

August 10, 2011

Mr. Craig Dremann
Redwood Seed Company
Craig@astreet.com

Re: Russian Ridge Open Space Preserve

Dear Mr. Dremann:

The District's Board of Directors has received your email correspondence dated May 29, 2011. As the Board stated in its May 11, 2011 response to you, the Board acknowledges and respects the sincere interest and concerns you have expressed about vegetation management of District grasslands, particularly those at Russian Ridge Open Space Preserve. We informed you that the District will be undertaking further CEQA review of vegetation management in District preserves. The Board has directed staff to further analyze and monitor conditions at Russian Ridge, including undertaking additional CEQA review. The Board will consider all of your input during that process.

You have also been provided with extensive information and maps regarding vegetation management and the District's careful management practices when applying pesticides on target invasive plants species. Contractors are qualified to identify native vegetation in the field and to target invasive species.

You have also expressed concerns about herbicide application at Russian Ridge. Staff has recently provided you with extensive information and maps regarding Russian Ridge. Staff has completed the District's 2011 vegetation monitoring at Russian Ridge and is analyzing the results. We will be glad to share them with you when completed.

We will welcome your input when further CEQA review of vegetation management commences. Constructive input will help the District in its future assessment of vegetation management. We feel that your input will be best addressed in a public and transparent process designed to elicit views from all interested parties and agencies. We regret you are dissatisfied with the Board's previous correspondence. We hope you will participate constructively with us as we move forward.

Sincerely,

Larry Hassett, Board President
Midpeninsula Regional Open Space District

From: Craig Dremann - Redwood City Seed Company [Craig@astreet.com]
Sent: Sunday, May 29, 2011 10:35 AM
To: Michelle Radcliffe; Sue Schectman; BOARD
Cc: craig@astreet.com; Managers; jaythor@well.com
Subject: DEMAND LETTER: Cease all grassland/wildflower field projects

Dear Ms. Radcliffe, The Board, Attorney, Management, and WMA,

DEMAND LETTER: IMMEDIATELY CEASE ALL GRASSLAND MANAGEMENT PROJECTS IN ALL PRESERVES until full EIRs completed.

Only a week ago, the Board sent me a letter about the herbicide spraying at the Russian Ridge preserve that I have been objecting to this spring, conducted without any CEQA EIR written, or even any basic environmental safety features to protect the resources for that project, and now a person is dead.

Your Board president wrote only a week ago:

“You’ve expressed concerns about herbicide application at Russian Ridge. Staff has recently provided you with extensive information and maps describing the District’s careful management practices when applying herbicides on target invasive plants species. We will welcome your input when further CEQA review of vegetation management commences.”

It is true, I received a map of the Harding grass infestation, but no maps of the Italian thistle, the yellow star thistle or the wild oat infestations, which were all spread from the five fires.

For example, the Italian thistle was only a path-side weed on the 1996 Russian Ridge weed map, now covers 20% of the north end of that preserve, like the picture I took a few weeks ago at http://www.ecoseeds.com/ital_thistle_2011.JPG

Here is a list of items related to the Russian Ridge herbicide spraying, that I still have not received from your District:

- 1.) No maps of the Russian Ridge preserve, showing where the herbicide has already been applied, and/or where herbicide is intending to be applied later this year.
- 2.) No maps showing the Russian Ridge preserve, of the current ranges or the locations of the wildflower field and species.
- 3.) No maps of Russian Ridge, showing the locations and extent of the wildflower fields and/or species prior to the CAL FIRE burns (i.e. pre-1997).
- 4.) No spray damage mitigation plan. Since the native wildflower seedlings had already germinated at Russian Ridge when the spraying started this spring, and this preserve is the best example of non-serpentine wildflowers in Northern California, I did not get any copies of the mitigation plan for avoiding damage to those seedlings, that could potentially be killed by the herbicide that is being used for the project.

Wildflowers at Russian Ridge have already been killed this year, when herbicides hit the best buttercup patch in the area--the big buttercup patch that is located at the trail crossroads about 200 feet from the Skyline lookout parking lot, just to the left of where I took the picture at http://www.ecoseeds.com/russian_2011.jpg

5.) No details of any before-and-after vegetation monitoring and measurements that will be conducted to monitor the herbicide project this year at Russian Ridge.

I also have not found any evidence of CEQA consultation with the State Department of Fish and Game regarding either the burn projects on any of the preserves since 1996, or any of the grassland and wildflower field herbicide projects..

I did find, that if the Board thinks that it does not have to write a full EIR because it is going to claim a Categorical Exemption for the Russian Ridge herbicide project, that legal theory is prohibited under the State law for herbicides in the native grassland habitats and wildflower field areas.

And I did find the 1988 McQueen decision about Mount Umunhum, that the District lost in the California Court of Appeals, and the court ruled against you for not doing your EIRs in that case, and for painting the CEQA exemptions much too broadly.

The 1996-2011 Mid-pen grassland and wildflower resource preserves lack of EIRs for projects and painting the exemptions too broadly, is so much like the McQueen case---it is like, as Yogi Berra said, deja vu all over again.

You are assuring me in your letter last week, that a CEQA review of your grassland and wildflower field herbicide and burn projects will be conducted sometime in the future, date unknown.

However, that is the complete opposite of how CEQA is supposed to work--as explained to me by the attorney at the Governor's Office of Planning and Research, who is in charge of CEQA.

What you were supposed to do, is hold scoping meeting with the public, do the draft EIR, offer the public alternatives to the herbicide or burn projects--including a no project alternative--and allow the public to review and comment on your proposed projects, BEFORE you start spraying herbicides or setting fires, and adding more damages and one death so far, to the massive damages already done by the five fires.

It seems that your District wants to run the CEQA process backwards? To any reasonable person, that seems to be what you letter is saying.

Your District wants to do the projects without any public input or any environmental reviews, then you want to write the EIRs at some date in the future--months, years, or over a decade after the projects have been done?

And you want to do all of this, without having done any before-and-after project vegetation measurement data, never knowing what the results were to the environment, or to have any record for the public, of the catastrophic damages that were done to the resources?

I am requesting that you IMMEDIATELY CEASE all projects within all of the grassland habitats on all of your preserves, take a deep breath, and begin the CEQA EIR process for each project on each preserve that contains grassland habitats.

I am also requesting, that you survey the grassland areas of all of the District's preserves, and precisely map the locations of the grasslands and wildflower resources and record a copy at the County Recorder's office in both San Mateo and Santa Clara County.

Then, I am requesting that the Board passes a Resolution based on that map, officially adopting those grassland and wildflower areas as "Particularly Sensitive Environments of

Critical Concern", like what is described in Title 14 of the California Code of Regulations, Section 15300.2, for example.

And I am requesting that you pay for an independent botanical review, to be conducted this year, of Russian Ridge and any other Preserve that has been burned by the District since 1996, and compare the before-and-after effects of the burns, and produce a public document that would outline what the estimated costs would be, to bring those preserves back to their pre-burn conditions.

Mid-pen needs to admit their mistakes, and set up a mitigation program backed up with an EIR, to start the repair of the massive fifteen year's worth of fire damages, and get back on track with CEQA, before anyone else dies.

Sincerely, Craig Dremann