportunities.
December 9, 2010

Steve Bachman, Acting District Superintendent
Diablo Vista District
845 Casa Grande Road
Petaluma, CA 94954
sbachman@parks.ca.gov

re: Save Mount Diablo comments, 12-9-2010 - Draft EIR for Cowell Ranch/John Marsh State Historic Park Preliminary General Plan, October 2010

Dear Acting District Superintendent Bachman,

Thank you for the opportunity to present information in order to help develop a positive and effective General Plan for a new State Park. It’s a very exciting time and we look forward to the Park opening to the public.

The Preliminary General Plan and Draft Program EIR are also interesting and useful documents, however their organization is somewhat redundant and confusing, and the environmental analysis is bare bones. General Plan policies should be more clearly indicated, and mitigations should be collected into a more readable Mitigation Monitoring Program.

Save Mount Diablo has previously provided both verbal testimony, and written comment letters dated May 17, 2006 and June 16, 2006 about the proposed Cowell Ranch/John Marsh State Historic Park General Plan. We herein incorporate those comments by reference.

Save Mount Diablo has worked with the Department of Parks and Recreation since our founding in 1971 to dramatically expand Mt. Diablo State Park as well as with other agencies on other nearby parks and preserves created since then. In 1971 there was one park at Mt. Diablo, the 6,788 acre Mt. Diablo State Park. Today there are more than 100,000 acres preserved in a largely contiguous set of over 40 parks and preserves on and around Mt. Diablo. Save Mount Diablo includes more than 7,000 donors and supporters.

We “pre-acquire” land directly for later transfer to park agencies for long term management. We defend parks from nearby land use development threats. We restore habitat, reintroduce rare species and build recreational trails and other facilities. We support a variety of funding measures and lobby for additional funds to benefit state parks.

Malcolm Sproul, SMD’s President, is a principal at LSA Associates and for years documented Cowell Ranch’s resources for the Cowell Foundation. Other SMD Board members and staff have also spent years in assessing the Ranch, including myself, Board member and photographer Scott Hein, etc. Board member and botanist Heath Bartosh provided some comments; some of these will track with comments by the California Native...
Plant Society, many of which Save Mount Diablo agrees, because Bartosh also provided guidance for CNPS comments.

Our organization has been deeply involved with the preservation of Cowell Ranch for over twenty years:
- by defending the Ranch from a variety of development threats;
- with the 1990 creation of county, and subsequent city, urban limit lines which decreased these development threats;
- in convincing the Cowell Foundation to lease land for a staging area to East Bay Regional Park District so that the District could open Round Valley Regional Preserve;
- in the year 2000 compromise on tightening the county urban limit line, which placed almost all of Cowell Ranch outside of the County urban limit line, and included agreement by the Cowell Foundation to sell most of the ranch for public use; and
- in aiding the Trust for Public Land in developing funding to buy most of the ranch.
- We have been involved in the General Plan process for the new State Park since it began in 2006;
- we have led many guided public hikes on the State Park to familiarize the public with the new State Park and its resources, and organized a number of tours of the John Marsh House;
- we have mapped trail routes onsite, including for a segment of the proposed 60-mile Diablo Grand Loop Trail (and extension of the 30-mile Diablo Trail), and included the new State Park in our comprehensive regional recreation map;
- we are already defending the State Park from land use development applications proposed nearby;
- we work collaboratively with East Bay Regional Park District and the East Contra Costa County Habitat Conservancy on nearby acquisitions, have been working with the Contra Costa Water District on nearby appropriate land acquisition mitigation for its Los Vaqueros expansion project, and have a long history working with the CCC Flood Control District, with Contra Costa County and with the city of Brentwood.
- We helped lead the effort to defeat Brentwood’s Measure F in June, which would have expanded the city’s urban limit line near the park;
- in August we acquired our neighboring 5-acre “Dry Creek” property on Briones Valley Road, the first we hope of many appropriate additions to the new State Park.

To reiterate from our May 17, 2006 comment letter:

1. In general, Save Mount Diablo believes extensive reconnaissance should be pursued to locate and preserve rare species and habitats.
2. We support extensive land additions to Cowell Ranch State Park to protect sensitive species and to further protect wildlife corridors stretching from Los Vaqueros to Black Diamond Mines.
3. We are supportive of the reintroduction of tule elk, pronghorn and the Mt. Diablo buckwheat, which was first discovered on John Marsh’s Rancho in 1862, and of riparian and oak restoration.
4. We believe that grazing can be both an important management tool for the preservation of rare species, and also a theme relative to historic interpretation.
5. Road projects and their mitigation offer a mechanism to enhance wildlife movement.
6. We believe multi-use passive recreation should be supported, primarily through the creation of trails and staging areas, including the extension of the 30-mile Diablo Trail to create the 60-mile Diablo Grand Loop.
7. Recreation should be coordinated with other nearby agencies and joint use should be sought from the Flood Control District to make Marsh Creek reservoir available to the public rather than a barrier between sections of the state park.
8. Where more intensive facilities are proposed, including camping, sensitive resources should be avoided, and visitor use should be concentrated around the John Marsh House, the Apple Orchard and south of Marsh Creek Road.
9. We are supportive of the restoration of the John Marsh House.
10. We are equally supportive of robust interpretation of the Indians of Rancho Los Meganos and Canada de Los Poblanos, especially the most recent Volvon about which there has been very little interpretation.
And from our June 16, 2006 comment letter:

We attached three useful reports, conducted by LSA Associates, Inc. when the property was proposed for development and requested that these documents and our comment letters be part of the administrative record for the General Plan DEIR.

- Biological Resources, Cowell Ranch, Contra Costa County, November 1, 1993, LSA Associates, Inc.
- Supplemental Rare Plant Survey, Cowell Ranch, Contra Costa County, July 12 1994, LSA Associates, Inc.
- Supplemental Rare Plant Survey, No. 2, Cowell Ranch, Contra Costa County, October 10, 1994, LSA Associates, Inc.

a. 234 plant species were observed within the historic boundaries of Cowell Ranch (prior to the development of the Vineyards at Marsh Creek). Four special status plant communities are present. Four special status plant species are found onsite, crownscale, San Joaquin spearcole, Heartscale, and big tarplant.

b. Fifty-four wildlife species were observed, twelve of them special status: California linderiella, vernal pool fairy shrimp, curve-footed hygrocytus diving beetle, California tiger salamander, California red-legged frog, western pond turtle, northern harrier, prairie falcon, burrowing owl, loggerhead shrike, California horned lark, and San Joaquin pocket mouse. Suitable habitat exists for San Joaquin kit fox, which are confirmed in the grassland corridor both northeast and south of the State Park.

c. In addition, although Mt. Diablo buckwheat was presumed to be absent because of lack of suitable habitat, Eriogonum truncatum was first typed on Marsh’s Ranch, was historically found south of Antioch and along Marsh Creek, and the rediscovery of the plant last May 2005 has led to a reexamination of suitable habitat. The plant may find refuge in the vicinity of chaparral, but it was also found historically in grassland. At the least the State Park may represent a potential reintroduction site.

d. Thirty-eight man made stockpools and 58 seasonal pools were located within the old boundaries. Among the conclusions that can be reached from the information provided are that the ponds and water bodies on the State park are of extreme importance, and all of them should be maintained.

e. In addition to the special status plant communities, the Briones Valley, Marsh Creek riparian forest, and sand quarry areas are of special importance; the last for kit fox denning and potentially for silvery legless lizard (personal communication, Malcolm Sproul, LSA Associates).

More specifically, we commented on the various elements of the proposed General Plan; we have included these comments below, but added additional comments relative to the October 2010 Preliminary General Plan and Draft Program EIR.

Thank you for your consideration of our comments.

Sincerely,

Seth Adams
Director of Land Programs
Specific Comments: Draft EIR for Cowell Ranch/John Marsh State Historic Park Preliminary General Plan, October 2010

Save Mount Diablo supports the naming of the new park as “Los Meganos’ State Park” or “Rancho Los Meganos State Park.” At the December 8, 2010 Meeting of Save Mount Diablo’s Board of Directors, the Board voted to support the naming of the new state park with a split designation including the overall park as “Los Meganos” or “Rancho Los Meganos” and including a separately named John Marsh Historic Site. While appreciating the important role of John Marsh in the history of the area, “Los Meganos” captures more of the park’s history.

1. Introduction

1. Map 2 – fails to include East Bay Regional Park District’s 221-acre Fox Ridge Manor property (APN # 007020013), adjacent to the new park’s western most, northern corner, which was acquired Dec. 2009. The trail map on the final page of this document shows part of the parcel; a previous subdivision agreement would have protected the 211 acres shown but was not completed. Subsequently the Park District acquired the entire 221-acre parcel.

2. Map 2 – Save Mount Diablo also recently acquired a nearly adjacent 5.18 acre parcel on Briones Valley Road, known as “Dry Creek” (APN # 007090034) in August 2010.

2. Existing Conditions

3. P. 2-1 - Park wide Land Uses –should correct a mistake; “Portions of the property lie within the Los Vaqueros watershed to the south of Camino Diablo Road.” In fact, the reference should be “Kellogg Creek watershed” however most of the park lies within the Marsh Creek watershed.

4. P. 2-1 Surrounding Land Uses –in fact recently the Contra Costa Community College District has contracted with Blackhawk-Nunn to move their college site to the commercial area of the Vineyards at Marsh Creek, closer to the John Marsh House.
   a. This offers better opportunities for joint community college-state park uses.
   b. However, this also presents potentially incompatible uses for the previous college site east of Marsh Creek Road and adjacent to the Park boundary. The resolution of what will become of the previous college site should be investigated.

5. P. 2-23 – Significant Resource Values – The California Interagency Watershed Map, if in fact it refers to Sycamore Creek as a watershed included within the state park, should probably be superseded by the designations of the Contra Costa County Watershed Atlas, 2003.

6. P. 2-23 – Marsh Creek – Marsh Creek is the second longest and least developed creek corridor in Contra Costa County; it’s main channel measures 34.57 miles. SMD and a variety of agencies have protected about 9.5 miles of the main channel in a variety of parks. Marsh Creek reservoir is located an inhaling within the Park. Preservation and enhancement of Marsh Creek and Marsh Creek reservoir should be a major goal of the General Plan, including remediation of toxics, removal of barriers to fish and other wildlife movement, enhancement and restoration of riparian habitat, and provision for recreational access.

7. P. 2-31 – Significant Resource Values – Existing Noise Environment - Topography protects some areas of the park from noise although the John Marsh House will be affected by traffic and

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1 Los Meganos (Guddie-Bright) Oct. 13, 1835 - The Mexican Land grant situated in what is now the Brentwood area. Means ‘sand dunes’ “A paraje que llamaban los Meganos ‘place called the sand dunes’ (with a variant spelling) is mentioned in Durán’s diary on May 24, 1817. Two Los Meganos Ranchos were granted, later differentiated as Los Meganos (1835, three leagues or at least 13,285 acres, to Jose Noriega then acquired by Dr. John Marsh, Antioch-Brentwood area) and Los Meganos (to Jose Antonio Musa and Jose Miguel Garcia, Pittsburg area) (Kyle, Pettit). The name Meganos (now Brentwood) was used for a land grant, dated Oct. 13, 1835, which was finally patented to John Marsh’s daughter. Another land grant in the district, with the spelling “Los Medanos” (now Pittsburg), was dated Nov. 26, 1839.”
nearby residential and commercial noise sources. One significant opportunity for decreasing noise impacts on resources and on park visitors is Marsh Creek Road itself. Traffic calming devices such as speed humps can be used to decrease speeds and associated noise, increasing safety for wildlife and visitors crossing Marsh Creek Road, Camino Diablo and Walnut Boulevard in these locations:

a. Marsh Creek Road from Deer Valley Road past the John Marsh House to the entrance to the commercial area of the Vineyards at Marsh Creek, and
b. along Camino Diablo to Walnut Boulevard, and
c. on Walnut Boulevard;
d. Briones Valley Road (east of Deer Valley) should remain closed to vehicular traffic but segments considered for recreational use.

8. **P 2-32 – Biological Resources – Introduction – Plant surveys** - Additional biological surveys should be conducted. Reporting of these additional surveys (at whatever CEQA level) should include a brief discussion that the rare plants on Cowell are covered species in the East Contra Costa County HCP/NCCP.

a. Although State Parks may not seek to permit this plan through the ECCCHCP/NCCP the rare plants within the park have conservation goals associated with them as addressed in the ECCCHCP/NCCP.

b. For these reasons some discussion of their listing status as “Covered” species in the HCP/NCCP should be included.

c. This is especially important for *Navarretia nigelliformis* subsp. *nigelliformis*, also a Covered species in the HCP. Although this taxon isn’t known from within Cowell Ranch it was one of the species found on the Vineyards at Marsh Creek site and could easily be found on the larger Cowell Ranch site. Currently, this is only a List 4.2 species and wouldn’t be addressed in a typical CEQA review but because it is a covered species in the ECCCHCP/NCCP, it should be included in the analysis.

d. The same is true for uncommon vegetation types included in the HCP/NCCP i.e. Purple needlegrass grassland, Wildrye grassland, Wildflower fields, One-sided bluegrass grassland, Saltgrass grassland (= alkali grassland), and Alkali sacaton bunchgrass grassland. There is certainly more Saltgrass grassland at Cowell Ranch than is associated with the Valley Sink Scrub locations on Map 10. Mapping these vegetation types should be a target for the project level analysis and therefore addressed/stated in the programmatic EIR. The same goes for purple needlegrass grassland, wildflower fields, and one-sided bluegrass grassland. No doubt there are stands of these types at the State Park which can be mapped.

9. **P 2-33 - Biological Resources – Introduction** - If this document is using the CNPS 2006 Inventory as stated they aren’t using the most up to date version of the inventory. There is a more recent version (Lake, D. 2010. *Unusual and Significant Plants of Alameda and Contra Costa Counties*. Eighth Edition. California Native Plant Society, East Bay Chapter). The document also references Sawyer and Keeler-Wolf 1995; the reference should be updated to Sawyer et al 2009 and have the document reflect new information from this reference such as changing series to the appropriate alliances, at a minimum.

10. **P 2-34 - Significant Resource Values – Biological Resources - Plant Communities and Wildlife Habitats** - Native perennial grasslands and alkali grasslands are included as occurring in the park but are not mapped. Native perennial grasslands are identified as purple needlegrass grassland which is a sensitive natural community considered as high priority by CDFG. The report references DFG 2003 as the document to address sensitive natural communities. These areas need to be mapped in order to address impacts. CDFG has updated its list of sensitive natural communities as of 2010. This reference should be evaluated for new sensitive communities that may be within the park since 2003.
Alalki grasslands, specifically saltgrass grassland is an uncommon vegetation type per the ECCHCP. Valley Sink Scrub is also included in this vegetation type. Alalki grasslands, not considered valley sink scrub, dominated by Distichlis spicata should be mapped in order to address impacts. Areas of alkali sedges not dominated by Allenroflea occidentalis and Distichlis spicata should be mapped and considered sensitive as well.

11. P. 2-34 and -35 – Significant Resource Values – Biological Resources – Grassland Species – California tiger salamander, foraging prairie falcons, golden eagles, American badger and San Joaquin kit fox are also associated with grassland habitats. For example, aerial telemetry studies of prairie falcons by Doug Bell, EBRPD, found that falcons nesting at Mt. Diablo State Park travel to Cowell Ranch to forage. Kit Fox have been confirmed at Black Diamond Mines Regional Preserve to the northwest, and at Los Vaqueros and Brushy Peak to the south. Most of the State Park is suitable habitat for kit fox.

12. P. 2-38 – Significant Resource Values – Biological Resources – Wetlands – On page 4-22 sensitive habitats are defined as Impacts on sensitive habitats (including wetland and riparian habitats subject to the regulatory authority of USAEC, under §404 of the Clean Water Act, and DFG, under §1600 of the California Fish and Game Code) would also be considered potentially significant; however significant impacts to sensitive habitats are not anticipated with the Plan goals and guidelines in place. On page 2-38 none of the wetlands are stated as considered sensitive. They should be.

13. P. 2-40 – Significant Resource Values – Biological Resources – Special-status Plant Species – The nomenclature of San Joaquin spearscale and big tarplant needs to be updated. Currently the proper nomenclature for these species is Atriplex joaquiniana (not A. joaquiniana) and Blepharodon plumosus (not B. p. subsp. plumosus).

14. Table 5, P. 2-42 - Significant Resource Values – Biological Resources – Adobe navarretia Navarretia nigelliformis subsp nigelliformis needs to be added for the reasons stated above.

15. Table 5, P. 2-42 - Significant Resource Values – Biological Resources – Mt. Diablo buckwheat Eriogonum truncatum is judged “unlikely to occur.” In fact, Eriogonum truncatum was first typed on Marsh’s Ranch (which overlapped the location of Cowell Ranch and extended north and east), was historically found south of Antioch and along Marsh Creek. The rediscovery of the plant in May 2005 has led to a reexamination of suitable habitat. The plant may find refuge in the vicinity of chaparral, but it was also found historically in grassland. At the least the State Park may represent a potential reintroduction site.

16. Table 6 – P. 2-46 and 2-50, -51 –Significant Resource Values – Biological Resources – San Joaquin kit fox are also a special status species which must be considered—we firmly disagree with the conclusion that they are “unlikely to occur.”

Most of the State Park is suitable habitat for kit fox. The document discusses that kit fox have been previously confirmed adjacent to the park on both the east and west, and more recently confirmed at Black Diamond Mines Regional Preserve to the northwest and at Los Vaqueros and Brushy Peak to the south—but then fails to make the obvious conclusion: given kit fox habitats, topography and vegetation patterns, San Joaquin kit fox, though undoubtedly in low population densities, are moving across the State Park.

In addition, when wildlife surveys were undertaken in the past, there were very few ground squirrel populations at Cowell Ranch—probably because they were being shot, trapped and poisoned. In the years since then, ground squirrels have dramatically increased in number, also increasing the likelihood of kit fox, as well as other special status species such as burrowing owl,

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2 Malcolm Sproul, LSA Associates, Personal communication 12-10-2010
California tiger salamander, etc. Whether SJ kit fox are resident is unknown, but with changing management patterns in the Park and other nearby parks in recent years, their chances of survival have likely increased.

Kit Fox surveys on the State Park are 16 years old (the 2003 Sycamore survey on the Vineyards property is not within the state Park). The document is incorrect in stating “No indication of kit fox is currently present within the Park.” The statement is immediately disproved by the next sentence, “The Park has not been surveyed specifically for kit foxes or suitable habitat.” With San Joaquin kit fox, without recent extensive protocol level surveys, absence of evidence does not constitute proof of absence.

17. P. 2-49 – Significant Resource Values – Biological Resources – Burrowing Owls – Save Mount Diablo staff have conducted a number of hikes in the Briones Valley part of Cowell Ranch and have observed burrowing owls in at least three locations visible from Park fire roads.

18. P. 2-52 – Significant Resource Values – Biological Resources – Invasive Species – The Park supports a number of invasive species, including yellow star thistle and bullfrog in Marsh Creek reservoir.
   a. Given its size the Park is appropriate for controlled burning in grassland areas to discourage non-native species such as yellow star thistle. EBRPD has had success in limiting yst and other invasive species by multiple years of controlled burning at Round Valley Regional Preserve.
   b. The park should contract with the Flood Control District for resource management of Marsh Creek reservoir, particularly for removal of bullfrog.

19. Wildlife corridors – Cowell Ranch is part of a complex of parks and preserved lands, and is contiguous with the 18,385 acre Los Vaqueros watershed, 2,070 acre Round Valley Regional Preserve, and the 221 acre Fox Ridge Manor open space which is owned East Bay Regional Park District. One or two additional acquisitions will allow for connection of this open space corridor northwest to Black Diamond Mines Regional Preserve. A connection already exists to the south to open space stretching to both Livermore and Walnut Creek.

In addition, Contra Costa County, area cities including Brentwood, and regulatory agencies are engaged in an East Contra Costa County Habitat Conservation Plan/NCCP (ECCC HCP/NCCP) which will guide preservation in the area surrounding Cowell. Key corridors identified in the plan include the San Joaquin kit fox corridors in the parallel grassland valleys stretching east from Black Diamond Mines – Horse Valley, Deer Valley, Briones Valley, and Canada de los Poblanos along Marsh Creek, and the connections to the grasslands east and west of Los Vaqueros and in the area to the east of the watershed. The HCP/NCCP is a potential source of acquisition and management funding.

The plan should give a great deal of attention to avoiding impacts on these corridors and to resolving existing conflicts, including restoration and enhancement, and additional land acquisition.

It should seek to maintain corridors between the eastern third and the western two-thirds of the park, currently separated by the lands of the Contra Costa County Flood Control and Water Conservation District and its Marsh Creek reservoir. The State Park should pursue a joint operating agreement with the Flood Control District to provide for coordinated resource management and for recreational facilities.

Road construction and maintenance projects are both an opportunity and a threat to these corridors. During such projects, attention should be paid to minimizing impacts on these corridors and mitigation used to create additional opportunities for wildlife movement.
20. **Briones Valley** is a dominant landscape feature of the Park and a significant wildlife corridor, including habitat for a variety of listed species. It should be protected and facilities limited to trails and staging areas.

21. “**Old Sand Quarry Area**” Sandpit areas east of Marsh Creek Road and west of the apple orchard are another significant feature of the park which should be preserved, and which tie in with the area’s historic name, Rancho Los Meganos. They are prime habitat for the San Joaquin kit fox and characteristic of the fox’s best habitat at the south end of the San Joaquin Valley. They include very different plant species and are likely habitat for legless lizards (*Amniella pulchra*).

If quarrying is done within the State Park to repair the John Marsh House, mitigation for these species will be necessary.

22. **Vernal pools** – The Park includes a number of vernal pools which have been otherwise largely eliminated in Contra Costa County. They should be protected and managed appropriately. Other areas nearby with vernal pools include appropriate additions to the Park.

23. **Tree regeneration** – Other than along riparian corridors most of the remaining trees within the Park are scattered large oaks, with very few young trees. Localized regeneration should be undertaken near these large specimen trees.

24. **Apple Orchard** – Whatever decisions are made about the future of the Apple orchard, buffering of sensitive resources including Kellogg Creek should be pursued.

**Existing Facilities and Services**

1. **P 2-66 – Park Access and Circulation** – Are there plans to construct a new bridge over Marsh Creek? If not, how will cross-creek access be provided?

2. **P 2-66 – Fire roads/Trail System** – The document indicates that no road/trail inventory has been completed. While not complete, Save Mount Diablo’s regional trail map (attached) includes a more complete set of existing fire roads in the park than the document does.

**Interpretation and Education**

1. **P 2-69 - Existing Interpretation** – as stated above, Save Mount Diablo has also conducted guided tours in the Park, focusing on resources.

2. **P 2-69 – Interpretive Themes** – While themes associated with John Marsh and the John Marsh House are certainly important and appropriate for the park, there are other significant themes which should be investigated. These could include
   a. The Mt. Diablo-Delta region as an ecological cross roads.
   b. The San Joaquin Valley as the California ‘Serengeti’, home to huge concentrations of wildlife.
   c. Wildlife corridors and rare species, especially grassland and riparian corridors such as the four valleys – Horse, Deer, and Briones Valleys and Canada de los Poblanos, and Marsh Briones, Kellogg and Dry Creeks. The Marsh Creek watershed is especially interesting given its length and quality, and that its headwaters are protected at Mt. Diablo State Park and Morgan Territory while its mouth is protected at Big Break Regional Shoreline and the location of the Delta Science Center.
   d. Indian culture.
   e. Spanish-Mexican culture, including the Rancho system and cattle ranching.
   f. the John Marsh House and settlement before the Gold Rush.
   g. Agriculture and Sand Mining.
3. **Map 11** – Regional Open Space and Trails – should also include EBRPD’s 221-acre Fox Ridge Manor property (APN # 007020013), adjacent to the new park’s western most, northern corner, which was acquired Dec. 2009.

**Planning Influences**

1. **P. 2-70, 71 - Regional Recreation Resources** – as stated above, Marsh Creek is also associated with Big Break Regional Shoreline and the location of the Delta Science Center.

2. **P. 2-73 – Round Valley Regional Preserve** – in fact Round Valley includes a 25-person group campsite.

3. **P. 2-75 - Regional Trails – Diablo Trail** - The 30-mile multi-use Diablo Trail crosses six parks—Snee Ridge Open Space, Diablo Foothills Regional Park, Mt. Diablo State Park, Morgan Territory Regional Preserve, the Los Vaqueros Watershed, and Round Valley Regional Preserve—from Walnut Creek to Brentwood. The trail currently ends at the Round Valley staging area on Marsh Creek Road, within the new State Park. The trail is an overlay largely on existing trails within the parks it crosses and is complete, however not all segments have been indicated on trail signs. In 2007 Save Mount Diablo published a regional recreational map including the complete route of the Diablo Trail.

4. **P. 2-75 - Regional Trails – Diablo Grand Loop Trail** – Save Mount Diablo has also proposed that the Diablo Trail will continue south through Altamont Pass and into the Diablo Range, and that at its northern limit at Cowell Ranch, an extension will be the 60-70 mile Diablo Grand Loop Trail circling north through Rodey Ranch Open Space, Black Diamond Mines Regional Preserve and back to Mt. Diablo State Park. Most of this trail loop has already been mapped and is shown on SMD’s Regional Recreation Map, but the trail corridor is not yet complete.

5. **P. 2-83 – Regional Planning Influences- East Bay Regional Park District Master Plan** – the document should include greater reference to EBRPD’s Master Plan because the District is protecting additional lands on all sides of the new State Park, including the adjacent Fox Ridge Manor property and Master Plan proposals for expansions of existing parks, and new regional parks 1) in the vicinity of Deer Valley, 2) in the Byron wetlands area, and 3) at Bethany reservoir.

6. **P. 2-83 – Regional Planning Influences- East Contra Costa Habitat Conservation Plan and Natural Community Conservation Plan** – the document should also have discussed further the HCP/NCCP both for its CEQA and resource analysis implications and because it is funding a dramatic increase in public lands in the vicinity of the Park. Its high priority acquisitions map is instructive.

7. **P. 2-84 –Regional Planning Influences- Los Vaqueros Reservoir Expansion Project** – states “although not within the same watershed as the Park” – in fact the eastern fifth of the Park is in the same Kellogg Creek watershed as Los Vaqueros. In addition, mitigations for CCWD’s Los Vaqueros Reservoir expansion project have the potential to enlarge the park, or protect adjacent lands.

**Issues & Analysis**

**Visitor Use and Facilities**

1. **P. 2-87 - Camping** – Save Mount Diablo is supportive of camping at the park, in the Eastern/orchard area. However, we would oppose such facilities in the sand quarry, sand deposits area and in Briones Valley given sensitive resources. Camping in the orchard area could be enhanced with traffic calming methods.

2. **P. 2-87 - John Marsh House/Historic Area** – We support use of the historic area as the primary visitor contact area.
3. **P. 2-87 – Water wells should be limited** – Well development should be limited outside of the Historic and Eastern areas in order to avoid depleting groundwater resources now utilized by wildlife.

4. **P. 2-88 – Natural and Cultural Resources inventories** – We are supportive of additional resource inventories, however trails could be provided in the western half of the park early on to provide some public use, utilizing the existing Round Valley Staging Area and the Deer Valley Road/Briones Valley Road parking area.

5. **Marsh Creek Reservoir** - The Park should work with Contra Costa County Flood Control and Water Conservation District, at its Marsh Creek reservoir, to provide for coordinated resource management and for recreational facilities. The Flood Control District has some interest in enlarging the reservoir; if such a project is undertaken it should be considered carefully since it could flood parts of the State Park, affect the ground water table and the downstream John Marsh House, or benefit exotic species.

6. **Trails & Access**
   a. **Staging Areas and parking** – Appropriate staging areas to serve Cowell Ranch, which should avoid sensitive resources, might include locations at:
      i. The John Marsh House or the Vineyards at Marsh Creek village center
      ii. Joint use of the EBRPD Round Valley Regional Preserve Staging Area
      iii. Marsh Creek Road at Camino Diablo
      iv. The Apple Orchard/Eastern Area
      v. Briones Valley Road at the Vineyards
      vi. Deer Valley Road at Briones Valley Road

   b. **Park Trails** – Save Mount Diablo supports the creation of a robust multi-use trail system at Cowell Ranch for non-motorized recreation. However, trails should be sensitively sited to avoid rare habitats and listed species. Where necessary, existing fire roads should be re-routed to avoid these resources. The State Park should pursue a joint operating agreement with the Contra Costa County Flood Control and Water Conservation District, at its Marsh Creek reservoir, to provide for trails between the eastern third and the western two thirds of the park. Trails should be coordinated with those of EBRPD, the City of Brentwood, and CCWD.

   c. **Possible Trails** could include:
      i. Briones Valley loop trail, with connections to the John Marsh House
      ii. Loop Trail through the oak savannah overlooking Briones Valley Road
      iii. Marsh Creek trail
      iv. Extension of the Walnut Trail from Los Vaqueros to Brentwood.
      v. Trail from the Round Valley Regional Preserve Staging Area to Deer Valley Road
      vi. From the Round Valley Regional Preserve Staging Area to the Apple Orchard

   d. **Multi-Use Regional Trails** could include:
      i. Diablo Trail – Save Mount Diablo has helped to create a 30-mile Diablo Trail from Walnut Creek to the Round Valley Regional Preserve Staging Area. We support the ongoing use of that trail as well as a tie-in to a:
      ii. Diablo Grand Loop Trail – which would extend from the Round Valley Regional Preserve Staging Area through Briones Valley to the Fox Ridge Manor open space, and eventually to Black Diamond Mines Regional Preserve and back to Mt. Diablo State Park, another 30 miles.
      iii. EBRPD's Morgan Territory to Big Break Regional Trail

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*Save Mount Diablo comments, 12-9-2010 - Draft EIR for Cowell Ranch-John Marsh State Historic Park Preliminary General Plan, October 2010*
e. P. 2-88 – Mapped Trails – As previously stated the document indicates that no road/trail inventory has been completed. While not complete, Save Mount Diablo’s regional trail map (attached) includes a more complete set of existing fire roads in the park than the document does. While some trails or fire roads might be eliminated, ultimately use of existing fire roads is probably less intrusive than grading of new ones.

Interpretation and Education

1. P. 2-89 - John Marsh House – Save Mount Diablo is supportive of the restoration of the John Marsh House. The site’s Indian cultural history should be paid great attention as well.

2. P. 2-89 – Natural Resource Interpretation – should be the predominant interpretive theme.

Natural Resource Management

1. P. 2-91 - Save Mount Diablo supports Grazing at the Park – This is not a knee-jerk position but one based on science and resource evaluation – by contrast Save Mount Diablo helped lead the fight to limit grazing at Mt. Diablo State Park. While Mt. Diablo is very different given geology and steep topography, resource investigations since the Mt. Diablo General Plan was approved suggest that complete removal of grazing at Mt. Diablo may have gone too far.

By contrast, the Park is almost completely a grassland ecology. Historically it was habitat for tule elk, deer and pronghorn. Restoration of elk and pronghorn to Cowell Ranch should be a goal however such restoration is likely to be a long-term goal given still evolving park boundaries, the need for fencing, etc.

Cattle grazing is a historic use and an interpretive theme. It is also one of the most cost-effective resource tools available to the park for the enhancement of native wildlife and can have significant benefits for grassland species, especially listed ones such as burrowing owl, tiger salamander, etc. and on the control of invasive species. The Plan should consider whether grazing regimes other than year round would benefit species more. For example, Round Valley Regional Preserve, which is habitat for many of the same species found at Cowell, is grazed intensely seasonally, then cattle are removed for the rest of the year. Controlled burns are used as a complement to control invasive species.

2. P. 2-92 - SMD supports broad scale ecological restoration and ongoing resource inventories.

3. P. 2-92 - SMD supports reintroduction of species that historically occurred at the Park including the Mt. Diablo buckwheat.

4. P. 2-93 - SMD supports programs to control invasive species, including bullfrogs.

5. P. 2-93 - SMD supports restoration of native anadromous fish and removal of barriers to their movement, as well as an enhanced fish ladder at Marsh Creek reservoir.

6. P. 2-94 - SMD is not opposed to some agricultural concessions within the recently farmed parts of the Eastern Area of the Park, however these concessions
   a. should be organic, and
   b. they should be second priority to additional restoration, especially along riparian corridors (such as the northernmost tributary to Kellogg Creek), and
   c. second priority to operations, recreation and facilities needs.

7. P. 2-94 – Scenic - SMD supports preservation of the park’s predominantly open and undeveloped aesthetic character – In addition to Mt. Diablo, Marsh Creek reservoir and John Marsh House related views, where the Hwy 4 Bypass crosses the Park, aesthetic “gateway” enhancements should be considered, since this corridor is where the largest number of people will be introduced to the Park.
Operations and Maintenance

1. P. 2-98 - Pipelines, power lines & other easements – should be investigated and where possible, removed. New easements should be minimized. Where easements are necessary, ground disturbance should be minimized, re-seeding after disturbance should be prohibited, and opportunities for co-location of trail or other recreational corridors considered.

2. P. 2-99 – SMD supports expansion of the Round Valley Staging Area, in collaboration with EBRPD, as well as a suitable wildlife and recreational undercrossing.

3. Maintenance Facilities – If possible, maintenance and other supporting facilities should be located outside of the Park boundaries. If they must be located within the park, they should be located out of site and should avoid sensitive habitat or the interruption of wildlife corridors. Opportunities to share facilities with East Bay Regional Park District, Contra Costa Water District, the Contra Costa County Flood Control and Water Conservation District or the City of Brentwood should be considered.

4. Telecommunication Facilities – should be limited to avoid disturbing the visual resources of the park.

5. Roads – should be managed to decrease impacts on sensitive species. Where road projects take place, mitigations should focus on funneling wildlife away from roads, and increased opportunities for wildlife movement should be created, such as under crossings and culverts. Traffic calming mechanisms should be considered for Marsh Creek Road and Camino Diablo.
   a. Briones Valley Road
   b. Deer Valley Road
   c. Marsh Creek Road
   d. Camino Diablo Road
   e. Walnut Boulevard

3. Park Plan

We understand that this is a programmatic EIR and that part of the reason for larger management zones is to provide flexibility in facilities siting after additional investigation. However, several of these areas are so important to resources that we believe these zones should be dramatically decreased in size and more specifically located at the Program level.

1. Management Zones – Map 12 – Historic Area – The Historic Area should be the predominant location of visitor facilities. A bridge or other connection across Marsh Creek should be constructed, to allow for trail connections from the west to the east parts of the Park.

2. Management Zones – Map 12 – Eastern Visitor Facility and Operations Zone – This zone is appropriate for many uses, however the visitor facility area in the sand hills above should be removed except for trail use, given sensitive species and resources. In addition Kellogg Creek includes a tributary bordering the park at the north, and its main branch across Walnut Boulevard. While an appropriate location for operations elements, camping, and even farming concessions, equally important should be creek restoration and buffering, and grassland or oak savannah restoration which would allow for wildlife movement across the zone and avoid the creation of a major wildlife barrier. This restoration should be coordinated with wildlife corridor connections associated with Vasco Road and the Hwy 4 Bypass.
   a. P. 3-11 – Existing Features – 2nd paragraph – It is not accessed from “Los Vaqueros Road,” but from “Walnut Boulevard.”

3. Management Zones – Map 12 – Round Valley Facility Zone – After the Historic and Eastern Areas, we believe this zone should be the only other location with any intensity of facilities, preferably south of Marsh Creek Road. Except for a possible trail culvert/undercrossing and a
trail connection, SMD believes that the Facilities Zone north of Marsh Creek Road should be removed. Given sensitive resources north of the road, we would prefer that camping be located south of the road and/or decreased in size—appropriate to walk-in backpacking sites—or transferred to the Eastern Area. This zone is an important grassland wildlife corridor between the Park and Los Vaqueros to the southeast. Too many facilities will decrease that value.

4. Management Zones – Map 12 – Briones Valley Visitor Facility Zone – The predominant character of this zone is as a wildlife corridor and natural resource area. Despite its gentle topography it is an extremely important location for a broad array of special status species, and an important trail connection—facilities should be limited in order to preserve the wildlife corridor. This zone should be dramatically decreased in size, centered on the intersection of Deer Valley and Briones Valley Roads, and the remaining acreage to the south added to the Natural Resource Zone. The only facilities that should be provided are a small staging area, interpretive elements, and dry bathrooms. Water wells should not be developed.

5. Management Zones – Map 12 – Dry Creek Visitor Facility Zone – The topography of this zone along Briones Valley Road is dominated by rolling hills, oak savannah, and flat areas with seasonal wetlands. While we support a small staging area at both the western and eastern ends of Briones Valley Road, this facilities zone should be decreased to a strip no more than several hundred feet wide along Briones Valley Road, and should avoid grading of the hills or impacts on the seasonal wetlands. The oak savannah above should be excluded from the zone, and added to the Natural Resource Zone.

6. P. 3-34 Natural Resource Management – Vegetation - There should be goals and guidelines in the General Plan portion addressing locally rare plants. The Plan states:

Goal 1: Protect, maintain, and where appropriate, restore locally and regionally important native plant communities and Goal 2: Manage special-status plants and sensitive plant communities for habitat enhancement and protection of special-status species.

The Plan includes language addressing locally and regionally significant native plant communities and special status species. However, it needs to bridge the gap to address locally rare plant species as well. To accomplish this the Plan should:

1. Modify Goal 2 to read protection of special-status species including those considered locally rare.
2. Include a definition of locally rare species in Appendix C that defines what special-status species are.

Here is some language adapted from Lake 2010 that could be used:

As consistent with CEQA’s Article 9 and Guidelines §§15125(a) and §15380 which state that “special emphasis should be placed on environmental resources that are rare or unique to that region” and CNPS’s goal of preserving plant biodiversity on a regional and local scale, this study also assessed the occurrence of locally significant plant species. Locally significant plant species, also known as “peripheral populations” are those considered to be at the outer limits of their known distribution, a range extension, a rediscovery, or rare or uncommon in a local context (CNPS 2001, CDFG 2009, Lake 2010). These species are not regarded as special-status species by the USFWS or CDFG. However, the East Bay Chapter of CNPS has a program, started in 1991, that tracks rare, unusual, and significant plants that occur within Contra Costa and Alameda counties. East Bay CNPS has three ranked designations for these species: A (which includes *A1, A1, *A1x, A1x, *A2, and A2); B; and C. The criteria of each ranking are presented in the Table below. This determination is partially based on the number of botanical regions the subject taxon

* An asterisk indicates that the plant species is also listed statewide as rare.
occurs in. For the purposes of this General Plan/EIR locally rare plant species with and an “A”
designation should also be considered as having special-status.

California Department of Fish and Game (CDFG). 2009. Protocols for Surveying and Evaluating
Impacts to Special Status Native Plant Populations and Natural communities. Wildlife and
Habitat Data Analysis Branch

Inventory, 6th Ed. Revised June 2.


<table>
<thead>
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| *A      | This category includes *A1, *A1x, and *A2. The asterisk indicates that these species
         in Alameda and Contra Costa counties are listed as rare, threatened, or endangered
         by federal or state agencies or by the state level of CNPS. |
| A1      | Species from 2 or less botanical regions in Alameda and Contra Costa counties,
         either currently or historically. |
| A1x     | Species is previously known from Alameda or Contra Costa counties, but now
         believed to have been extirpated and no longer occurring here. |
| A2      | Species is currently known from 3 to 5 regions in the two counties, or if more,
         meeting other important criteria such as small populations, stressed or declining
         populations, small geographical range, limited or threatened habitat, etc. |
| B       | A high-priority watch list: Species currently known from 6 to 9 regions in the two
         counties, or if more, meeting other important criteria as described for A2. |
| C       | A second-priority watch list: Species is currently known from 10 or more regions in
         the two counties, but potentially threatened if certain conditions persist such as
         over-development, water diversions, excessive grazing, weed or insect invasions, etc. |

7. P 3-35 Natural Resources – Vegetation Goal 4 states Protect native plant communities and
effectively manage invasive and non-native species. Two points in relation to this:
a. The guidelines associated with this goal should include a reference to Bay Area Early
   Detection Network < http://www.baedn.org >. Their new target weed list should be
   added to the document.
   b. This goal should also state the protection of rare plants as well. And even if facilities are
      sited in a way to avoid rare plant populations in the project level EIR the close proximity
      of toilets, parking/staging areas, day use sites, campsites, trails, etc, is ground zero for
      new weed infestations. It would definitely be an indirect impact. CEQA defines an
      indirect impact in its guidelines as "Impacts (or secondary effects) which are caused by
      the Project and are later in time or farther removed in distance, but are still reasonably
      foreseeable. These may include growth-inducing effects and other effects related to
      induced changes in the pattern of land use, population density, or growth rate, and
      related effects on air and water and other natural systems, including ecosystems [CEQA
      Guidelines, Title 14 CCR, Section 15358(a)(7)].

8. P 3-37 Natural Resources – Wildlife Goal 2 –
a. Ground Squirrel poisoning – Ground squirrels, and their burrows, are the underpinning
   of many of the species found at Cowell, especially in summer when the burrows are
utilized by many species for estivation. Poisoning of and shooting squirrels should be prohibited.

b. SMD opposes removal of any of the ponds in the park and supports their ongoing maintenance. These ponds are extremely important to rare species, which may utilize different ponds in different years, and the Park serves as an ecological bridge between neighboring watersheds.


10. P 3-47 Operations and Maintenance – Leases and Special Agreements - grazing should be a constant management tool within the Park and grazing leases should be maintained in perpetuity.
   a. Goal – Agree 1 – “Ensure cattle are not causing environmental degradation particularly at ponds and springs” – in fact ponds that are muddy as a result of cattle seem to provide more suitable habitat for some species such as California tiger salamander.

11. P 3-47 Operations and Maintenance – Leases and Special Agreements – Goal (Agree 2) – easements or parcel additions from willing sellers – why willing sellers? The State has the power of condemnation, even if used sparingly. Why should DPR refuse judicious use of condemnation?

Save Mount Diablo supports significant expansion of the State Park to protect park resources and enhance recreational and wildlife corridors.

b. Marsh Creek – lands southwest of the park along Marsh Creek and Deer Valley Roads, to consolidate public lands with Round Valley, and preserve a longer stretch of Marsh creek, including:

c. Inholdings between Cowell, Round Valley and Los Vaqueros

d. Briones Valley – the headwaters of Briones Valley creek are located on EBRPD holdings at Black Diamond Mines Regional Preserve, then flow down Briones Valley to the Fox Ridge Manor open space and into Cowell Ranch to the Marsh Creek reservoir. Protection of areas within Briones Valley could protect the creek, its watershed and water quality upstream of Cowell.

e. Roman Catholic Property (Dry Creek) – should be considered as an appropriate addition to the park.

f. Deer Valley is the other most important wildlife corridor in the area, in addition to Briones Valley. The Roddy Ranch golf course included preservation of much of the ridge between Briones and Deer Valleys. The proposed Roddy Ranch development in Horse Valley will require extensive mitigation. The valley floor of Deer Valley, both east and west of Deer Valley Road, is an appropriate addition to Cowell.

g. Kellogg Creek corridor and the area stretching east across Vasco Road to agricultural lands – could further buffer the park and help to ensure that Cowell’s grassland wildlife corridors aren’t cut off from the grasslands stretching south to Byron.

12. P 3-47 Operations and Maintenance – Leases and Special Agreements – Goal (Agree 2) – easements or parcel additions from willing sellers – A Goal bullet should be added: “Work with Save Mount Diablo, the East Contra Costa County Habitat Conservancy, Contra Costa Water District, East Bay Regional Park District, the Coastal Conservancy-SF Bay Program, and other entities to protect additional parcels to expand the Park.

13. P 3-51 Local and Regional Planning – Regional Plans – Goal (REG 1) – surrounding development – A Goal bullet should be added: “Work with Save Mount Diablo, which already reviews land use applications in Contra Costa County, Brentwood, Antioch, and other jurisdictions to coordinate review and comments about projects which could impact or benefit the Park, including through dedication of additional open space parcels.
14. P. 3-57 - Table 18 Recreation Carrying Capacity – Park Access and Circulation – Management Actions – In fact roads surrounding the Park are managed by Contra Costa County, the Contra Costa Transportation Authority and the City of Brentwood.

4. Environmental Analysis

1. P. 4-14 Hydrology and Water Quality – The dEIR states that “development of a potable water supply for visitor use has the potential to rely on groundwater supplies in the area. Reliance on groundwater supplies has the potential to result in groundwater depletion; however, this would not be substantial, and the amount of undeveloped land in the Park would be available to help replenish local groundwater supplies.” There is no evidence to support these statements. In fact much of the surrounding area is water short, and use of groundwater has the potential to reduce water supplies currently used by wildlife. Use of groundwater would have potentially significant impacts on hydrology and on biological resources.
   a. Mitigations:
      i. Rely on water connections with the Vineyards at Marsh Creek for potable water supplies at the John Marsh House and in the Eastern Facilities Zone.
      ii. Limit water development in the remainder of the park.
      iii. As additional parcels are added to the park, some of them with developed wells, contemplate abandoning these wells to decrease groundwater use and impacts on hydrology.

2. P. 4-15 Air Quality – The dEIR predicts increased air quality impacts from visitation.
   a. By working with local transportation agencies including Contra Costa County, and by utilizing traffic calming techniques to slow traffic on roads accessing the Park, road use could be decreased for commuters utilizing these roads, diverting them to more efficient transportation routes, BART, E BART, etc., and potentially off-setting increased impacts of visitation. In addition, less traffic could help decrease impacts on wildlife (road kill), decrease safety impacts on recreational users at road crossings, and decrease noise impacts.

3. P 4-22: Vegetation – Impacts - The dEIR states that impacts on vegetation would be avoided through sensitive design and siting of facilities and other land uses in non-sensitive areas. This statement is just not true; impacts might be decreased or mitigated but they cannot be entirely avoided, especially as new facilities are constructed and visitors are allowed access. More importantly, where is the evaluation of impacts to special-status plants? This impact can not yet be quantified, not its significance determined. Additional investigation is needed.

4. P 4-24: Wildlife – Impacts - The dEIR states “Cattle using the ponds could also substantially degrade habitat for red-legged frog and tiger salamander.” Or they could substantially improve such habitat. Research is limited as to whether increased turbidity and vegetation in ponds help or hurt CTS and CRLF populations. Results are much better known as to the negative impacts of fish in such ponds, bullfrogs, etc. and positive associations with rodent burrows and populations. Anecdotally, Save Mount Diablo has preserved many properties with ponds, many of them supporting CRLF, some of them supporting CTS; our experience has been that muddy ponds, generally with little or no vegetation include the largest populations of the two species. CRLF are also often found in association with floating water vegetation.

Appendices

1. Appendix C: Additional Biological Resources Information: Plant surveys for this project are inadequate, based on the dates that they were conducted. The last surveys that took place within the entire park boundaries were in 1993/1994 (Hsced in Appendix C). The plant surveys for the Vineyards at Marsh Creek are less relevant because this part of the ranch is not within park boundaries. So we are looking at surveys 15-16 years old; the document references other plant surveys and vegetation classification activities but these are not comprehensive focused rare plant surveys following the USFWS, CDFG, and CNPS survey guidelines and therefore their value is instructive but limited. Additional surveys should be
conducted; USFWS plant survey guidelines (1996) stipulate: “Project sites with inventories older than 3 years from the current date of project proposal submission will likely need additional survey. Investigators need to assess whether an additional survey(s) is (are) needed.”

Based on our botanist’s assessment, all of the rare plants known from Cowell Ranch are annuals. Because of this the distribution of these populations may be quite different than what is mapped in the plan (which is apparently derived from the 1993/1994 LSA report). For that reason the entire ranch should be resurveyed.

####
May 17, 2006

California Dept. of Parks and Recreation
Diablo Vista District – Bay Sector
96 Mitchell Canyon Road
Clayton, CA  94517

Re:  John Marsh/Cowell Ranch State Park General Plan

To whom it may concern:

Save Mount Diablo (SMD) is a 7000 member non-profit conservation organization which acquires land, for addition to parks on and around Mt. Diablo, and monitors land use planning which might affect those parks. When we were formed in 1971 there was one park on Mt. Diablo including 6,788 acres. Today there are twenty-nine parks and preserves including almost 90,000 acres. Cowell Ranch is one of these parks.

Save Mount Diablo has been involved with Cowell Ranch for almost twenty years as development applications were submitted. We were part of the Contra Costa County land use process which tightened the County’s urban limit line (ULL) at Cowell Ranch and allowed for the addition of 3,746 acres to the 14 acres of the John Marsh house site.

Our comments are preliminary in nature, as an aid to the information gathering which has begun in order to frame a General Plan. We’re extremely excited by the opportunity to create a new State Park and its facilities from the ground up.

In general, Save Mount Diablo believes extensive reconnaissance should be pursued to locate and preserve rare species and habitats. We support extensive land additions to Cowell Ranch State Park to protect sensitive species and to further protect wildlife corridors stretching from Los Vaqueros to Black Diamond Mines.

We are supportive of the reintroduction of tule elk, pronghorn and the Mt. Diablo buckwheat, which was first discovered on John Marsh’s Rancho in 1862, and of riparian and oak restoration. We defer to scientists but believe that grazing can be both an important management tool for the preservation of rare species, and also a theme relative to historic interpretation. Road projects and their mitigation offer a mechanism to enhance wildlife movement.

We believe multi-use passive recreation should be supported, primarily through the creation of trails and staging areas, including the extension of the 30-mile Diablo Trail to create the 60-mile Diablo Grand Loop. Recreation should be coordinated with other nearby agencies and joint use should be sought from the Flood Control District to make Marsh Creek reservoir available to the public rather than a barrier between sections of the state park.
Where more intensive facilities are proposed, including camping, sensitive resources should be avoided, and visitor use should be concentrated around the John Marsh Home, the Apple Orchard and south of Marsh Creek Road. We are supportive of the restoration of the John Marsh Home. We are equally supportive of robust interpretation of the Indians of Rancho Los Meganos and Canada de Los Poblanos, especially the most recent Volvon about which there has been very little interpretation.

Save Mount Diablo has not taken a position on the park’s name. There are enough Cowell-named parks around Northern California already and use of that name would probably be confusing. We are, however, intrigued by the historic name of Rancho Los Meganos, and the potential to name the park and a cultural unit including the John Marsh home independently.

We would be interested in tours to get a deeper understanding of all of the areas within the State Park, especially the area east of Marsh Creek Road. Please keep us informed of upcoming planning steps and place us on the mailing list for this process.

Detailed comments are below. Thank you for your consideration of our comments.

Sincerely,

Seth Adams
Director of Land Programs

**Resource Element**

1. **Information** - LSA Associates, Inc. in Point Richmond was involved in significant resource inventories when development was proposed at Cowell Ranch. These documents contracted by the Cowell Foundation should be reviewed, including: *Biological Resource – Cowell Ranch, Contra Costa County, November 1, 1993; Supplemental Rare Plant Survey, Cowell Ranch, Contra Costa Count, July 12, 1994; and Supplemental Rare Plant Survey #2, Oct. 10, 1994*

2. **Wildlife corridors** – Cowell Ranch is part of a complex of parks and preserved lands, and is contiguous with the 18,385 acre Los Vaqueros watershed, 2,070 acre Round Valley Regional Preserve, and the 211 acre Fox Ridge Manor open space which will be dedicated to East Bay Regional Park District. One or two additional acquisitions will allow for connection of this open space corridor northwest to Black Diamond Mines Regional Preserve. A connection already exists to the south to open space stretching to both Livermore and Walnut Creek.

   In addition, Contra Costa County, area cities including Brentwood, and regulatory agencies are engaged in an East Contra Costa County Habitat Conservation Plan/NCCP (ECCC HCP/NCCP) which will guide preservation in the area surrounding Cowell. Key corridors identified in the plan include the San Joaquin kit fox corridors in the parallel grassland valleys stretching east from Black Diamond Mines – Horse Valley, Deer Valley, Briones Valley, and Canada de los Poblanos along Marsh Creek, and the connections to the grasslands east and west of Los Vaqueros and in the area to the east of the watershed. The HCP/NCCP is a potential source of acquisition and management funding.

   The plan should give a great deal of attention to avoiding impacts on these corridors and to resolving existing conflicts, including restoration and enhancement, and additional land acquisition.

   It should seek to maintain corridors between the eastern third and the western two-thirds of the park, currently separated by the lands of the Contra Costa County Flood Control and Water Conservation District and its Marsh Creek reservoir. The State Park should pursue a joint
operating agreement with the Flood Control District to provide for coordinated resource management and for recreational facilities.

Road construction and maintenance projects are both an opportunity and a threat to these corridors. During such projects, attention should be paid to minimizing impacts on these corridors and mitigation used to create additional opportunities for wildlife movement.

3. **Endangered Species**– Cowell Ranch includes habitat for many listed species, which should largely be avoided. Attached is Table 1 from the ECCC HCP/NCCP, including the 26 species covered by the Plan. Many of these species are found at Cowell. Habitat enhancement for these species should be undertaken. For example, Marsh Creek reservoir is a likely site for non-native bullfrogs, which displace and prey on native amphibians.

4. **Mt. Diablo buckwheat** (Eriogonum truncatum) should be added to the list of significant species. John Marsh’s Rancho Los Meganos was the site of the first, type record for the species, collected by William Brewer of the California Geological Survey on May 29, 1862 at Marsh’s Rancho. Although it’s not clear whether the plant was found within the borders of the current state park, several records are from nearby.\(^1\)

The plant, which had been thought extinct, was rediscovered on May 10, 2005 on Mt. Diablo. The State Park is a potential reintroduction site for the plant.

5. **Burrowing owls & raptors** – Cowell Ranch has one of the largest concentrations of raptors and owls, especially burrowing owls, in the East Bay. Burrows and nest sites should be mapped and facilities sited to avoid impacting them. Swainson’s hawk nests at the Marsh Creek reservoir.

6. **Briones Valley** is a dominant landscape feature of the Park and a significant wildlife corridor, including habitat for a variety of listed species. It should be protected and facilities limited to trails and staging areas.

7. **Marsh Creek** is another dominant feature of the park. It should be protected and enhanced, and riparian vegetation expanded and restored. However, the creek is also a good location for a regional trail connecting Los Vaqueros, and Round Valley with Brentwood.

8. **“Old Sand Quarry Area”** Sandpit areas east of Marsh Creek Road and west of the apple orchard are another significant feature of the park which should be preserved, and which tie in with the area’s historic name, Rancho Los Meganos. They are prime habitat for the San Joaquin kit fox and characteristic of the fox’s best habitat at the south end of the San Joaquin Valley. They include very different plant species and are likely habitat for legless lizards (*Anniella pulchra pulchra*).

If quarrying is done within the State Park to repair the John Marsh Home, mitigation for these species will be necessary.

9. **Vernal pools** – The Park includes a number of vernal pools which have been otherwise largely lost in Contra Costa County. They should be protected and managed appropriately. Other areas nearby with vernal pools include appropriate additions to the Park.

10. **Tree regeneration** – Other than along riparian corridors most of the remaining trees within the Park are scattered large oaks, with very few young trees. Localized regeneration should be undertaken near these large specimen trees, but with great care since additional tree cover would benefit predators of the San Joaquin kit fox and other listed species.

11. **Apple Orchard** – Whatever decisions are made about the future of the Apple orchard, buffering of sensitive resources including Kellogg Creek should be pursued.
Interpretive Element

1. **Interpretive Themes** - could include
   a. Mt. Diablo as an ecological cross roads
   b. The San Joaquin Valley as the California ‘Serengeti’, home to huge concentrations of wildlife
   c. Wildlife corridors and rare species, especially grassland and riparian corridors
   d. Indian culture
   e. Spanish-Mexican culture, including the Rancho system and cattle ranching
   f. the John Marsh Home and settlement before the Gold Rush
   g. Agriculture

Operations Element

1. **Marsh Creek Reservoir** - The State Park should pursue a joint operating agreement with the Contra Costa County Flood Control and Water Conservation District, at its Marsh Creek reservoir, to provide for coordinated resource management and for recreational facilities. The Flood Control District has some interest in enlarging the reservoir; if such a project is undertaken it should be considered carefully since it could flood parts of the State Park, affect the ground water table and the downstream John Marsh House, or benefit exotic species.

2. **Grazing** – Historically Rancho Los Meganos was habitat for tule elk, deer and pronghorn. Restoration of elk and pronghorn to Cowell Ranch should be a goal.

   We understand that cattle grazing is a cost effective fire management tool which can also have significant benefits for grassland species, especially listed ones such as burrowing owl. Whether grazing continues at Cowell Ranch should be driven by science. The Plan should consider whether grazing regimes other than year round would benefit species more. For example, Round Valley Regional Preserve, which is habitat for many of the same species found at Cowell, is grazed intensely seasonally, then cattle are removed for the rest of the year.

   Grazing is also a historic activity at Rancho Los Meganos/Cowell. If grazing is continued as an element of interpretation, the plan should consider whether to utilize historic cattle and/or horse breeds, especially in the vicinity of the Marsh House.

3. **Ground Squirrel poisoning** – Ground squirrels, and their burrows, are the underpinning of many of the species found at Cowell, especially in summer when the burrows are utilized by many species for estivation. Poisoning of and shooting squirrels should be prohibited.

4. **Pipelines, power lines & other easements** – should be investigated and where possible, removed. New easements should be minimized. Where easements are necessary, ground disturbance should be minimized, re-seeding after disturbance should be prohibited, and opportunities for co-location of trail or other recreational corridors considered.

5. **Maintenance Facilities** – If possible, maintenance and other supporting facilities should be located outside of the Park boundaries. If they must be located within the park, they should be located out of site and should avoid sensitive habitat or the interruption of wildlife corridors. Opportunities to share facilities with East Bay Regional Park District, Contra Costa Water District, the Contra Costa County Flood Control and Water Conservation District or the City of Brentwood should be considered.

Land Use Element

1. **Trails & Access**
   a. **Staging Areas and parking** – Appropriate staging areas to serve Cowell Ranch, which should avoid sensitive resources, might include locations at:
      i. The John Marsh Home or the Vineyards at Marsh Creek village center
ii. Joint use of the EBRPD Round Valley Regional Preserve Staging Area
iii. Marsh Creek Road at Camino Diablo
iv. The Apple Orchard
v. Concord Avenue
vi. Deer Valley Road at Briones Valley Road

b. **Park Trails** – Save Mount Diablo supports the creation of a robust multi-use trail system at Cowell Ranch for non-motorized recreation. However, trails should be sensitively sited to avoid rare habitats and listed species. Where necessary, existing fire roads should be re-routed to avoid these resources. The State Park should pursue a joint operating agreement with the Contra Costa County Flood Control and Water Conservation District, at its Marsh Creek reservoir, to provide for trails between the eastern third and the western two thirds of the park. Trails should be coordinated with those of EBRPD, the City of Brentwood, and CCWD.

c. **Possible Trails** could include:
   i. Briones Valley loop trail, with connections to the John Marsh Home
   ii. Marsh Creek trail
   iii. Extension of the Walnut Trail from Los Vaqueros to Brentwood.
   iv. Trail from the Round Valley Regional Preserve Staging Area to Deer Valley Road
   v. From the Round Valley Regional Preserve Staging Area to the Apple Orchard

d. **Multi-Use Regional Trails** could include:
   i. Diablo Trail – Save Mount Diablo has helped to create a 30-mile Diablo Trail from Walnut Creek to the Round Valley Regional Preserve Staging Area. We support the ongoing use of that trail as well as a tie-in to:
      ii. Diablo Grand Loop Trail – which would extend from the Round Valley Regional Preserve Staging Area through Briones Valley to the Fox Ridge Manor open space, and eventually to Black Diamond Mines Regional Preserve and back to Mt. Diablo State Park, another 30 miles.
      iii. EBRPD’s Morgan Territory to Big Break Regional Trail

2. **Day Use Facilities** – We believe day use facilities should be concentrated in the vicinity of the John Marsh Home, south of Marsh Creek Road, or in the vicinity of the Apple Orchard.

3. **Camping Facilities** – should avoid sensitive habitat or that of rare species.

4. **Telecommunication Facilities** – should be limited to avoid disturbing the visual resources of the park.

5. **Special Interest Activities** – could include passive recreation such as hiking, cycling and equestrian activities, or organized trail events. Given sensitive species and raptors, noisy activities and motorized vehicles should be avoided.

6. **Roads** – should be managed to decrease impacts on sensitive species. Where road projects take place, mitigations should focus on funneling wildlife away from roads, and increased opportunities for wildlife movement should be created, such as under crossings and culverts. Traffic calming mechanisms should be considered for Marsh Creek Road and Camino Diablo.
   a. Briones Valley Road
   b. Deer Valley Road
   c. Marsh Creek Road
   d. Camino Diablo Road
   e. Walnut Boulevard
7. **Appropriate Future Additions** – Save Mount Diablo supports significant expansion of the State Park to protect park resources and enhance recreational and wildlife corridors.
   a. Marsh Creek – lands southwest of the park along Marsh Creek and Deer Valley Roads, to consolidate public lands with Round Valley, and preserve a longer stretch of Marsh creek, including:
   b. Inholdings between Cowell, Round Valley and Los Vaqueros
   c. Briones Valley – the headwaters of Briones Valley creek are located on EBRPD holdings at Black Diamond Mines Regional Preserve, then flow down Briones Valley to the Fox Ridge Manor open space and into Cowell Ranch to the Marsh Creek reservoir. Protection of areas within Briones Valley could protect the creek, its watershed and water quality upstream of Cowell.
   d. Roman Catholic Property (Dry Creek) – should be considered as an appropriate addition to the park.
   e. Deer Valley is the other most important wildlife corridor in the area, in addition to Briones Valley. The Roddy Ranch golf course included preservation of much of the ridge between Briones and Deer Valleys. The proposed Roddy Ranch development in Horse Valley will require extensive mitigation. The valley floor of Deer Valley, both east and west of Deer Valley Road, is an appropriate addition to Cowell.
   f. Kellogg Creek corridor and the area stretching east across Vasco Road to agricultural lands – could further buffer the park and help to ensure that Cowell’s grassland wildlife corridors aren’t cut off from the grasslands stretching south to Byron.

**Facilities Element**

1. **Park Name** – Save Mount Diablo has not taken a position on the park’s name. We are, however, intrigued by the historic name of Rancho Los Meganos, and the potential to name the park and a unit including the John Marsh home independently.

2. **John Marsh House** – Save Mount Diablo is supportive of the restoration of the John Marsh Home. The site’s Indian cultural history should be paid great attention as well.

3. **Visitor Facilities** – We believe most visitor facilities, other than trails and staging areas, should be located in the vicinity of the John Marsh Home or the Apple Orchard.

4. **Camping** – we are potentially supportive of the creation of camping facilities, depending on location, although sensitive resources should be avoided.

5. **Community College** – the Cowell Ranch deal relative to the creation of the park, and the development of the Vineyards at Marsh Creek included provision of a community college site. The Park should pursue joint uses with the community college district.

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1 According to writer David Rains Wallace, the upcoming July Bay Nature magazine: *Brewer didn’t mention it in his writing, except to describe the area near where he found it, east of the peak, as “a flat of perhaps two or three hundred acres surrounded by low rolling hills and covered with oaks here and there, like a park. And such oaks! ... one was seven feet in diameter with a head a hundred and thirty feet across.” The little wildflower, with spindly stems from four inches to two feet tall, must have seemed unremarkable in comparison to the massive oak. It was a kind of Eriogonum (Latin for "woolly knees," referring to the cottony stems), a buckwheat family genus of which there are over a hundred species in the West.*

Brewer's dried specimens were sent east to Harvard, where Asa Gray and Sereno Watson, two of America's premier botanists, decided the little wildflower was a new species, which they named Eriogonum truncatum in 1871. This probably didn't surprise Brewer either; he'd found many new species in California, then largely unexplored botanically. But as the state became better known, nobody found
Eriogonum truncatum anywhere except near Mount Diablo, and that might well have surprised Brewer. The species, which came to be called Mount Diablo buckwheat, apparently was endemic to the area, implying, for one thing, that it might have come into existence here fairly recently...

Eriogonum truncatum is unusual even for a local endemic, however, because it has been Mount Diablo’s rarest and most elusive one. A botanist named Mary Katherine Curran found it near Antioch in 1886, and in 1903 another named C.F. Baker found it “locally common along rocky banks” on Marsh Creek Road east of the peak, near where Brewer had collected it. Then nobody seems to have seen it again until the 1930s, when a young botany graduate student at U.C. Berkeley found some specimens on the slopes of Mount Diablo.


Sept. 15, 1846 • Bryant 1846, Passing the Cosumnes and Mokelumne on the way from Sutter’s Fort to Marsh’s Ranch, crossing the San Joaquin: “September 15.—Our horses were frightened last night by bears, and this morning, with the exception of those which were picketed, had strayed so far that we did not recover them until ten o’clock. Our route has continued over a flat plain, generally covered with luxuriant grass, wild oats, and a variety of sparkling flowers. The soil is composed of a rich argillaceous loam. Large tracts of the land are evidently subject to annual inundations. About noon we reached a small lake surrounded by tule. There being no trail for our guidance, we experienced some difficulty in shaping our course so as to strike the San Joaquin River at the usual fording place. Our man Jack, by some neglect or mistake of his own, lost sight of us, and we were compelled to proceed without him. This afternoon we saw several large droves of antelope and deer. Game of all kinds appears to be very abundant in this rich valley. Passing through large tracts of tule, we reached the San Joaquin River at dark, and encamped on the eastern bank. Here we immediately made large fires, and discharged pistols as signals to our man Jack, but he did not come into camp. Distance 35 miles.”

Sept. 16, 1846 • Bryant 1846, from the San Joaquin to Marsh’s Place: “September 16.—Jack came into camp while we were breakfasting, leading his tired horse. He had bivouacked on the plain, and, fearful that his horse would break loose if he tied him, he held the animal by the bridle all night.”

“The ford of the San Joaquin is about forty or fifty miles from its mouth. At this season the water is at its lowest stage. The stream at the ford is probably one hundred yards in breadth, and our animals crossed it without much difficulty, the water reaching about midway of their bodies. Oak and small willows are the principal growth of wood skirting the river. Soon after we crossed the San Joaquin this morning we met two men, couriers, bearing despatches from Commodore Stockton, the governor and commander-in-chief in California, to Sutter’s Fort. Entering upon the broad plain, we passed, in about three miles, a small lake, the water of which was so much impregnated with alkali as to be undrinkable. The grass is brown and crisp, but the seed upon it is evidence that it had fully matured before the drought affected it. The plain is furrowed with numerous deep trails, made by the droves of wild horses, elk, deer, and antelope, which roam over and graze upon it. The hunting sportsman can here enjoy his favourite pleasure to its fullest extent.”

“Having determined to deviate from our direct course, in order to visit the rancho of Dr. Marsh, we parted from Messrs. McKee and Pickett about noon. We passed during the afternoon several tule marshes, with which the plain of the San Joaquin is dotted. At a distance, the tule of these marshes presents the appearance of immense fields of ripened corn. The marshes are now nearly dry, and to shorten our journey we crossed several of them without difficulty. A month earlier, this would not have been practicable. I have but little doubt that these marshes would make fine rice plantations, and perhaps, if properly drained, they might produce the sugar-cane.”

“While pursuing our journey we frequently saw large droves of wild horses and elk grazing quietly upon the plain. No spectacle of moving life can present a more animated and beautiful appearance than a herd of wild horses. They were divided into droves of some one or two hundred. When they noticed us,
attracted by curiosity to discover what we were, they would start and run almost with the fleetness of the wind in the direction towards us. But, arriving within a distance of two hundred yards, they would suddenly halt, and after bowing their necks into graceful curves, and looking steadily at us a few moments, with loud snortings they would wheel about and bound away with the same lightning speed. These evolutions they would repeat several times, until, having satisfied their curiosity, they would bid us a final adieu, and disappear behind the undulations of the plain.”

“The herds of elk were much more numerous. Some of them numbered at least two thousand, and with their immense antlers presented, when running, a very singular and picturesque appearance. We approached some of these herds within fifty yards before they took the alarm. Beef in California is so abundant, and of so fine a quality, that game is but little hunted, and not much prized, hence the elk, deer, and even antelope are comparatively very tame, and rarely run from the traveller, unless he rides very near them. Some of these elk are as large as a medium-sized Mexican mule.”

“We arrived at the rancho of Dr. Marsh about 5 o'clock P.M., greatly fatigued with the day's ride. The residence of Dr. M. is romantically situated, near the foot of one of the most elevated mountains in the range separating the valley of the San Joaquin from the plain surrounding the Bay of San Francisco. It is called "Mount Diablo," and may be seen in clear weather a great distance. The dwelling of Dr. M. is a small one-story house, rudely constructed of adobes, and divided into two or three apartments. The flooring is of earth, like the walls. A table or two, and some benches and a bed, are all the furniture it contains. Such are the privations to which those who settle in new countries must submit. Dr. M. is a native of New England, a graduate of Harvard University, and a gentleman of fine natural abilities and extensive scientific and literary acquirements. He emigrated to California some seven or eight years since, after having travelled through most of the Mexican States. He speaks the Spanish language fluently and correctly, and his accurate knowledge of Mexican institutions, laws, and customs was fully displayed in his conversation in regard to them. He obtained the grant of land upon which he now resides, some ten or twelve miles square, four or five years ago; and although he has been constantly harassed by the wild Indians, who have several times stolen all his horses, and sometimes numbers of his cattle, he has succeeded in permanently establishing himself. The present number of cattle on his rancho is about two thousand, and the increase of the present year he estimates at five hundred.”

“I noticed near the house a vegetable garden, with the usual variety of vegetables. In another inclosure was the commencement of an extensive vineyard, the fruit of which (now ripe) exceeds in delicacy of flavour any grapes which I have ever tasted. This grape is not indigenous, but was introduced by the padres, when they first established themselves in the country. The soil and climate of California have probably improved it. Many of the clusters are eight and ten inches in length, and weigh several pounds. The fruit is of medium size, and in colour a dark purple. The rind is very thin, and when broken the pulp dissolves in the mouth immediately. Although Dr. M. has just commenced his vineyard, he has made several casks of wine this year, which is now in a state of fermentation. I tasted here, for the first time, aguardiénte, or brandy distilled from the Californian grape. Its flavour is not unpleasant, and age, I do not doubt, would render it equal to the brandies of France. Large quantities of wine and aguardiénte are made from the extensive vineyards farther south. Dr. M. informed me that his lands had produced a hundredfold of wheat without irrigation. This yield seems almost incredible; but, if we can believe the statements of men of unimpeached veracity, there have been numerous instances of reproduction of wheat in California equalling and even exceeding this.”

“Some time in July, a vessel arrived at San Francisco from New York, which had been chartered and freighted principally by a party of Mormon emigrants, numbering between two and three hundred, women and children included. These Mormons are about making a settlement for agricultural purposes on the San Joaquin River, above the rancho of Dr. Marsh. Two of the women and one of the men are now here, waiting for the return of the main party, which has gone up the river to explore and select a suitable site for the settlement. The women are young, neatly dressed, and one of them may be called good-looking. Captain Gant, formerly of the U.S. Army, in very bad health, is also residing here. He has crossed the
Rocky Mountains eight times, and, in various trapping excursions, has explored nearly every river between the settlements of the United States and the Pacific Ocean.”

“The house of Dr. Marsh being fully occupied, we made our beds in a shed, a short distance from it. Suspended from one of the poles forming the frame of this shed was a portion of the carcass of a recently slaughtered beef. The meat was very fat, the muscular portions of it presenting that marbled appearance, produced by a mixture of the fat and lean, so agreeable to the sight and palate of the epicure. The horned cattle of California, which I have thus far seen, are the largest and the handsomest in shape which I ever saw. There is certainly no breed in the United States equaling them in size. They, as well as the horses, subsist entirely on the indigenous grasses, at all seasons of the year; and such are the nutritious qualities of the herbage, that the former are always in condition for slaughtering, and the latter have as much flesh upon them as is desirable, unless (which is often the case) they are kept up at hard work and denied the privilege of eating, or are broken down by hard riding. The varieties of grass are very numerous, and nearly all of them are heavily seeded when ripe, and are equal, if not superior, as food for animals, to corn and oats. The horses are not as large as the breeds of the United States, but in point of symmetrical proportions and in capacity for endurance they are fully equal to our best breeds. The distance we have travelled to-day I estimate at thirty-five miles.”

Sept. 17, 1846 • Bryant 1846, from Marsh’s Place to Livermore’s:  “September 17.—The temperature of the mornings is most agreeable, and every other phenomenon accompanying it is correspondingly delightful to the senses. Our breakfast consisted of warm bread, made of unbolted flour, stewed beef, seasoned with chile colorado, a species of red pepper, and frijoles, a dark-coloured bean, with coffee. After breakfast I walked with Dr. Marsh to the summit of a conical hill, about a mile distant from his house, from which the view of the plain on the north, south, and east, and the more broken and mountainous country on the west, is very extensive and picturesque. The hills and the plain are ornamented with the evergreen oak, sometimes in clumps or groves, at others standing solitary. On the summits, and in the gorges of the mountains, the cedar, pine, and fir display their tall symmetrical shapes; and the San Joaquin, at a distance of about ten miles, is belted by a dense forest of oak, sycamore, and smaller timber and shrubbery. The herds of cattle are scattered over the plain,—some of them grazing upon the brown but nutritious grass; others sheltering themselves from the sun under the wide-spreading branches of the oaks. The tout ensemble of the landscape is charming.”
June 16, 2006

Donna J. Plunkett,
EDAW, Inc
150 Chestnut Street
San Francisco, CA  94111

Re:  John Marsh/Cowell Ranch State Park General Plan

Dear Donna:

I thought you would find the attached three studies useful. They were conducted by LSA Associates, Inc. when the property was proposed for development. Please make these documents and this letter part of the administrative record for the General Plan dEIR.

1) Biological Resources, Cowell Ranch, Contra Costa County, November 1, 1993, LSA Associates, Inc.
2) Supplemental Rare Plant Survey, Cowell Ranch, Contra Costa County, July 12 1994, LSA Associates, Inc.
3) Supplemental Rare Plant Survey, No. 2, Cowell Ranch, Contra Costa County, October 10, 1994, LSA Associates, Inc.

234 plant species were observed within the historic boundaries of Cowell Ranch (prior to the development of the Vineyards at Marsh Creek). Four special status plant communities are present. Four special status plant species are found onsite, crownscale, San Joaquin spearscale, Heartscale, and big tarplant.

Fifty-four wildlife species were observed, twelve of them special status: California linderiella, vernal pool fairy shrimp, curve-footed hygrotus diving beetle, California tiger salamander, California red-legged frog, western pond turtle, northern harrier, prairie falcon, burrowing owl, loggerhead shrike, California horned lark, and San Joaquin pocket mouse. Suitable habitat exists for San Joaquin kit fox, which are confirmed in the grassland corridor both northeast and south of the State Park.

In addition, although Mt. Diablo buckwheat was presumed to be absent because of lack of suitable habitat, Eriogonum truncatum was first typed on Marsh’s Ranch, was historically found south of Antioch and along Marsh Creek, and the rediscovery of the plant last May 2005 has led to a reexamination of suitable habitat. The plant may find refuge in the vicinity of chaparral, but it was also found historically in grassland. At the least the State Park may represent a potential reintroduction site.

Thirty-eight man made stockponds and 58 seasonal pools were located within the old boundaries.
Among the conclusions that can be reached from the information provided are that the ponds and water bodies on the State park are of extreme importance, and should be maintained.

In addition to the special status plant communities, the Briones Valley, Marsh Creek riparian forest, and sand quarry areas are of special importance; the last for kit fox denning and potentially for silvery legless lizard (personal communication, Malcolm Sproul, LSA Associates).

I hope this information is useful.

Sincerely,

Seth Adams
Director of Land Programs

CC:
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Lech Naumovich, Conservation Analyst, East Bay Chapter, California Native Plant Society
Letter 13 Response – Save Mount Diablo

13-1: As stated on page 4-1 of the GP and EIR, the GP and EIR are combined as one document that addresses all of the points required by the State CEQA Guidelines. This is a Program EIR for the GP and does not contain project-specific analysis of projects recommended in the GP. Because the GP is a long-range plan, additional management planning, design documentation, schematic design, and construction documentation would be completed as necessary before Park improvements are made. Future projects will undergo subsequent CEQA review as appropriate.

13-2: State Parks acknowledges and appreciates the many contributions that Save Mount Diablo has made to the Cowell Ranch / John Marsh State Historic Park. State Parks acknowledges receipt of the letters that Save Mount Diablo sent to State Parks in 2006. This comment does not otherwise address the content of the Cowell Ranch / John Marsh State Historic Park GP and EIR.

13-3: Please refer to the response to Comment 11-5 and Master Response 1, Program-level Analysis and Facility Siting regarding extensive surveys and inventories.

13-4: This comment regarding the support of future land acquisition to protect sensitive species and wildlife corridors is noted. This comment does not address the content or the evaluation of potential environmental impacts in the Cowell Ranch / John Marsh State Historic Park GP and EIR.

13-5: This comment supporting species reintroduction and restoration is noted. This comment does not require an additional response related to the GP and EIR.

13-6: This comment regarding grazing is noted. Please refer to Master Response 3, Grazing as a Vegetation Management Technique and as an Interpretive Activity.

13-7: The Natural Resource Management goals and guidelines for wildlife (Goals WLIFE 1-4 presented on pages 3-36 to 3-38 of the GP and EIR) require that existing native wildlife populations and their habitats be preserved, conserved and enhanced, and that habitats of special-status wildlife species be protected and enhanced.

Please refer to Master Response 1, Program-level Analysis and Facility Siting. Detailed planning of trail alignments, roads and related facilities will be conducted as specific projects are identified. Projects implemented under the GP will be subject to further CEQA review.

13-8: This comment supporting multi-use passive recreation is noted. The GP identifies staging areas to support passive recreation, including trails, and has provided a guideline under Goal TRAIL 2 to “explore the best locations for linking to adjacent lands such as the Round Valley Regional Preserve, Los Vaqueros Watershed, and existing and proposed regional trails, such as the Marsh Creek Trail and Diablo Trail.” Please refer to the responses to Comments 6-1 and 6-2 regarding integration of the Park into the regional trail network.
13-9: This comment regarding coordination with other agencies is noted. Interagency Cooperation Goal COOP 1 aims to coordinate with all adjacent landowners, Park lessees, concessionaires, easement holders, and local and State agencies to share resources, when possible, and ensure coordinated implementation of Park management actions. Marsh Creek Reservoir is managed and operated by the CCCFCWCD. The GP does not propose any improvements on land owned by CCCFCWCD. Please refer to the response to Comment 4-1 regarding State Parks coordination with CCCFCWCD.

13-10: As noted on Map 14, Alternative C (Preferred Alternative) on page 3-21 and Map 15, Primary Historic Zone, Alternative C on page 3-23 of the GP and EIR, the visitor facility zones with the most intense visitor use are concentrated in the Eastern Visitor Facility Zone, Round Valley Visitor Facility Zone (south of Marsh Creek Road), and around the John Marsh House. Please refer to Master Response 1, Program-level Analysis and Facility Siting.

13-11: Save Mount Diablo’s support of restoration of the John Marsh House is noted.

13-12: Save Mount Diablo’s support of a strong interpretive program related to the Indians that occupied the area is noted. This comment does not address the content or the evaluation of potential environmental impacts in the Cowell Ranch / John Marsh State Historic Park GP and EIR.

13-13: The reports identified by the commenter are referenced on pages 2-33, 2-34, and 2-40 in the Biological Resources Existing Conditions section of the GP and EIR.

13-14: Special-status plant species are listed in Table 5 starting on page 2-42 of the GP and EIR, and special-status wildlife species are listed in Table 6 starting on page 2-44 of the GP and EIR.

13-15: Mount Diablo buckwheat is listed in Table 5 on page 2-42 of the GP and EIR, where it is noted that the plant was rediscovered in Mount Diablo State Park.

13-16: As noted on pages 2-47 and 2-48 of the GP and EIR, stock ponds are recognized as habitat for various special-status amphibians and will be evaluated during future planning and site specific studies. Please refer to the response to Comment 7-14.

13-17: The San Joaquin kit fox and silvery legless lizard are recognized as special-status species potentially occurring on the site (see Table 6 on page 2-44 of the GP and EIR).

13-18: Please refer to Master Response 2, Decision Process for Naming of the Park. This comment does not address the content or the evaluation of potential environmental impacts in the Cowell Ranch / John Marsh State Historic Park GP and EIR.

13-19: Map 2 has been revised to show the East Bay Regional Park District property named Fox Ridge Manor.
Response to Comments

13-20: This comment regarding the recent land acquisition (referred to as “Dry Creek”) by Save Mount Diablo has been noted. It is located near the Park and is a valuable addition to the regional open space.

13-21: The text on page 2-1 has been revised to indicate Kellogg Creek watershed. Please refer to Chapter 4 of this document to see the specific text revisions.

13-22: The discussion of surrounding land uses on page 2-1 of the GP and EIR has been updated to indicate the Contra Costa Community College District site is located west of the intersection of the State Route 4 Bypass and Marsh Creek Road. The site is within the Vineyards at Marsh Creek project area. Please refer to Chapter 4 of this document to see the specific text revisions.

The former Contra Costa Community College District site is located outside of the Park boundaries and is outside the scope of this project. The property does not belong to the State and State Parks does not have control over private uses.

13-23: The text on page 2-23 of the GP and EIR provides an adequate program-level description of the watersheds within the Park. The California Interagency Watershed Map is the current official watershed map for use by State and Federal agencies in California. Therefore, a revision is not necessary. Future project-specific documentation will use the current information available at the time these documents are prepared. Please refer to Master Response 1, Program-level Analysis and Facility Siting.

13-24: Restoration of Marsh Creek is included under Goal VEG 1 on page 3-34 of the GP and EIR. Coordination with the CCCFCWCD is identified as a Park management action in Goal COOP 1 on page 3-51 of the GP and EIR. As described on page 2-82 of the GP and EIR, the CCCFCWCD is planning to expand the reservoir. As part of this work, habitat restoration is planned and the CCCFCWCD is seeking funding to refine and implement the plans.

13-25: The programmatic EIR evaluated potential noise impacts resulting from implementation of the GP and found that noise related to facility development, visitor use and park operations would not result in significant impacts (see page 4-21 of the GP and EIR). Noise generated from adjacent property, such as the highway, roads, and private development, may affect park visitors. The design of noise reduction measures is dependent on the location of sensitive receptors and the surrounding topography. Such measures could be proposed during project-level planning for specific projects proposed under the GP. Please refer to Master Response 1, Program-level Analysis and Facility Siting.

13-26: The GP contains Natural Resource Management goals and guidelines that require the protection, maintenance, and restoration of local and regionally important native plant communities, including preparation of a vegetation management plan, management of special-status plants and sensitive plant communities for habitat enhancement, and management of unique communities such as vernal pools, alkali sink scrub, and native grasslands (see pages 3-34 to 3-36 of the GP and EIR). Vegetation inventories will be updated
and vegetation mapping will record the locations of special-status plant species and their habitats. Guidelines under Goal VEG 1 and Goal WLIFE 4 provide for cooperation with regional conservation plans and polices including the ECCCHCP/NCCP. Tables 5 and 6 on pages 2-41 to 2-46 of the GP and EIR list special-status species, their likelihood of occurring on the Park site, and indicate those species that are not included in the ECCCHCP/NCCP.

Please refer to the response to Comment 6-7 regarding consistency with the ECCCHCP/NCCP, and see the response to Comment 11-3 regarding Navarretia nigelliformis ssp. nigelliformis.

13-27: The EIR notes that goals and guidelines in the GP focus on the inventory and management of sensitive resources, restoration, prevention and control of invasive weeds, and the use of monitors and state of the art vegetation management techniques. With implementation of the goals and guidelines contained in the GP, proposed facilities would be sited and constructed in a way that would not result in substantial impacts on existing vegetation. Implementation of the goals and guidelines would result in updated vegetation inventories and vegetation mapping that would record the locations of special-status plant species and their habitats during project-level planning for specific projects proposed under the General Plan. Please also refer to Master Response 1, Program-level Analysis and Facility Siting.

13-28: Please refer to the response to Comment 12-5 regarding updated references for CNPS and Sawyer and Keeler-Wolf. The most current documentation on special-status species for the Park will be consulted for future vegetation surveys and inventories.


13-30: The text presented under the heading “Grassland Associated Wildlife” on pages 2-34 and 2-37 of the GP and EIR has been revised to recognize the importance of native grassland habitats to California tiger salamander, prairie falcon, golden eagle, American badger, and San Joaquin kit fox. Please refer to Chapter 4 of this document to see the specific text revisions.

13-31: Please refer to the response to Comment 12-6.

13-32: The text on page 2-40 of the GP and EIR has been revised to update the nomenclature for big tarplant. The nomenclature for San Joaquin spearscale is listed in the Department of Fish and Game’s Special Vascular Plants, Bryophytes, and Lichens List (July 2011) and CNDDDB Rarefind 4 (accessed 7/14/11) as Atriplex joaquiniana, consistent with the GP and EIR. Please refer to Chapter 4 of this document to see the specific text revision.

13-33: Please refer to the response to Comment 11-3 regarding Navarretia nigelliformis ssp. nigelliformis.

13-34: Mount Diablo buckwheat is currently listed in Table 5 on page 2-42 of the GP and EIR, where it is noted that the plant was rediscovered in Mount Diablo State Park. The GP contains Natural Resource Management goals and guidelines that require the protection, maintenance, and
restoration of local and regionally important native plant communities and special status plants.

13-35: Table 6, Cowell Ranch / John Marsh State Historic Park Special-status Wildlife Species, presented on page 2-46 of the GP and EIR, and the related text on pages 2-50 and 2-51 of the GP and EIR have been corrected to indicate changed conditions on the site that increase the likelihood that the Park would provide habitat for San Joaquin kit fox and other species using similar habitat. Please refer to Chapter 4 of this document to see the specific text revisions.

13-36: The presence of burrowing owls on the Park property is noted on page 2-35 on Map 10, Biological Resources, on page 2-45 in Table 6, and in the related text on page 2-49 of the GP and EIR. In addition, the text on page 2-49 of the GP and EIR has been revised in response to Comment 4-7 to note that evidence of burrowing owls has been observed around Marsh Creek Reservoir. Please refer to Chapter 4 of this document to see the specific text revisions. Implementation of guidelines under Goal WLIFE 1, which seeks to protect, conserve, and enhance existing native wildlife populations and their habitats (see pages 3-36 to 3-37 of the GP and EIR), would lead to on-going natural resource surveys and mapping to document the location of populations and habitat.

13-37: Implementation of the guidelines under Goal VEG 3, which seeks to protect native plant communities and effectively manage invasive and non-native species, would involve preparation of a management plan to manage and remove invasive species over time (see page 3-35 of the GP and EIR). Tools and techniques, such as prescribed fire, would be identified in the plan and used to control invasive species. Coordination with adjacent land management agencies, such as EBRPD and CCCFCWCD, would facilitate implementation of GP guidelines that seek to control invasive plant and animal populations, including yellow star thistle and bullfrogs, as referenced in Interagency Cooperation Goal COOP 1 on page 3-50 of the GP and EIR.

To further clarify this intent, a new guideline has been added under Goal VEG 3 that directs Park management to coordinate with adjacent park and open space management agencies to facilitate management of invasive species. Please refer to Chapter 4 of this document to see the specific language changes.

13-38: Implementation of the guidelines under Goal WLIFE 2, presented on page 3-37 of the GP and EIR, would require State Parks to coordinate with stakeholders in the vicinity of the Park to restore habitat and preserve habitat linkages. The guidelines under Goal WLIFE 4, presented on page 3-38 of the GP and EIR, require cooperation with regional conservation plans and policies, including the ECCCHCP/NCCP when such programs are consistent with the Park's natural resources goals. The fifth guideline under Goal COOP 1 on page 3-51 of the GP and EIR ensures consultation with the CCCFCWCD on reservoir expansion, dam upgrades, recreational use of the reservoir, and reservoir crossings to ensure compatibility with Park access and resource protection goals.
13-39: Please refer to the response to Comment 13-7 with regard to road alignments and potential impacts to wildlife.

13-40: Please refer to the response to Comment 7-7 and Master Response 1, Program-level Analysis and Facility Siting with regard to facilities in the Briones Valley.

13-41: As stated on pages 3-14 to 3-15 of the GP and EIR, the abandoned sand mine will be managed to ensure public safety and the potential for guided tours in the future (if the site can be made safe for the public), or restoration of the area will be explored. The sand mine will be further evaluated for its resource values when specific project proposals are considered.

13-42: The GP includes goals and guidelines to maintain and protect vernal pools within the Park. As stated on page 3-34 of the GP and EIR, Goal VEG 1 seeks to protect, maintain, and where appropriate, restore locally and regionally important native plant communities. Vernal pools are described as a unique plant community on page 3-24 and as an important wildlife habitat on page 3-37 of the GP and EIR. In addition, vernal pools are identified in Table 14, Natural Resource Zone Land Use, as an important natural resource feature to be preserved in the Park.

Goal WATER 1, presented on page 3-38 of the GP and EIR, seeks to prevent degradation of the Park’s wetlands, vernal pools, ponds, Marsh Creek and other watercourses related to trampling, surface runoff, and sedimentation. The following guidelines under this goal seek to protect vernal pools:

- Avoid access to Park wetlands, vernal pools, ponds, Marsh Creek, and other watercourses that may cause negative impacts. Provide key, well-marked visitor access points to wetlands and vernal pools and provide interpretive signage to educate visitors about habitat sensitivity.
- Establish minimum buffers and site-specific guidelines for siting future facilities as well as campsites and associated facilities away from wetlands, vernal pools, ponds, and watercourses.

A guideline under Goal TRAIL 1, presented on page 3-27 of the GP and EIR, directs Park management to locate trails where they will not damage cultural resources or wetlands, vernal pools, or other environmentally sensitive habitats and resources.

13-43: Goal VEG 1, presented on page 3-34 of the GP and EIR, seeks to protect, maintain, and where appropriate, restore locally and regionally important native plant communities. A guideline under this goal directs Park management to restore native plant communities, including oak woodland/savannah, native grasslands, and riparian forest along Marsh Creek and other drainages (see page 3-34 of the GP and EIR).

13-44: Implementation of guidelines under Goal WATER 1 would control access to Park wetlands, including creeks, and would establish minimum buffers and site-specific guidelines for locating
future facilities away from wetlands, vernal pools, ponds, and watercourses to protect these sensitive resources.

13-45: The GP does not propose a new bridge within the Park; however, the GP would assess and address pedestrian safety and limitations on crossing Marsh Creek Reservoir and Marsh Creek Road (see Goal TRAIL 3 and associated guidelines on page 3-28 of the GP and EIR).

13-46: The commenter has submitted a map showing a network of former ranch roads and fire roads in the Park. These features are mentioned in the GP and EIR and will be evaluated, as noted in a guideline associated with Goal TRAIL 3, stating: “Use old ranch roads as trails as an alternative to building new trails and/or reducing the amount of new trails required, if these can be designed sustainable and according to California State Parks trail requirements.” The Save Mount Diablo trail map will be a valuable tool in developing the inventory of roads and trails. Please refer to the response to Comment 6-7 and Master Response 1, Program-level Analysis and Facility Siting.

13-47: This comment regarding guided tours is noted; however, this comment does not require an additional response related to the GP and EIR.

13-48: This comment regarding interpretive themes is noted. Please refer to the Interpretation and Education Goals and Guidelines, presented on pages 3-28 to 3-31 of the GP and EIR, which address the primary interpretive themes.

13-49: Map 11 has been revised to show EBRPD’s Fox Ridge Manor property.

13-50: This comment regarding planning influences is noted; however this comment does not require an additional response related to the EIR.

13-51: The text on page 2-73 of the GP and EIR has been revised to indicate that EBRPD’s Round Valley Preserve contains a 25-person group campsite. Please refer to Chapter 4 of this document to see the specific text revisions.

13-52: The text on page 2-75 of the GP and EIR has been revised to include a description of the Diablo Trail. Please refer to Chapter 4 of this document to see the specific text revisions.

13-53: The text on page 2-75 of the Preliminary General Plan and Draft Program EIR has been revised to include the description of the Diablo Grand Loop Trail. Please refer to Chapter 4 of this document to see the specific text revisions.

13-54: The text on page 2-83 of the GP and EIR has been revised to include additional descriptions of parks managed by EBRPD that are in proximity to Cowell Ranch / John Marsh State Historic Park. Please refer to Chapter 4 of this document to see the specific text revisions.

13-55: The GP includes goals to protect, conserve, and enhance existing native wildlife populations and their habitats; protect, conserve, and enhance ecosystems that provide important wildlife habitat values; manage the Park’s wildlife habitats for the protection and perpetuation of
special-status wildlife species; and preserve the biodiversity and genetic integrity of local wildlife populations, where possible (see Goals WLIFE 1 through WLIFE 4 on pages 3-36 to 3-38 of the GP and EIR). As stated in these goals and related guidelines, State Parks will cooperate with regional conservation plans and policies, including the ECCCHCP/NCCP so long as such programs are consistent with the Park’s natural resources and recreational goals.

13-56: The text on page 2-84 of the GP and EIR has been corrected to indicate that portions of the Park are within the same watershed (Kellogg Creek) as Los Vaqueros Reservoir, and that the reservoir’s location makes related studies and planning activities relevant to the Park’s development and natural resource management plans. Please refer to Chapter 4 of this document to see the specific text revisions.

13-57: As noted on Map 14, Alternative C (Preferred Alternative) on page 3-21 of the GP and EIR campgrounds are proposed in the Eastern Visitor Facility Zone. Campgrounds are not proposed in the sand quarry or Briones Valley areas. Exact campground locations have not yet been determined and site selection for camping areas is subject to future project-level review, including the appropriate site-specific environmental studies. Please also refer to Master Response 1, Program-level Analysis and Facility Siting.

13-58: This comment supporting the historic area as the primary visitor contact area is noted; however, it does not require an additional response related to the GP and EIR.

13-59: Development of visitor facilities, including development of water supply, is subject to project-level review, including the appropriate site-specific environmental studies. The GP proposes the majority of visitor facilities in the Eastern Visitor Facility Zone, the Visitor Facility Zone near the John Marsh House, and in the Round Valley Visitor Facility Zone. There are minimal visitor facilities proposed in other areas of the Park. Please also refer to Master Response 1, Program-level Analysis and Facility Siting.

13-60: This comment supporting additional inventory and early development of trails is noted; however, it does not require an additional response related to the GP and EIR.

13-61: Implementation of the GP’s local and regional planning guidelines require State Parks to consult with the CCCFCWCD on reservoir expansion, dam upgrades, recreational use of the reservoir, and reservoir crossings to ensure compatibility with Park access and resource protection goals (see Goal COOP 1 on page 3-50 of the GP and EIR). Please also refer to the response to Comment 4-1.

13-62: This comment suggesting specific staging areas is noted. Proposed staging areas are referenced on Map 14 and Map 15 in the GP and EIR.

13-63: Goal TRAIL 2, presented on page 3-27 of the GP and EIR, includes guidelines that encourage trail linkages to surrounding open space lands. Please also refer to the responses to Comments 6-1 and 6-2 regarding trail connections and trail alignments.
13-64: A parkwide inventory of existing trails will evaluate the condition and suitability of existing trails. Save Mount Diablo’s trail map will be a valuable tool in preparing the inventory. Please refer to the response to Comment 13-46, response to Comment 6-2 and Master Response 1, Program-level Analysis and Facility Siting. Goal TRAIL 1, presented on page 3-27 of the GP and EIR, includes guidelines that direct Park management to locate trails where they will not damage cultural resources or sensitive biological habitats and resources.

13-65: Save Mount Diablo’s support for the restoration of the John Marsh house and for interpretive programs that recognize California Indian cultural history is noted. Please refer to the Interpretation and Education Goals and Guidelines, presented on pages 3-28 to 3-31 of the GP and EIR, which address the primary interpretive themes.

13-66: This comment regarding interpretive themes is noted. Please refer to the Interpretation and Education Goals and Guidelines, presented on pages 3-28 to 3-31 of the GP and EIR, which address the primary interpretive themes.

13-67: Please refer to Master Response 3, Grazing as a Vegetation Management Technique and as an Interpretive Activity.

13-68: Please refer to Master Response 3, Grazing as a Vegetation Management Technique and as an Interpretive Activity.

13-69: Please refer to Master Response 3, Grazing as a Vegetation Management Technique and as an Interpretive Activity.

13-70: The GP contains Natural Resource Management vegetation and wildlife goals and guidelines that require the protection, maintenance, and restoration of local and regionally important native plant communities, and important wildlife habitat. Natural Resource Management Vegetation goals and guidelines require the protection, maintenance, and restoration of local and regionally important native plant communities, including unique communities such as vernal pools, alkali sink scrub, and native grasslands (see Natural Resource Management Vegetation Goals presented on pages 3-34 to 3-36 of the GP and EIR). Goal VEG 3, which seeks to protect native plant communities and effectively manage invasive and non-native species, would involve preparation of a management plan to manage and remove invasive species over time. Tools and techniques, such as prescribed fire, would be identified in the management plan and used to control invasive species. Coordination with agencies managing adjacent public lands and open space, such as EBRPD and CCCFCWCD, would facilitate implementation of GP guidelines that seek to control invasive plant and animal populations, including yellow star thistle and bullfrogs (Goals VEG 3 and WLIFE 1), and to coordinate efforts to restore habitats and preserve habitat linkages (Goal WLIFE 2).

Save Mount Diablo’s support for restoration of native anadromous fish and removal of barriers to their movement, as well as an enhanced fish ladder at Marsh Creek Reservoir, is noted. The importance of riparian and aquatic habitat is noted on page 2-39 of the GP and
EIR. Page 2-93 identifies an opportunity to explore potential to restore native fisheries in Marsh Creek within the Park and work with local groups and agencies leading these efforts.

**13-71:** Goal AGREE 3, presented on page 3-48 of the GP and EIR, aims to ensure that all leases, easements, access agreements, or other legal arrangements are in the best interests of the Park’s purpose and vision. Guidelines under this goal direct Park management to review all legal agreements regularly and check operating language to ensure compatibility with the Park’s mission, visitor experience, and operations, and monitor any physical effects over time.

**13-72:** Goal SCENIC 1 and associated guidelines, presented on page 3-40 of the GP and EIR, address protection and enhancement of scenic vistas and expansive open space areas. The State Route 4 Bypass corridor, also known as the John Marsh Heritage Highway, is identified as a key vista point.

**13-73:** The Park has a variety of legal agreements that include easements with different entities, and compliance with existing legal agreements is required. Future legal agreements for easements and leases would comply with Park goals and guidelines. Please also refer to the response to Comment 13-71.

**13-74:** This comment supporting the Round Valley staging area is noted; however, it does not require an additional response related to the GP and EIR.

**13-75:** As stated on page 3-48 of the GP and EIR, the proposed GP would place Operations and Maintenance facilities in locations that would result in the least impact on resources. Identifying long term needs and plans for staff operations would prevent piecemeal development. State Parks will consider opportunities to share operations and maintenance facilities with EBRPD, CCCFCWCD, and the City of Brentwood.

**13-76:** Goal UTIL 1 and associated guidelines, presented on pages 3-49 to 3-50 of the GP and EIR, would determine the extent of utility needs for the Park and develop a long-term utilities plan that is consistent with other Park goals and guidelines.

**13-77:** Please refer to the response to Comment 6-2. As stated on page 3-46 of the GP and EIR, Park management will develop a comprehensive transportation improvement plan as part of the Park’s Roads and Trails Management Plan to explore the optimum safety and design solutions that will provide access throughout the Park while minimizing impacts to natural and cultural resources and the visual character of the Park. State Parks will work closely with agencies and organizations during development of this plan.

**13-78:** Please refer to Master Response 1, Program-level Analysis and Facility Siting.

**13-79:** As stated on page 3-46 of the GP and EIR under Goal ACCESS 4, Park management will develop a comprehensive transportation improvement plan as part of the Park’s Roads and Trails Management Plan to explore the optimum safety and design solutions that will provide access throughout the Park while minimizing impacts to natural and cultural resources and
the visual character of the Park. A guideline under Goal TRAIL 3 on page 3-28 of the GP and EIR emphasizes the intent to “explore the best locations for north to south and east to west trails that connect the different Visitor Facility Zone areas throughout the Park.” Detailed planning of trail connections, trail alignments and related facilities will be conducted as specific projects are identified and moved forward for project-level planning. Projects implemented under the GP will be subject to further CEQA review. Please also refer to Master Response 1, Program-level Analysis and Facility Siting.

13-80: Please refer to Master Response 1, Program-level Analysis and Facility Siting. As stated on page 3-11 of the GP and EIR, the intent of the Visitor Facility Zone is to provide recreational facilities and services to Park visitors. The recreational facilities within the Park are to be situated outside of, although in proximity to, the Park’s sensitive natural areas to ensure protection of these resources while also allowing visitors access to the Park’s natural areas. The precise locations for visitor facilities and operations and maintenance facilities have not yet been determined. Site selection for these facilities is subject to future project-level review, including the appropriate site-specific environmental studies.

13-81: The text on page 3-11 of the GP and EIR has been revised in response to this comment to include a reference to the Bay Area Early Detection Network. Please refer to Chapter 4 of this document to see the specific text revision.

13-82: Please refer to Master Response 1, Program-level Analysis and Facility Siting. As stated on page 3-11 of the GP and EIR, the intent of the Visitor Facility Zone is to provide recreational facilities and services to Park visitors. The recreational facilities within the Park are to be situated outside of, although in proximity to, the Park’s sensitive natural areas to ensure protection of these resources while also allowing visitors access to the Park’s natural areas. The precise locations for visitor facilities and operations and maintenance facilities have not yet been determined. Site selection for these facilities is subject to future project-level review, including the appropriate site-specific environmental studies.

13-83: Please refer to Master Response 1, Program-level Analysis and Facility Siting. As stated on page 3-11 of the GP and EIR, the intent of the Visitor Facility Zone is to provide recreational facilities and services to Park visitors. The recreational facilities within the Park would be situated outside of, although in proximity to, the Park’s sensitive natural areas to ensure protection of these resources while also allowing visitors access to the Park’s natural areas. As noted on Map 14 on page 3-21 of the GP and EIR, the Round Valley Visitor Facility Zone will have a variety of visitor facilities available. Any camping or other visitor facilities in the Round Valley Visitor Facility Zone north of Marsh Creek Road would be sited to avoid sensitive resources. The precise locations for visitor facilities and operations and maintenance facilities have not yet been determined. Site selection for these facilities is subject to future project-level review, including the appropriate site-specific environmental studies.

13-84: Please refer to Master Response 1, Program-level Analysis and Facility Siting. As stated on page 3-11 of the GP and EIR, the intent of the Visitor Facility Zone is to provide recreational facilities and services to Park visitors. The recreational facilities within the Park are to be

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situated outside of, although in proximity to, the Park’s sensitive natural areas to ensure protection of these resources while also allowing visitors access to the Park’s natural areas. The precise locations for visitor facilities and operations and maintenance facilities have not yet been determined. Site selection for these facilities is subject to future project-level review, including the appropriate site-specific environmental studies.

13-85: Goal VEG 2, presented on page 3-35 of the GP and EIR, currently applies to locally rare native plant species. As defined on page 2-32, Biological Resources, Introduction, “a resource is deemed significant if it... (2) is regionally significant, is an important component of a systemwide plan, or contributes to the preservation of regional or statewide biodiversity, or (3) is documented as significant on recognized preservation or protection lists or otherwise designated with special-status by a recognized authority.” A recognized locally rare native plant species is considered special-status in this GP and EIR.

13-86: Goal VEG 3 addresses management of invasive and non-native species, not Goal VEG 4 as stated in the comment. Goal VEG 3 and a guideline under this goal, presented on page 3-35 of the GP and EIR, have been revised in response to this comment. Please refer to Chapter 4 of this document to see the specific text revisions.

13-87: Goal WLIFE 2, presented on page 3-37 of the GP and EIR, emphasizes the intent to protect, conserve, and enhance ecosystems that provide important wildlife habitat values. A guideline under Goal WLIFE 2 further states that the Park will “promote ground squirrel populations in order to support predator populations and other burrow-associated wildlife species, where compatible with other management goals.”

13-88: As stated on page 4-24 of the GP and EIR, special-status species could be adversely affected by removal and maintenance of stock ponds and adjacent earthen dams. If maintenance and restoration of the ponds is deemed appropriate, it could have long-term benefits for these species; however, many of the Park stock ponds are man-made and have altered natural drainage patterns resulting in downstream erosion in some areas. Therefore State Parks proposes to evaluate the ponds for their resource values and determine the appropriate treatment for each pond as described in the following GP guidelines.

Goal WATER 1 on page 3-38 of the GP and EIR, which seeks to prevent degradation of the Park’s wetlands, vernal pools, ponds, Marsh Creek and other watercourses related to trampling, surface runoff, and sedimentation, includes the following guideline:

- Inventory, map, and evaluate stock ponds and adjacent earthen dams for removal, maintenance, or restoration. Consider a range of options, including removal of stock ponds that are documented as not supporting special-status species, to restore the natural landscape, reestablish natural watercourses and drainages, and reduce erosion and the potential for dam failure. Consider the cultural landscape as well as potential effects on special-status plant and wildlife species, and evaluate the best solution in coordination with DFG and cultural landscape specialists.
Goal WLIFE 2 on page 3-37 of the GP and EIR, which seeks to protect, conserve, and enhance ecosystems that provide important wildlife habitat values, includes the following guideline:

- Assess stock ponds and other artificial aquatic habitats in the Park to determine their importance to native species. Develop a pond maintenance/removal plan that balances the preservation of special-status wildlife populations in ponds with the prevention of downstream erosion.

Please also refer to Master Response 1, Program-level Analysis and Facility Siting. Biological surveys and other environmental investigations will be conducted during project-level planning. Future projects will undergo subsequent CEQA review as appropriate.

13-89: Please refer to Master Response 3, Grazing as a Vegetation Management Technique and as an Interpretive Activity.

13-90: State Parks does not condemn land for acquisition purposes. Property acquisition is achieved through negotiations with willing sellers.

13-91: This comment supporting expansion of the State Park is noted; however, it does not require an additional response related to the GP and EIR.

13-92: An additional guideline has been added to Goal AGREE 2 on page 3-47 of the GP and EIR to direct Park management to work with other agencies and organizations to protect additional parcels to expand the Park. Future expansion of the Park would be subject to separate environmental review under CEQA. Please refer to Chapter 4 of this document to see the specific text revision.

13-93: An additional guideline has been added to Goal REG 1 on page 3-51 of the GP and EIR to direct Park management to coordinate with regional open space advocates and open space management agencies. Please refer to Chapter 4 of this document to see the specific text revisions.

13-94: The text related to Park Access and Circulation in Table 18, presented on page 3-57 of the GP and EIR, has been revised in response to this comment. Please refer to Chapter 4 of this document to see the specific text revisions.

13-95: Water demand for the Park would be limited mainly to visitor facility restrooms, drinking fountains, and campgrounds. Landscaping would not be extensive and would primarily consist of native plants that would generally not require supplemental irrigation once established. Goal UTIL 2, “Use water effectively to reduce water demand,” and the associated guidelines would require that water use would be limited.

13-96: As noted on pages 4-17 and 4-18 of the GP and EIR, the net increase in visitor vehicle emissions would be considered minor given the limited parking of 443 vehicles at full build-out and peak use as well as limited driving within the Park. Parking will be provided at the perimeter of the Park immediately adjacent to existing roads avoiding extensive vehicular use.
and idling to access the Parks’ facilities. Therefore, impacts related to air quality are considered less than significant. As suggested by the commenter, improvements to the local area road network, using techniques to divert commute traffic to other transportation modes (i.e. public transportation) would decrease vehicle miles being driven for commute purposes, and would reduce congestion on roads serving the Park.

13-97: As noted on page 4-22 of the GP and EIR, proposed actions with the potential for direct impacts on vegetation include the development of trails and campgrounds, realignment of the entrance road, and construction of new structures and facilities for visitor or staff use. However, these actions would be designed and constructed pursuant to specific design criteria and goals and guidelines that would avoid significant impacts to vegetation, including sensitive habitats and special-status species. Please also refer to Master Response 1, Program-level Analysis and Facility Siting.

13-98: The text on page 4-24 of the GP and EIR has been revised in response to this comment. Please refer to Chapter 4 of this document to see the specific language changes.

13-99: The GP and EIR notes that many of the special-status species surveys are not current, and that the current distribution and abundance of some of these special-status species are not fully understood. However, ongoing field reconnaissance at the proper time for field identification will occur at the Park to further document locations of special-status plants. Prior to any development, surveys would be conducted to ensure minimal disturbance to special-status plants and associated soils. Implementation of the guidelines under Goal VEG 2 would result in updated vegetation inventories and vegetation mapping that would record the locations of special-status plant species and their habitats. Please also refer to Master Response 1, Program-level Analysis and Facility Siting.