

Bolinas farms cede stream rights to Coho

by **Jacoba Charles**

Three organic farms in Bolinas are collaborating with the Point Reyes National Seashore (PRNS) in an unprecedented effort to cede their summer water rights to Coho salmon. The project moved one step closer to completion on Monday, when the Marin County Community Development Agency finalized the first necessary permit.

“I think this plan is a revolutionary step for the coast of California to provide insurance for agriculture while also protecting fisheries,” said Steve Kinsey, president of the Marin County Board of

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Supervisors, who was an early advocate of the proposed Pine Gulch Enhancement Project. The plan hinges on the construction of several large ponds that would allow them to store enough water for irrigation throughout the dry season.

Fresh Run Farms, Paradise Valley Farm and Star Route Farms currently pump water directly from Pine Gulch Creek to irrigate their crops. This leads to dramatic fluctuations in creek flow during the dry season, when water levels are already low.

The county approved the coastal permit and design review on November 15, and the appeal period closed Monday without contest. However, approval and authorization from the State Water Board and Fish & Game are still needed – which will take years.

“The unique thing about this is that it’s voluntary on the part of the farmers,” said Mike Reichmuth, a fisheries biologist with the National Park Service who is based at Point Reyes. “You don’t usually see landowners who actually want to go the extra step to help out.”

Logistics and history

There is no precedent for an arrangement such as the one planned in the Pine Gulch Enhancement Project. Historically, “riparian water rights” allow landowners to draw water from the creek all year, regardless of their impact on the fish.

They are not, however, allowed to store water for over 30 days without what is called an “appropriative right.” The chance of a private landowner receiving such rights was described by Kinsey as “virtually unfathomable.” In order to stay in business, they rely on water drawn from streams – even during dry summer months.

The enhancement project hopes to construct a legal incentive, whereby the farmers arrange to temporarily abandon their riparian rights in return for temporary, seasonal rights to water storage for more than 30 days – de facto appropriative rights.

The project started when Brannon Ketcham, a hydrologist with PRNS, began doing watershed surveys in 1997. After talking with the farmers along the creek about their ideas for protecting and improving the habitat, a scaled-back version of today’s project was born.

“The park service doesn’t have any jurisdiction over the farms,” said Jeremy Tejirian, a Marin County planner. “They just share the stream, and so they contributed their time and resources to make this happen.” For their part, the farmers’ dedication to sustainability motivated them to act proactively in the face of future regulation.

Ketcham got a grant to study off-stream water storage options, and hired

Lee Erickson, an agricultural engineer from Valley Ford to develop specific plans. Carol Whitmire, a local planning consultant, came on board as a project manager – and a 10-year saga through California’s labyrinthine water laws began.

“What initially seemed like a simple solution has become an odyssey of time and expense,” Kinsey said, “But it still makes as much sense now as it did then.”

An initial plan, which proposed only 30-day water storage, was rejected by regulatory authorities as inadequate. They instead encouraged the development of the current, much more ambitious plan.

Concerns

In addition to the challenge of navigating a brand-new permitting process, local environmental groups such as the Sierra Club and the Tomales Bay Association have slowed approval of the plan.

“I don’t know anyone who’s against this,” said John O’Connor, a Dogtown resident and board member of the Tomales Bay Association. “Some of us are just concerned about the details of how it gets done.”

He described his two main concerns as development potential and appropriate oversight. Once appropriate rights are approved on a property, he said, the owner can then petition for a zoning change. He advocates an indelible use designation, where the water reverts to the creek unless it is being used for farming.

Kinsey said that there is no development potential that comes from the plan, however. “Agricultural zoning and the coastal program prevent any chance of future development,” he said.

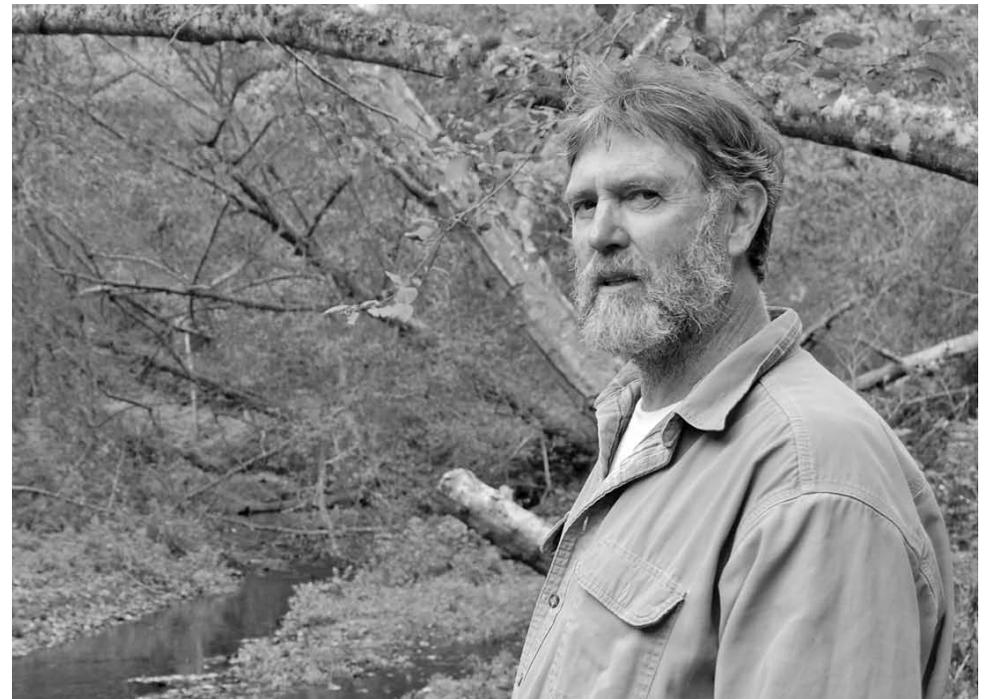
O’Connor is also concerned about oversight of the new system, once it is in place. “It needs immediate, hands-on oversight and right now there isn’t anyone who is going to do that,” he said.

All the farms are given daily withdrawal limits that vary based on stream flow during the spring. The logistical difficulties of determining what the limit is each day, and who will take it, leave too much room for error in his book.

Watershed

Pine Gulch Creek flows from forested headwaters on Inverness Ridge, through the fertile bottomlands of Paradise Valley before draining into the Bolinas Lagoon. Though it historically supported both Coho salmon and steelhead, the Coho disappeared after 1968, until a handful reappeared in 2001.

Local salmon populations became vulnerable after decades of overfishing, said Reichmuth. Coho are a particularly vulnerable fish because of their strict three-year life cycle and their dependence on both freshwater and deep ocean habitat. Dams, habitat destruction, droughts or changes in the upwelling currents that bring them food in the ocean all can threaten them. If three bad years hit in a



Dennis Dierks, of Paradise Valley Farms, plans to use water from Pine Gulch Creek to irrigate his crops. Photo by Jacoba Charles.



Warren Weber will expand one of his storage ponds to irrigate Star Route Farms, West Marin’s oldest organic farm. Photo by Jacoba Charles.



Peter Martinelli, of Fresh Run Farms, will irrigate his hillside crops with two storage ponds and a holding tank. Photo by Jacoba Charles.

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