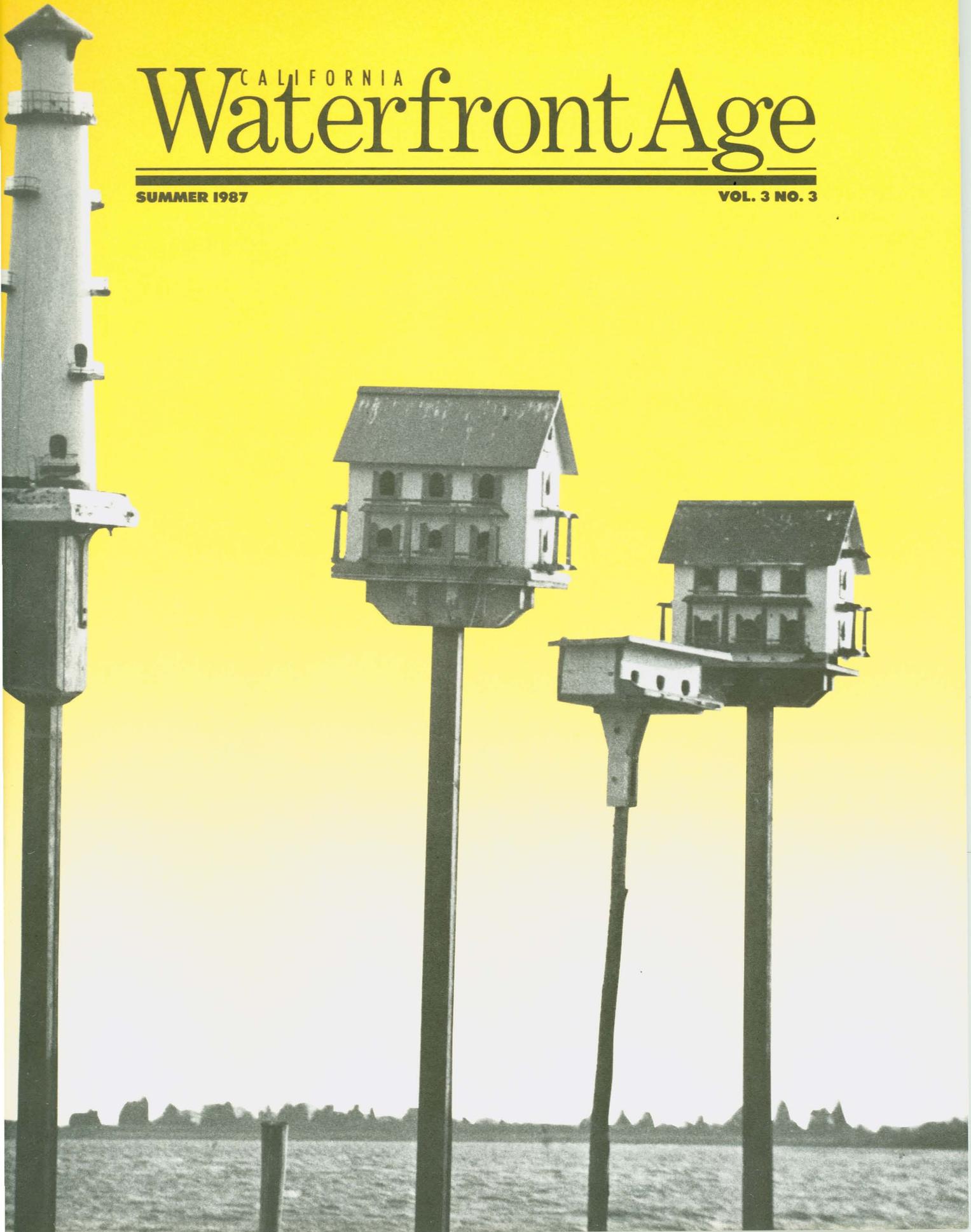


CALIFORNIA Waterfront Age

SUMMER 1987

VOL. 3 NO. 3



Guidelines for Contributors

California Waterfront Age is glad to consider contributions of articles and shorter items related to the state's waterfronts. We aim to provide a forum for the description and discussion of public programs and private initiatives relating to waterfront restoration and development in California. Resource management and economic development are our major themes.

We will consider articles of up to 3,000 words on the following subjects:

1. Economic development, project finance, waterfront restoration, the impact of changing uses.
2. Tourism, waterfront parks, public access.
3. Maritime industries.
4. Water quality, resource restoration, enhancement.
5. Cultural and historical issues.

We will also consider the following shorter features:

Conferences: We publish summaries of waterfront-related conferences.

Book reviews: We seek relevant reviews, about 500 words in length, of current books and other publications of interest to our readers.

Essays: Reflections on themes related to waterfronts are welcome. They can be verbal, photographic, graphic, or in cartoon form.

Interested contributors should call or write the editor. Send self-addressed stamped envelopes with submissions. (1330 Broadway, Suite 1100, Oakland, CA 94612)

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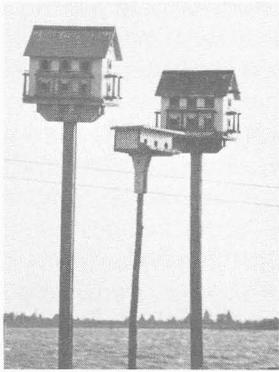
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Martin Houses on Barnegat Bay, Tuckerton, New Jersey. Photograph by Jens Lund, from One Space, Many Places, by Mary Hufford.



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A CALIFORNIA LEGISLATOR concerned with the specter of passing on an enlarged burden of debt to future generations recently opposed a natural resources bond act proposal by saying, "Let us not mortgage our children's future." This concern is legitimate, worthy of our close attention. But it should not be misunderstood as a call to avoid all public expenditures.

We mortgage our children's future when we fail to resolve environmental problems that, ignored, will become ever more serious, later requiring far more money, and far greater indebtedness; when we neglect opportunities to secure and bequeath to

our children the natural resources that we ourselves have taken for granted. This is especially evident in that most sensitive locale, the coast.

It is imperative that we join natural resource protection, restoration, and enhancement efforts with economic devel-

opment and social equity. These pursuits, while distinct, are intimately related. On the coast, increasing population growth and development pressure make coordinated policy and programmatic action absolutely essential. In particular, attention to natural resource concerns must be increased; if there is any meaning to the use of the term "balance" in this context, it is this.

Achieving socio-economic and environmental goals together takes a lot of effort, commitment, and endurance, especially in the realm of land use dispute resolution. It also takes money—considerably more money than has heretofore been available. For example, five resources-related bond proposals totaling about \$1.9 billion are presently in the works in California for the

1988 ballot. Some of these will almost surely be merged, with a significant reduction in the total dollar amount voters are asked to approve for resources. Competing for these dollars will be coastal programs and projects, state park programs, protection of wildlife habitat and endangered species, and land acquisition for public use. This is simply unrealistic when coastal land sells for \$10,000 to \$50,000 per acre, reconstruction of a municipal recreational pier may cost \$5 million, and restoration of degraded coastal lagoons and watersheds can cost several million dollars each. These are long-term investments, with enormous future payoffs.

To be sure, more money is not the sole answer, and all important natural resources cannot and need not simply be purchased by public agencies and maintained as reserves or parks. Florida has acquired over \$300 million worth of threatened beaches and wetlands, using bonds and revenue from oil, gas, mineral severance, and documentary stamp (real estate transfer) taxes. Now that state is exploring less-than-fee purchases and other alternatives to fee acquisition to broaden the scope and effectiveness of its resource conservation efforts. The success of coordinated non-regulatory and regulatory methods in California and New Jersey [see article in this issue by T. Moore] continues to provide food for thought about how public and private rights with respect to natural resources and resource lands can be harmonized. In addition, a growing body of experience is emerging, much of it from California, with multiple-issue conflict resolution that achieves both conservation and economic objectives. [See article in this issue by N. Fishman and M. Spellman.] Finally, growing numbers of land trusts and other private nonprofit organizations complement and are partners with government activities in resource conservation. For example,

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New Coastal Access Guide

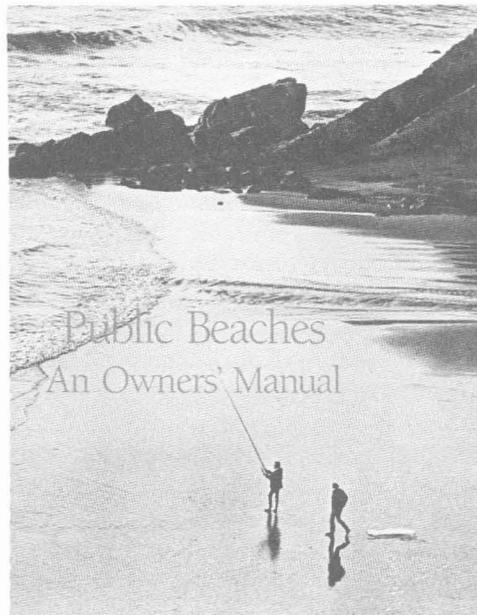
The California State Coastal Conservancy has announced publication of *Public Beaches: An Owners' Manual*, written by staff in response to continuing requests for technical assistance in the design of coastal access facilities. Expanding on a prior publication, *Designing Accessways*, the new 153-page volume consolidates knowledge gained by the Conservancy from the implementation of a comprehensive public access program for the California shoreline.

The coast is as subject to the forces of politics and economics as it is to erosion. It is as important to understand the process of developing accessways as it is to portray the results. *Public Beaches* describes not only the appropriate design of accessways, but also how a comprehensive program was created to develop the needed facilities. This effort is best explained by examples, and the main body of the book provides specific case studies of access development in selected rural, suburban, and urban areas of the coast. Each chapter illustrates the complexities of developing access to the coast and provides numerous examples of projects located throughout the coastal zone and the San Francisco Bay area that further illustrate successful designs of public access facilities.

Public Beaches was published by the State Coastal Conservancy in association with Western Heritage Press, with funding provided through the Coastal Commission by a grant from the federal Office of Ocean and Coastal Resource Management. It is available on request free of charge from the State Coastal Conservancy, 1330 Broadway, Suite 1100, Oakland, CA 94612.

Huntington Wetlands Solution

A multi-agency conflict involving one of the last Orange County wetlands was resolved in April when the Conservancy approved



Coastal access handbook.

the Huntington Wetlands Enhancement Plan, authorized up to \$459,000 for property acquisition and plan implementation, and also authorized a mitigation agreement with Caltrans and other parties to recover a portion of the project costs. The plan, which met with overwhelming public support, provides for restoration of a wetland, allows two major public works projects to proceed, and fills a gap in a local coastal plan.

The Huntington Wetlands, located between Brookhurst Street and the Santa Ana River, in Huntington Beach, are a degraded remnant of the historic Santa Ana River Wetlands, which once comprised more than 2,900 acres. The Conservancy will acquire 17 acres of the remaining 160 wetland acres and authorize the nonprofit Huntington Beach Wetlands Conservancy (HBWC) to restore this property in conjunction with realignment of the Orange County Talbert Flood Control Channel and Caltrans' widening of the Pacific Coast Highway. Mitigation credits created by wetland enhancement will be used to offset all wetland and sand dune losses from the Caltrans project and a portion of the wetland losses from the county's project. The county will also contribute about 10 acres to the wetland enhancement project (bringing the project's total size to 27 acres) and

will fund both the realignment of the Talbert Flood Control Channel through this restored wetland and the removal of the existing seaward levee of the flood control channel. The Conservancy will be reimbursed for providing mitigation credits for these two projects and will transfer the 17 acres to the HBWC for long-term management and monitoring.

More Access in Carmel

Pedestrians who now compete with cars in Carmel will soon have a blufftop walkway from Eighth Avenue to the city's southern limit. The Conservancy authorized a grant of up to \$200,000 in March to implement Phase 2 of the city's approved Beach Restoration Project. This will fund construction of the walkway; reconstruction of two storm-damaged beach stairways; refurbishment of three existing stairways and a sand ramp with wash-off areas, viewing platforms, and hand railings; construction of handicapped accessible curb ramps; im-

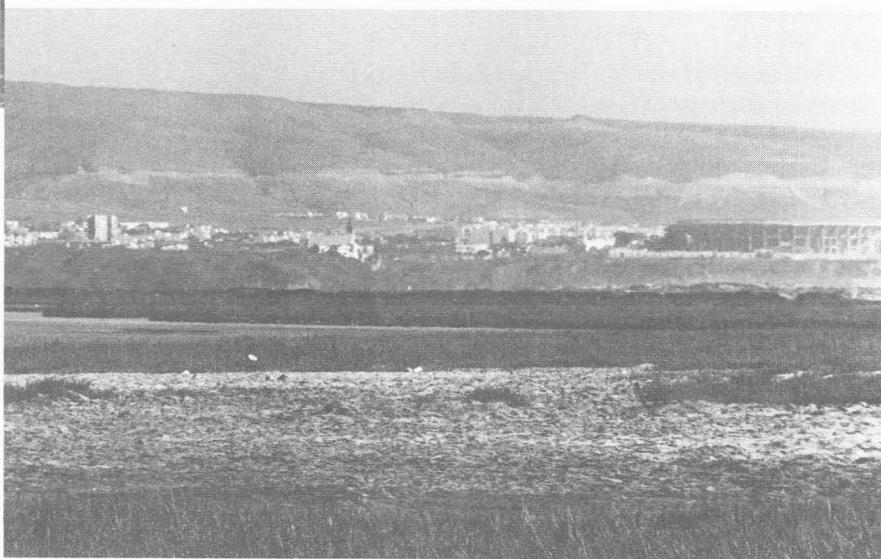
plementation of erosion control measures; and installation of benches, signs, trash enclosures, and scenic overlooks along the walkway.

Morro Bay Watershed Plan

In Morro Bay, a major stopping point for birds on the Pacific Flyway, advanced sedimentation has changed wetland vegetation, reduced tidal circulation, and decreased recreational opportunities. In response to widespread concern, a major new watershed project, aimed at alleviating this problem, was launched in March when the Conservancy authorized a grant of up to \$100,000 to the Coastal San Luis Resource Conservation District to prepare enhancement plans for the major drainages into the Bay, the Los Osos and Chorro Creek watersheds. The district will quantify sediment rates at crucial locations, identify erosion sources that contribute large volumes of sediment to the streams and bay, and develop a corrective treatment plan. This project is part of a larger effort initiated last year by Coastal Commission and Conservancy staff, in cooperation with the city of Morro Bay, San Luis Obispo County, the state Department of Parks and Recreation, and the state Department of Fish and Game to develop solutions to the major problems affecting the Morro Bay environment.

Pond Repair in Marina

The Conservancy approved the KIDD Pond Enhancement Plan in March and authorized a grant of up to \$320,000 to the city of Marina in Monterey County to implement it. The funds will go toward acquiring two properties adjacent to the pond, enhancing the pond, providing public access and interpretive facilities, and monitoring the success of the enhancement project for five years. The city and the Monterey Pen-



The Tijuana River Estuary, where the State Coastal Conservancy has approved funds for a new visitor center.



Two state park rangers and Senator William Craven at dedication of 240 acres to be incorporated into the Los Penasquitos Marsh and Nature Preserve. The land was acquired from San Diego Gas & Electric by the Department of Parks and Recreation with the help of the city of San Diego and the Coastal Conservancy. The purchase resolved a long-term land use dispute.

insula Regional Park District will acquire the two remaining adjacent properties and fund the public access and park-related facilities proposed above the pond.

Tijuana River Visitor Center

In April, the Conservancy authorized the acceptance of \$520,966 in federal funds from the California Coastal Commission to develop a visitor center at the Tijuana River National Estuarine Research Reserve (TRNERR) and authorized the disbursement of these funds to the Southwest Wetlands Interpretive Association, a local nonprofit organization, to develop the center consistent with the reserve's Management Plan adopted by the Conservancy in October 1985. The development and funding of the visitor center, like the development of the reserve itself, is a combined federal, state, and local effort. The Conservancy has played a primary role in the establishment and development of the TRNERR. Since 1981, the agency has been responsible for land acquisition for the reserve, has assisted in developing the Management Plan, and has provided matching funds for implementing several of its com-

ponents, including the development of the Pacific Estuarine Research Lab and various enhancement projects. The visitor center will be staffed and operated by the state Department of Parks and Recreation on a site designated for this purpose in the Management Plan.

Humboldt Trail

Other Conservancy actions in April included the authorization of a grant of up to \$150,000 to Humboldt County to implement Phase III of the Hammond Trail (in the community of McKinleyville) and of up to \$106,000 to the Redwood Community Action Agency (RCAA) to implement Phase IV of the trail project. The Hammond Trail, planned for more than a decade, will make use of a long-abandoned Hammond Railroad right-of-way for a multi-use trail that will connect the city of Arcata with Clam Beach County Park, five miles to the north. A bridge over the Mad River, the trail segment from Fisher Road to Hiller Road, and certain right-of-way acquisitions have already been completed. The RCAA will also conduct a feasibility study of other proposed trail segments. □

Nollan No Bombshell

Property Rights in the Supreme Court

by Joseph L. Sax

OF COURSE it didn't happen this way, but the headlines last month should have read: "Don't Panic, Experts Say. Nollan Case No Bombshell." And in smaller type underneath, there would have been a subheading: "Temporary Taking Case Also Overrated; Planners Urged To Calm Down." Instead, the message generally sent out was that the Supreme Court had decided two of the most important property cases of the last 50 years, and was fomenting a revolution in land use control.

**"Hang the flags at half-mast for the environment."
—David Brower**

**"Potentially, the Nollan case is a pit bull at the throat of the Coastal Act."
—Duane Garrett,
attorney, Coastal Commission member**

What really happened is that in *Nollan v. California Coastal Commission*, the Supreme Court did little more than to reaffirm the standard rules of land law that have long governed the country, and to bring California back in line with mainstream legal doctrine. It hasn't abolished the public trust, and it hasn't crushed coastal zone management. To understand both what the Supreme Court did, and what it didn't do, a quick summary of the rules of the property game is necessary.

Put as simply as possible, it goes like this: Government has very broad authority to regulate land use, not only for traditional health and safety reasons, but for environmental and aesthetic purposes too. In so regulating, it can cause considerable reductions in value (by reducing the permissible

density of development, for example) without having to pay the owners compensation. But one thing it cannot do is to require an owner to give all or part of its land to the government to serve as a public facility. A landowner cannot be required to donate her house to be the mayor's residence, or to permit the public to picnic in her back yard. There is, however, one exception to this prohibition. Landowners *can* be required to donate some of their property to the public if in doing so they are simply solving a problem they have created. For example, if they want to build a residential subdivision in what was formerly a pasture—thus creating a problem of traffic access—they can be required to donate land for public streets within their subdivision.

Nollan Dispute

The question in the *Nollan* case was how the California Coastal Commission's beach access policy fit within these rules. To obtain a permit to enlarge their home on the beach in Ventura, James and Marilyn Nollan were required to permit public access across the sand beach between their seawall and the high tide line. Since that part of the beach is privately owned property, the case at first seems a clear example of a legally forbidden demand: requiring owners to give part of their land to the government to serve as a public facility (in this case, a public walkway). But if the required donation of the right-of-way was intended to solve a problem the Nollans created by enlarging their

which was somehow intruding on public access. The Commission argued that the new right-of-way across the beach was a substitute of one kind of ocean access for another.

The majority of the Supreme Court flatly rejected the substitute access claim as a mere play on the word "access." The principal problem created by the Nollans, as the Court saw it, was the possible reduction of visual access. If that was the problem the Commission wanted to remedy, the majority said, it could have imposed conditions on the Nollans calculated to solve that problem. The Commission could, for example, have mandated a height limit, or required open space to be left between buildings to preserve visual access to the ocean. It might even have been able to deny altogether a permit to build a house that blocked visual access. But, the Court asked, what did the demand for a right-of-way across the sand beach have to do with the loss of visual access? Nothing, according to the majority. The Court virtually accused the Commission of having invented the loss of visual access and other losses as excuses to justify its real goal—creating a public walkway across private beachfront land.

"It's not going to keep surfers out of the water. . . . It's unfortunate that the majority on the Supreme Court does not realize that beaches belong to the ocean."

—Tom Pratte, Surfrider Foundation

If one accepts the factual presuppositions and conclusions of the Court majority—that is, that the real goal of the Commission was not to solve the problem of lost visual access, and that there was no real relationship between any problem the Nollans had caused and the "solution" imposed by the Commission—then the case is really quite a conventional one. The Commission had a program of creating public access across the dry sand beaches, a goal of the California Coastal Act of 1976, and it used its permitting power to appropriate that right from beachfront landowners. Seen in those terms, the majority opinion simply reiterates the standard rule that government cannot force private donations of public rights-of-way, except

house, then the requirement would be a permissible exception to the no-donation rule.

The Nollans said their building proposal created no problem relating to public access. They said there was no right to public access across their beach before they rebuilt, and no lessening of access there or elsewhere after they rebuilt. In the Nollans' view, the Coastal Commission was simply using its power to grant or withhold a permit (a power it got only for controlling misuse of the coast), to coerce them to grant a right-of-way to the public. Conceding that the goal was highly desirable, the Nollans insisted it should be accomplished by paying the beachfront owners, just as landowners are paid when government acquires parklands or hiking trails.

Commission's Stand Questioned

It weakened the case of the Coastal Commission that it made no claim that the Nollans were violating any existing public right-of-way under California law. It asserted solely that beachfront development was having the following adverse impacts: (1) Larger structures (such as the Nollans' new house) were reducing "visual access" by the public from the coastal highway to the ocean; (2) there was a loss of psychological access as the view of people on the beach was cut off and thereby the sense of the ocean as a public place was reduced; and (3) developmental activity was increasing private use by beachfront owners,

where in doing so a problem caused by the landowner-donor is being solved. It is true, as the four dissenting Justices pointed out, that the majority went out of its way to determine for itself what the real facts were, rather than deferring to the State's view. But even a sympathetic observer of the Coastal Commission program must feel a bit uneasy about the Coastal Commission's claim that the Nollans were simply being required to make up for a loss of visual and/or psychological access.

State Powers Affirmed

What, then, is the broader significance of this case on the authority to regulate land use? Not much. Though the Court says that it will factually examine cases to assure that government is using its power substantially to advance a legitimate state interest, it makes clear that it continues to hold a very broad view of state regulatory authority. The majority explicitly reiterates the authority to regulate, without compensation, for historic preservation, for open space, for traditional urban zoning, and for environmental protection, reaffirming decisions that had very broadly granted such powers to government.

Even as far as coastal regulation is concerned, the majority indicates that if it can be shown that there is some relationship—a nexus—between a restriction government imposes on coastal landowners and an impact of their developmental activity, then the restriction will be upheld, and compensation will not be required. If, for example, the Coastal Commission had predicated its regulation on a showing of longstanding public use, and some evidence that development was deterring that use, a regulation or exaction designed to

mitigate that effect would likely have been upheld.

"This will undoubtedly spur lawsuits."

—Robert Best,
*attorney with the Pacific
Legal Foundation,
who represented the Nollans*

Access Rights

What all this means is that even in California, and even as to beach access, the

Court has left open the possibility of a public right across the beach, based on grounds

other than the dubious substitution of physical access for alleged loss of visual or psychological access. Indeed, Justice Brennan, in his dissent, expressly invited a renewed effort to obtain public access. He said, "In the future, alerted to the Court's apparently more demanding requirement [for proof of a nexus, the State] need only make clear that a provision for public access directly responds to a particular type of burden on access created by a new development. . . . [T]he record's documentation of the impact of coastal development indicates that the Commission should have little problem presenting its findings in a way that avoids a takings problem." Whether or not this is a too-optimistic view, it nonetheless emphasizes that (1) the majority opinion does not work a fundamental change in the broad scope of allowable regulation, and (2) *Nollan* itself turns on the majority's view of the factual situation of that particular case where the asserted relationship between harm caused and remedy imposed was seen as implausible.

Unlike *Nollan*, the "temporary taking" case decided by the Supreme Court two weeks earlier (*First English Evangelical Lutheran Church v. County of Los Angeles*) does significantly change a rule of constitutional law, but its practical impact will also be a good deal less than most news reports have suggested. The rule the Court laid down was that if a regulatory law is found to be a taking of property, then government must compensate the owner for the loss sustained between the time the invalid restraint was imposed, and the time it is held invalid, and is lifted.

Using the facts of the *Nollan* case as an example, if the sand beach had been opened to the public during the period of the litigation over the validity of the requirement to open it, the Nollans would be entitled to compensation for the loss of their right to exclude the public from that area for that time. In the past, the only remedy available to a landowner who won such a case was that the restriction would be lifted for the future; the loss sustained during the pendency of the controversy would fall on the owner. Now, the Supreme Court has

said, it must fall upon the government that imposes the restriction.

The key to understanding the *First English* case is a recognition that it does not in any way change the law as to what restrictions are valid or invalid. Communities may continue to impose the same kind of regulation as in the past. Whatever regulation was permissible will still be permissible, and no compensation, temporary or permanent, will be required. As long as the no-donation rule is not violated, regulations are permissible so long as they do not entirely "prevent economically viable use of the land." And the Court has made clear that very rarely is regulation so restrictive that it will be found to prevent "economically viable use." In fact there has been no recent case in which the Supreme Court invalidated a regulation on the ground that it prevented all economically viable use, despite frequent evidence by owners of very severe economic losses (as in the *Penn Central* case, where the Court sustained a refusal to allow a high-rise tower to be built above New York's landmark Grand Central Station).



What, then, is the "bottom line"? If regulatory and planning officials do not panic, they will realize that they can continue imposing the great majority of land use controls that have grown up over the years. As to subject matter, the Court has been generous in approving environmental and aesthetic regulation. It recently sustained very broad-ranging wetland regulation; in *Nollan* itself, it assumed the validity of coastal regulation to protect visual amenities; and it has recently sustained the propriety of billboard regulation, open space zoning, historic landmark designation, strip-mine contour restoration requirements, pesticide regulation, and endangered species protection.

A Warning

Nollan does warn against requiring landowners to open their land to public use. But that is not a novelty. Such demands by government have always been at the heart of the constitutional prohibition against un-

compensated takings. The Court had made this clear in the Hawaii Kai Marina case (*Kaiser Aetna*) eight years earlier, and it had been emphasized in the leading Tudor City case (*Fred F. French Investing*) in New York a dozen years ago, when private land in Manhattan had been rezoned as a park open to the public.

The *First English* case does, of course, expose governments to economic liability when they regulate at the outer edges of the constitutionally permissible area; and while—as has been emphasized here—the permissible area is broad, it is not unlimited. Sophisticated regulatory officials will not cut back on existing types of regulation. They will not even have to avoid innovative approaches, so long as they avoid forced donations lacking a cause nexus, and regulations that totally prevent economic uses. That gives ample room for maneuvering, even to very cautious officials. Moreover, even at the innovative edge, there are techniques cities can use to hedge their losses, so the risk will be very small. But that is the subject for another article. □

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Joseph L. Sax is professor of law at the University of California, Berkeley, and an internationally recognized authority on environmental law. He has written widely on environmental protection and conservation issues. His latest book, *Mountains Without Handrails* (1980), received the University of Michigan Press Biennial Award.

"It's like putting a lock on the national museum of art."

—Huey Johnson,
former state Secretary of Resources

"We can live with it."

—Louise Renne,
San Francisco City Attorney



The Sinkyone Promise

by Neal Fishman and Maxene Spellman

A HUNDRED YEARS AGO, much of the northern California and southern Oregon coast was covered with redwoods (*Sequoia sempervirens*), the giant trees that grow nowhere else on earth. Since then, all but 5 percent of the ancient groves has been cut down for lumber. Hence, trees remaining outside the much-visited national and state parks tend to become the subject of controversy. One of the fiercest of these controversies raged for more than a decade over California's 10,000-acre Sinkyone wilderness, which extends from the first coastal mountain ridge to the ocean, in the northwest corner of Mendocino County.

Late last year, thanks to a successful mediation and a bit of luck, peace was achieved in a resolution that was enthusiastically backed by all previously warring parties. The story is unique but significant beyond itself. Similar controversies are flaring up more often as natural resources dwindle and competition for them intensifies. An account of the battle of the Sinkyone and its unusually successful conclusion may therefore be instructive to others.

The battle was about the entire Sinkyone wilderness, but centered on a 75-acre stand of virgin redwoods and Douglas fir in a steep canyon that extends to the coast. Its defenders had named it the Sally Bell Grove. Some of the trees were more than a thousand years old. Georgia Pacific Cor-

poration, which owned the canyon, viewed it as part of a 7,100-acre property it called the West Usal Tract, a significant part of its 200,000-acre Northern California timber base—significant because it contained fat virgin timber with very high volume per acre.

Georgia Pacific was among those who assumed that the trees would be cut. That was a given, an economic necessity, and a matter of principle. Ancient redwood trees produce some of the best building material in the world—easy to work, tight-grained, long-lasting, waterproof, and nearly rot-proof. The trees' value was as lumber.

Members of the International Woodworkers of America who worked in Georgia Pacific's Fort Bragg mill agreed. To them these giant trees, and the Sinkyone in general, meant jobs. If the Sally Bell were to be logged, the larger old-growth timber blade would stay in production a little longer, postponing the loss of jobs that would come when the mill was converted to a more efficient and less labor-intensive second-growth operation.

To the Mendocino County Board of Supervisors, the Sally Bell Grove represented yield taxes. Because the tax rate on virgin timber is higher than that on other trees, cutting the ancient trees would bring big dollars to a poor rural county. Maybe the county library could be kept open another year.



The Sinkyone Wilderness, looking north from Anderson cliff.

To others, however, the Sally Bell Grove was the center of the Sinkyone wilderness and its most precious treasure. It had been, and still was, the ancient home of an indigenous people whose existence was unknown to the non-Indian world until the 1800s, and who were extinguished without even a record of their name. Archeological sites in the grove date back to at least 3000 B.C., perhaps even 6000 B.C. Sally Bell, the last of the Sinkyone's people to live in the region, saw her family murdered by whites in the late 1800s.

Dennis Jennings of the International Indian Treaty Council refers to the trees of the Sally Bell Grove as blood relatives who witnessed Native American history. He views their cutting as murder. Respecting that view, two local environmental groups, the Sinkyone Council and the Environmental Protection Information Center (EPIC), led the struggle to save the grove. EPIC's newsletter of March 9, 1987, explained:

"The inspiration . . . in protecting this place . . . was rooted in the vision of this land as a sacred area where the forest would be able to return to exist as a living memorial to the ancestors of this land."

In these opposing views of the value of the redwoods lay the heart of the struggle that came to a head on March 11, 1986, at a Mendocino County Board of Supervisors hearing called to air the issues on the Sinkyone. After wild testimony and bitter re-cremations, the supervisors decided to put the whole matter before a committee that would represent all sides.

This could have been a detour to nowhere. Committees representing extremely diverse interests often fail to reach consensus and may even increase rancor. But in this case the committee became the vehicle for resolving the Sinkyone conflict. With the leadership and support of State Senator Barry Keene and Assemblyman Dan Hauser; the cooperation of the County Supervisors; the open-minded mediation of the California State Coastal Conservancy; the 11th-hour intervention of the Trust for Public Land (TPL), a San Francisco-based conservation group; and, most of all, a real spirit of cooperation among the appointed members—the committee did the trick.

On the final day of 1986, in time for Georgia Pacific to take a large tax write-off, TPL closed a bargain purchase of this remote coastal property for resource protection and public recreation. The purchase was possible because the State Coastal Conservancy, the Department of Parks and Recreation, and the Save the Redwoods League (SRL), a private foundation, had pledged the needed money, and because an unusual coalition, representing all major groups that had fought one another on the Sinkyone, had supported it. The Sinkyone solution was a peacemaker's dream.

How It Began

The Sinkyone wilderness is part of California's "Lost Coast," so called because it lies far west of the "coast road," Highway 1. That highway runs 139 miles along the coast from Bodega Bay up to Rockport.

There it turns east, not nearing the ocean again for 100 miles until Eureka. West of this stretch of Highway 1 the coast is accessible only by dirt roads, some closed in the winter. Like the rest of the Lost Coast, the Sinkyone is very rugged, rising from the ocean in steep slopes and sheer cliffs. Streams that run in some of its many canyons provided salmon and trout to the indigenous people. Osprey, eagles, bear, mountain lions, and elk are among other inhabitants now. The Sinkyone is also good redwood land. Though it has been logged for generations, several hundred acres of virgin redwoods survive.

The Sierra Club and others had tried to protect a part of the Sinkyone since the late 1960s. In the early 1970s the state Department of Parks and Recreation purchased the Bear Harbor Ranch, which eventually became the 3,500-acre Sinkyone Wilderness State Park. This purchase, however, did not include virgin redwoods on the Georgia Pacific property to the south, nor did it provide for any trails through it.

Throughout the 1970s and into the '80s the parks department continued to negotiate for these southern lands. Its efforts were strongly supported by local residents whose primary spokesman, Richard Gienger of the isolated coastal community of Whale Gulch, led the way in organizing the Sinkyone Council. During the late 1970s and the 1980s, he and others stalked the halls of the state capitol in search of dollars to complete the purchase of the Sinkyone. His eyes gleamed with a vision of a vast primeval forest returning.

MEANWHILE, the Sierra Club continued to lobby for a trail corridor running south from the state park. EPIC monitored the activities of the Georgia Pacific Corporation. In 1983, the International Indian Council was party to the first lawsuit aimed at protecting the Sinkyone. Though these groups did not speak with one voice on what should be done, they all focused on the Sally Bell Grove.

On the other side, Georgia Pacific also lobbied in Sacramento, opposing any expansion of public access or any recreational uses near its logging operations. It feared that people would go off the trails and destroy equipment or, worse yet, that if the public were allowed near logging in the park's vicinity, resistance to its logging would continue.

Some progress was made in the early 1980s. Georgia Pacific agreed to lease a coastal trail corridor to the parks department for one dollar per year. The terms of the lease, as well as other state policies regarding the Sinkyone area, were written into legislation introduced by Senator Barry Keene and Assemblyman Dan Hauser, both of whom were committed to an environmentally sound solution. Previously, in 1981, under the sponsorship of Keene and former Assemblyman Doug Bosco, \$3.2 million was budgeted to acquire critical old-growth areas. It was hoped that the Sally Bell and other groves would be added to the state park as part of an expanded coastal trail.

But Georgia Pacific's position on land outside the trail corridor was firm. It was willing to sell the entire 7,100-acre West Usal Tract as a unit, but held that a sale of only the critical areas would leave it with second-growth forests that could be difficult to harvest near the expanded park. The \$3.2 million was not enough to buy the entire 7,100 acres—estimated value was three times that much. Negotiations broke down.

Logging Continues

Throughout the 1970s and into the 1980s Georgia Pacific had continued to harvest trees from the Sinkyone. Of the ancient groves, only the Sally Bell and a few other small ones remained. With the collapse of negotiations, the company submitted a timber harvest plan for the Sally Bell and took steps to cut it down.

Opponents mobilized. In October 1983, they filed suit against Georgia Pacific and state agencies, and also filed for an injunction to prevent logging until after the case was heard. Their claim was that environmental assessment of the timber harvest

plan had not taken adequate account of the cumulative environmental impacts of logging.

Logging operations began while the plea for an injunction and temporary restraining order was pending. But as loggers approached the Sally Bell Grove, they were met by about 100 protestors. They had gathered at the archeological site, between the trees and the loggers, and peacefully encircled the largest trees. The loggers left.

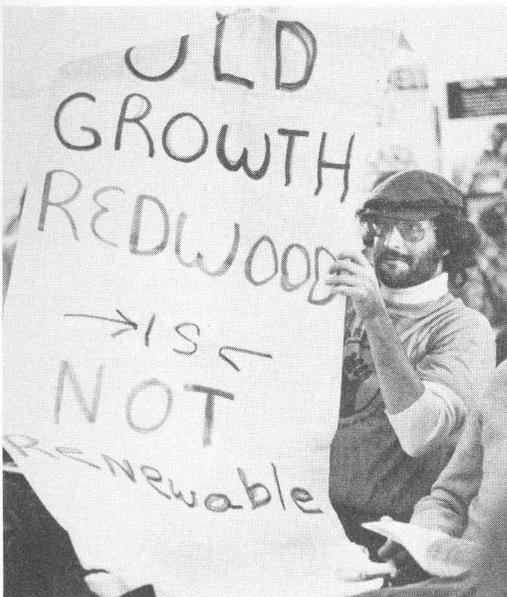
Shortly thereafter, a temporary restraining order was issued by a Sonoma County Court. But, during proceedings to change the venue to Mendocino County, Georgia

Pacific claimed the order was invalid and sent loggers into the grove again—this time accompanied by what Cecelia Gregori, a member of the Sinkyone negotiating committee, remembers as the entire County Sheriff's Department. Though the protestors used the same nonviolent tactic as before, one woman was injured, 21 people were cited, and six women were arrested.

The protests ended on July 25, 1985, after the District Court of Appeal ordered that the timber harvest plan be set aside until the suit against Georgia Pacific was decided. The logging opponents had won some time, but nothing more. Even if the company lost in court, it could simply file a new harvest plan. No law on the books would protect these trees permanently—no matter what their aesthetic, biological, or cultural importance—unless they were given protected status, as within the state park system.

To make acquisition possible, Senator Keene sponsored an appropriation of \$7 million from various state funds for fiscal year 1985-86 to match the \$3.3 million already appropriated and meet the estimated price for the 7,100 acres. But the governor deleted this money. The local chapter of the International Woodworkers and a local county supervisor both take credit, and there is no reason to doubt they had a hand in the matter. But \$10 million is also a lot of money to spend for a park on what is mostly logged-over land. Some accused the governor of simple prudence.

Entering 1986, the Sinkyone controversy was in stalemate. The injunction continued to stop logging, but a court date loomed. No solution was in sight as the Mendocino County Supervisors met on March 11, 1986. The lineup was as follows: On one side stood the woodworkers' union, Georgia Pacific, individual forest industry workers, and the supervisors, who, for the most part, favored continued logging and opposed expansion of the state park. They held that timber harvesting was the life blood of the county's economy. There was only so much good redwood land, and it should not be taken out of production. Besides, a rural and poor county could not blithely let its tax base go into state park holdings that would bring in no income either through timber yield or yearly property taxes.



ON THE OTHER SIDE, environmental groups and individuals in favor of preservation spoke of the scenic beauty of the Sinkyone, its fragile soils and streams, and the growing scarcity of virgin redwoods. They spoke of the great spiritual value Native Americans placed on the Sally Bell Grove and ancient archeological sites in the forest. And they tried to show that the

Aerial photos of Mistake Point taken in 1964, 1972, and 1981 show the effects of timber cutting.

county's economic future lay with tourism, requiring that natural assets be preserved.

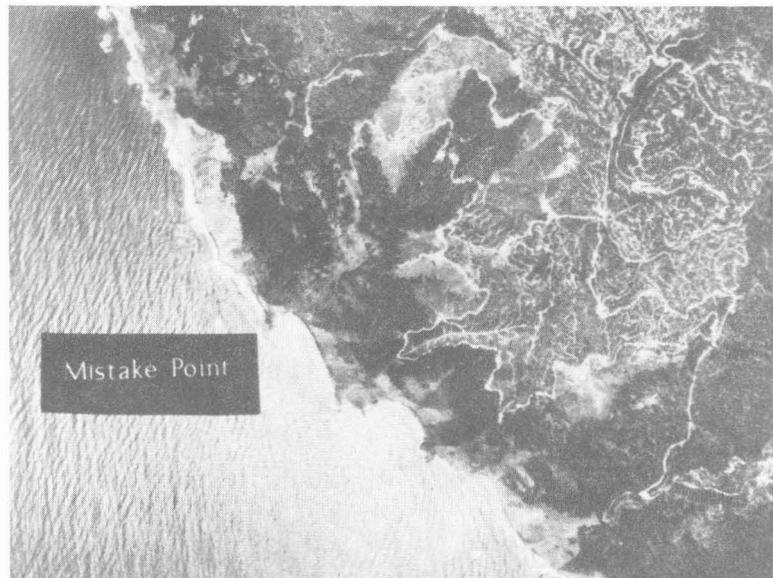
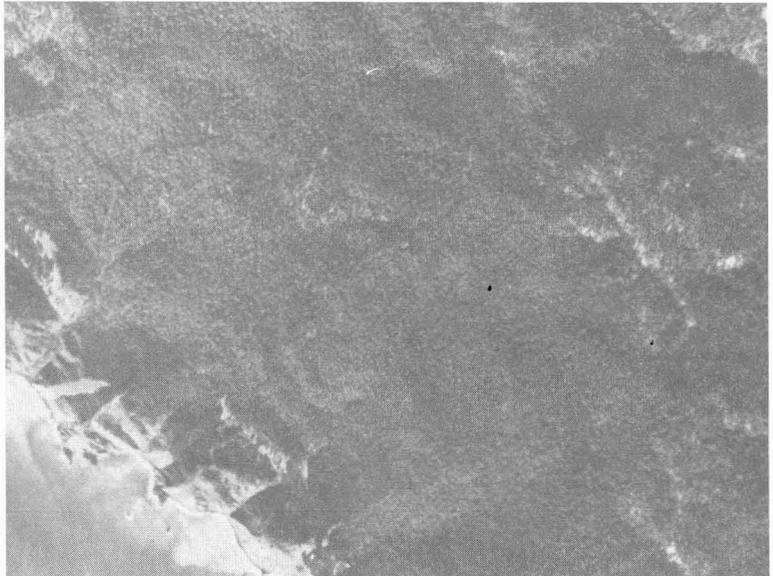
The supervisors, in keeping with past policies, voted 4 to 1 against park expansion "at this time." However, they were not closed-minded. They voted to establish an advisory committee to study all issues surrounding the Sinkyone, and they requested that the California State Coastal Conservancy lead this committee and act as mediator.

Eventually, the committee included: Don Nelson of the woodworkers' union; Cecilia Gregori of the Sinkyone Council; Ruth Ann Cecil of EPIC; Julie Verran of the Sierra Club; Priscilla Hunter of the Native American Heritage Commission; Forest Tilley of the state Department of Forestry; Ross Henry of the state Department of Parks and Recreation; Dan Garvin and later, Peter Passof, for the county; Joan Dickerson and Luke Breit representing Senator Keene and Assemblyman Hauser; and Dow Jacobson of Georgia Pacific.

Steps Toward Resolution

The Coastal Conservancy was a good choice for mediating the controversy because it has a multipurpose mission, broad outlook, and a proclivity toward innovation. It is unlike any other California state agency. It focuses not only on environmental quality, but also on recreation, tourism, and economic development. Thus, it was able to work on the Sinkyone as a political problem to be solved.

We, as Conservancy staff, were willing to suggest any idea or accept any final outcome, as long as it would lead to resource conservation, was politically feasible, within budget constraints, and consistent with state laws and policies. We reviewed each side's position critically and were not flustered by any extreme positions. We saw that each side was powerful enough to stop any radical proposal from the other. Our role, as staff of the Coastal Conservancy, was



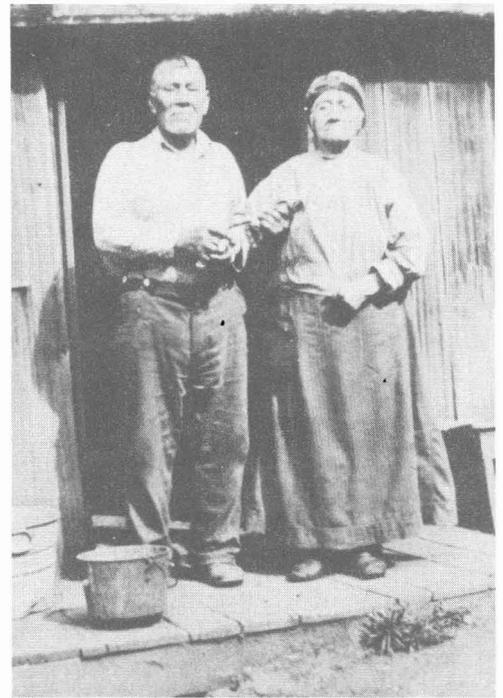
A Sally Bell Story, told by Fred Wolf

"As you go into Four Corners, you know that house that sits over there? Well, I was born in the inside guts of that house... My dad run a saloon right there at Four Corners. But before he was married, he worked in the woods out there, driving teams. The first morning he came out to San Francisco, he got shanghaied and was out on a whaler for ten months. When he got back, he came up to the mines in Trinity County..."

"Old Sally Bell, the old squaw with the hundred eleven on her chin, she brought me into this world in 1901. They had another cabin over there at Four Corners. The doctor had to come from Garberville in a horse and cart; well, the doctor didn't get there and old Sally delivered me. It was three o'clock in the morning, and I was a blue baby. Well, she mumbled something to old Tom in Injun, and he took off. He come back, Dad said, with a bunch of roots about like that and she had a pot of water goin', she threw them roots in there and steeped it up, whatever it was. Dad said just as quick as I took it, I commenced to perk up. Now what it was, I don't know."*

From An Everyday History of Somewhere, by Ray Raphael. Published by Island Press, P.O. Box 7, Covelo, CA 95428.

**All Indian women in northwest California had three lines tattooed on their chins for decoration.*



Sally Bell and her husband, Tom Bell.

to listen and propose ideas that went toward meeting everyone's concerns. We understood or learned each side's language and had no hidden agendas.

Our approach to mediation was based on the belief that each side would be more likely to state its full range of concerns and would come closer to its bottom line on each issue in talking with us alone, rather than in a general committee meeting. Therefore, we called no meeting in the first phase of our work. Instead, starting at the end of March 1986, we met separately with representatives of each group. We also met with forestry experts outside the committee to check information. The Conservancy hired the Oakland-based timber management and appraisal firm of Hammon, Jensen, Wallen and Associates to conduct a cursory appraisal of the property and give its assessment of the value of remaining timber and the potential for future timber production.

AS THE PROCESS MOVED ALONG, we kept close contact with committee members. At every point, we suggested how some of the issues might be settled. Many

of these trial balloons were rejected from the start. But we were not wedded to anything. Eventually, staff began to put together a draft document that proposed a solution based on our discussions. The 7,100 acres would be cut into three zones. The first, some 2,000 acres, would be added to the state park. It would include the existing 1,300-acre trail corridor and 700 acres with the remaining virgin stands of redwoods and Douglas fir. The second, about 1,000 acres, would be deeded to Mendocino County. It could be logged minimally. The third, about 4,000 acres, would have multiple uses and could also be logged. All logging would have to follow strict standards to protect streams, archeological sites, and views from park lands. Hunting and fishing would be allowed under a permit system.

The draft document contained no alternatives. We reasoned that if alternatives were presented, different sides might well choose a favorite and hang on to it. With just one choice, all would work cooperatively to shape it into an acceptable plan. Much agreement already existed. Nobody opposed hunting, for instance, and all wanted to see logged-over land restored. Moreover, each side had preferences for the use of property that did not necessarily conflict with those of the other side. There

were enough different, specific ideas in the draft document for everyone to get something.

In early July, this draft was sent to committee members. It got mixed reviews, but nobody panned it or proposed an alternative. All responded with suggestions to strengthen the document. That virgin groves could be spared the ax was accepted, as was the three-part division of the land. The seeds of a consensus were ready to sprout.

Then, just as the committee was about to get into the details, a surprise actor entered the scene. The Trust for Public Land announced it had signed an option to buy the entire 7,100-acre property from Georgia Pacific. With that, all bets were off, at least for the time being.

TPL Behind the Scenes

TPL is a national nonprofit organization that acquires land for eventual transfer to other organizations, usually public agencies, for conservation purposes. The Conservancy had worked with TPL the previous year on the 4,000-acre Cascade Ranch project in San Mateo County, which TPL had optioned. In that case, an agreement had been reached for a multiple-use project that would add to an important state park, preserve agricultural land, and create affordable visitor facilities along a much-visited stretch of the coast, and allow TPL to recoup its investments. Recouping was critical to TPL, for it has minimal financial resources. It operates mainly with a moderate line of credit and a lot of nerve.

In the wake of the successful Cascade Ranch collaboration, TPL had contacted the Coastal Conservancy at the beginning of the Sinkyone negotiating process and offered help in negotiating with Georgia Pacific. The Conservancy declined this offer, mainly because we believed that our participation in any property negotiation could jeopardize our neutral position. Therefore, while we did not ask TPL to stay away from the Sinkyone project, we did not encourage it, declined any association, and not so politely refused to answer phone calls from TPL for the next three months.

Our snub of TPL was fortuitous. With

our neutral position assured, we were able to go about the business of developing a mixed-use plan for the 7,100 acres. TPL, on the other hand, went straight to Georgia Pacific's world headquarters in Atlanta, bypassing everyone else. In a very short time, unbeknownst to anyone, TPL negotiated an option for less than \$5 million on the property that had an appraised fair market value of \$10.2 million approved by the state Department of General Services. This option was even lower than the \$5.5 million to \$6 million value placed on the property by the Conservancy's consultant, who was instructed to give us a figure that a hard-nosed timber buyer would pay. It was a price low enough to make a deal possible. The only catch was that due to the impending change in tax law, the deal had to be completed by the end of the year.

With the announcement of the TPL's coup, the Conservancy's proposal—though it remained on the table—became secondary to questions surrounding the "deal." The consensus that had begun to develop through the committee temporarily flew apart. The woodworkers and the Board of Supervisors now saw everything being "lost" in a conservation purchase that would take the entire 7,100 acres out of production. Environmental and Indian groups were guardedly ecstatic. The parks department savored the thought of tripling the acreage of Sinkyone Wilderness Park.

HOWEVER, soon everyone grew nervous. Would TPL go through with the purchase? The woodworkers feared it would. Environmentalists worried that it would not. TPL is known for taking risks, but not million-dollar ones. If TPL could not be sure it could recoup its investment, it might back out. Then, some feared, Georgia Pacific might use the failure of this deal as an excuse for a last push to log the Sally Bell Grove in the next season.

No secure acquisition funds were available. \$3.3 million, including \$2.8 million of the original 1981 appropriation and \$500,000 donated by Save the Redwoods

League, had been reappropriated. However, its expenditure still required approval by the Public Works Board. Even if that went through, a \$1.7 million shortfall would remain.

The Conservancy had money. But it probably would not decide to use it toward the acquisition unless there were a consensus on the committee that it should, and unless the County Supervisors wanted to do so. We indicated that if those conditions were met, we would be willing to ask our board for a \$1 million loan. That would reduce the shortfall to \$700,000—still no pittance.

Reclaiming Control

Both sides in the controversy decided it was to their advantage to take control of the situation. The Conservancy's draft report became the focal point of a new round of mediation. This time the committee met as a whole, in a spirit of cooperation.

A new configuration for the contested land quickly got an informal nod: a 3,000-acre state park and a 4,000-acre multiple-use area, with sensitive features protected by deed restrictions or easements, and future timber harvesting under "best management practices." This corresponded to the deal that the parks department and TPL had already worked out, but it was close

enough to the original concept in the Conservancy's draft report to prevent major problems. A tribal park concept was discussed, in which Indians could carry out traditional ceremonies.

Then, just before the Public Works Board was to meet to rule on the \$3.3 million, the woodworkers, disturbed over certain details in the plan, threatened to oppose the acquisition. As Georgia Pacific employees, union members were allowed to hunt and fish on the Sinkyone lands, including lands along the coast. Inclusion of this land in a state park would preclude hunting. Also, the woodworkers claimed that the new park boundary would make it difficult to log some of the adjacent areas. Senator Keene joined the woodworkers in demanding that these issues be resolved before acquisition was approved.

At the 11th hour, Assemblyman Hauser called a meeting with the woodworkers. It was agreed that he would work with the parks department to ensure proper boundary adjustments after the purchase went through. He would also support limited hunting in the state park for workers who had traditionally hunted there.

Consequently, the woodworkers not only refrained from opposing the purchase, but the union's director and Sinkyone committee member Don Nelson, and its president, Jeff Hess, also spoke enthusiastically in its favor before the Public Works Board.

On December 22, 1986, the Coastal Conservancy met to decide on a \$1.1 million loan to TPL. This, along with the \$3.3 million of state money (which included a \$500,000 grant from the Save the Redwoods League), an additional \$500,000 from SRL, and a deferred payment to TPL of the last \$100,000, would total the required sum. Most members of the Sinkyone committee were present. All supported the loan, which was unanimously approved by the Conservancy, provided that the County Supervisors also agreed. They were to meet the next day.

On December 23, ten months after the rancorous March meeting, speaker after speaker asked the supervisors to OK the Conservancy loan. Jim Coon, the retiring general manager for Georgia Pacific's Fort

**Anderson Gulch
clear cut.**



Bragg mill, was most eloquent and convincing. He was a highly respected timber man and now a private citizen. He did not carry the message for the company, which had money and tax advantages to gain from the purchase. He just thought it was the best way to go.

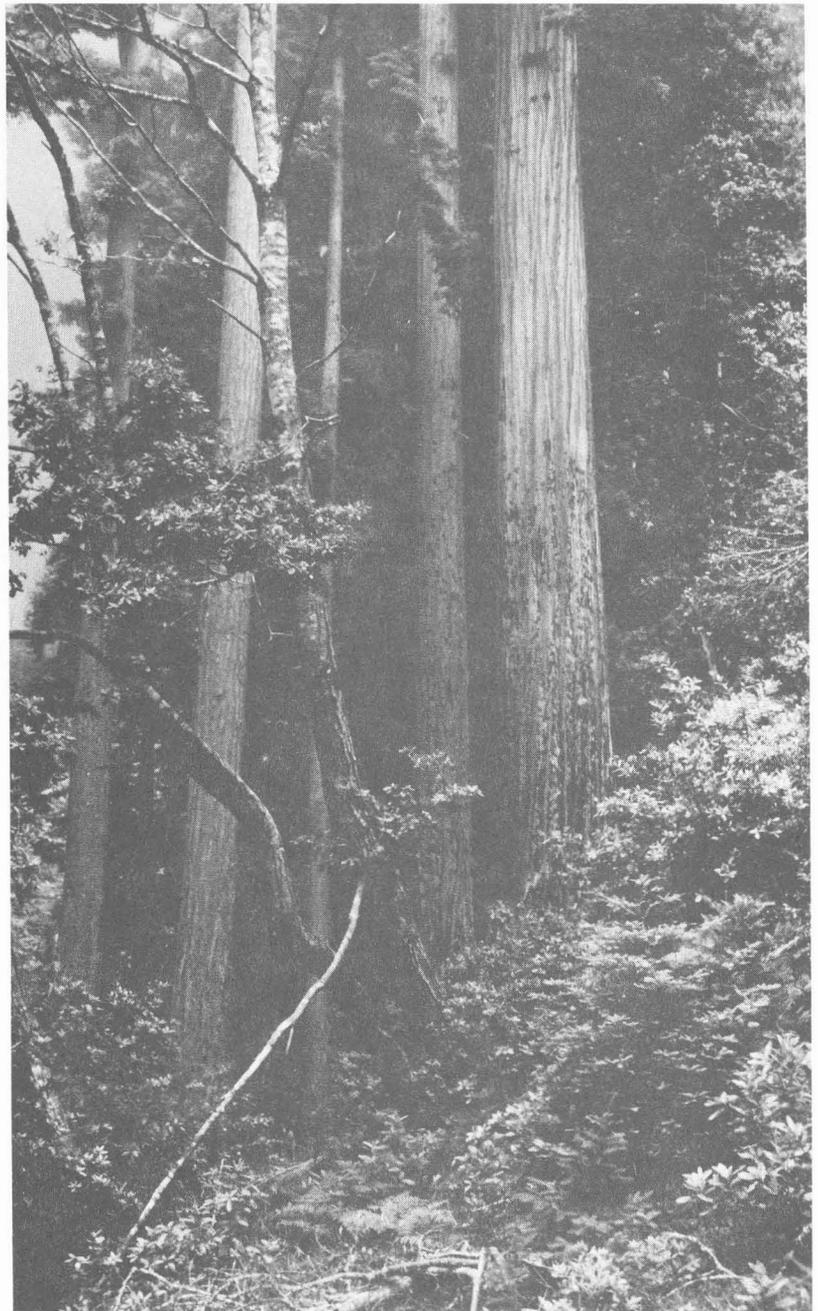
With one member absent, the Supervisors voted 2 to 2 on the resolution of support, not enough to pass. But they voted 4 to 0 to hear the matter again two weeks later, when the possible swing vote would be back. The delay gave them time to see if TPL would exercise its option to buy the property by the end of the year.

On the last day of 1986, TPL completed the deal. Two weeks later, on January 13, the Supervisors finally voted to approve. The vote was 4 to 1, the opposite of the vote back in March when the expansion of the park was opposed. A phenomenal political switch had occurred.

The Sally Bell Grove and the other remaining stands of virgin redwoods are now preserved in the state park. However, much still remains to be completed to ensure that the players in this remarkable compromise are rewarded for their cooperation and work. Over the next year the Conservancy, working with the committee, will develop a plan for the multiple-use area, with forestry, hunting, access, and resource protection rules. It will protect the ancient Indian sites and work out the tribal park concept. Once the plan is approved by the Conservancy, the multiple-use area (3,800 acres) will again be sold for timber production, under strict controls. Sale proceeds will pay back the Conservancy's loan and TPL's \$100,000 shortfall. It will also pay the county up to \$50,000 for its lost tax revenues.

We expect that the process of developing this plan will produce some points of disagreement. However, the big issues have been settled. For the first time in a decade, there is peace in the Sinkyone. □

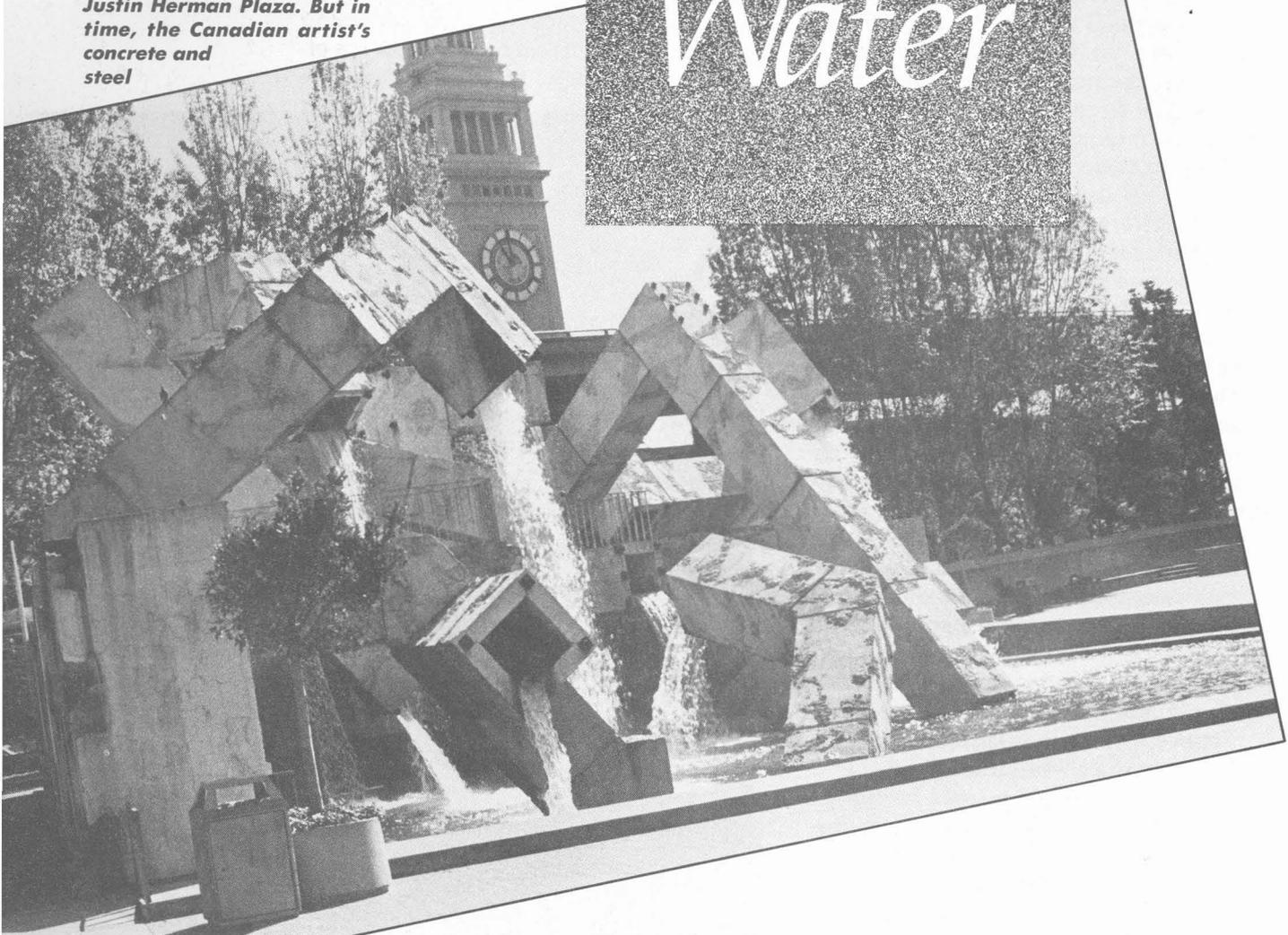
Neal Fishman is a senior project analyst and legislative representative; Maxene Spellman is an associate project analyst for the State Coastal Conservancy. He led the successful mediation; she assisted and co-authored the draft plan.



How to Choose?

Art on Water

Some San Franciscans jeered in 1971 when Armand Vailancourt's fountain rose in Justin Herman Plaza. But in time, the Canadian artist's concrete and steel



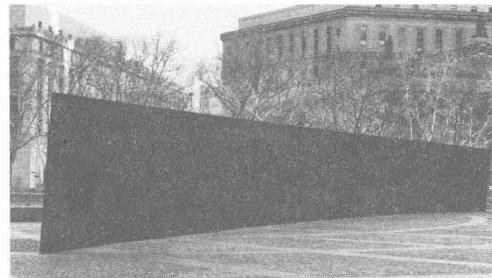
creation came to be loved. It softens the visual impact of the overhead freeway just beyond. Its splashing waterfalls mute traffic noise and soothe the nerves of commuters who rush between ferries and downtown.

A public art renaissance brings diverse creations to waterfronts.

The thing about public art is that you are more or less stuck with it. It's not like going to a museum or a gallery to see the latest craziness in contemporary art—you can take that or leave it.

Public art is in your own town square or post office or park or waterfront, and if you find it offensive, then you are likely to resent it. Especially if you helped pay for it.

That's how people who work at the Federal Plaza in New York City feel about Richard Serra's 120-foot-long, 12-foot-high "Tilted Arc." Here is this enormous, forbidding, rusting slab of iron—that's how they see it—blocking their view from the steps on which they had formerly sat in nice weather to eat lunch and watch the Manhattan scene. Their protests were so long and loud that the General Services Administration (GSA) held hearings in March 1985 to decide whether to have the Arc removed. As a result, a committee was named to explore the possibility of relocation. But the sculptor sued for breach of contract, claiming he had verbal assurances the Arc would stay in the Federal Plaza permanently, and demanding \$30 million in damages. The case is expected to drag on for another year.



**Richard Serra's
"Tilted Arc"**

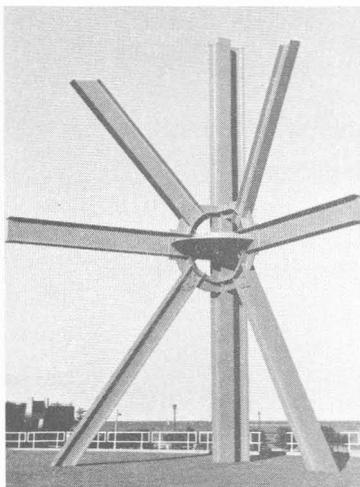
Since the 1960s, when publicly funded art re-emerged in the United States, controversies about it have exploded fairly often. The GSA's Art in Architecture program, which allocates a half-percent of all federal buildings' construction cost for art, has spent about \$7 million since 1962. In the last five years, the National Endowment for the Arts has distributed nearly \$2.5 million in matching grants to more than 120 communities for public art. The public has not always loved the works chosen for it by art commissions and selection panels.

"If you don't understand what something is, your first reaction is to shoot it," commented a former member of a GSA art selection panel. How to keep people from shooting public art has been the subject of much discussion.

"What does it symbolize?" asked a distressed Grand Rapids citizen about Alexander Calder's abstract sculpture "La Grande Vitesse," when it was installed in front of the city hall in 1970. Milwaukee citizens said Mark Di Suvero's great orange steel asterisk on the downtown lakefront bore no relation to their lake or to their city. And Mill Valley residents, crying, "It's not our own!" persuaded their city council to reject a winning fountain design, by a New York sculptor who had not visited its intended site in the town's center. "We weren't consulted," was the common complaint in these controversies.

So consult them, says one, sometimes called "populist," school of thought. "If we allow the community to become involved in determining what kind of art is suitable for this place at this time, the results will be benign," wrote Ronald Fleming, author of *Place Makers: Public Art That Tells You Where You Are* (1981).

Another, more professionalist, school of thought recoils in horror at the idea that art should be benign. Art should challenge, excite, even shock, this school says. The best new art is always out ahead of the masses, and hence should be selected by art professionals and aficionados. "It's absurd to suggest plebiscites on art works. . . . Not even Miss America is chosen



**Mark Di Suvero's
"The Calling"**

by plebiscite," commented Wolf Von Eckardt, the architecture and design critic, on this line of reasoning.

Fleming doesn't exactly propose plebiscites. He proposes that the artist be given a context within which to work, be asked to create something ordinary people can recognize as expressing their community, enhancing its meaning. Fleming likes George Segal's sculpture "The Steelmakers," which Segal conceived after going to Youngstown and meeting its people. It portrays two steelworkers at an open furnace. His models were actual people selected by fellow workers.

The trouble with this approach, its critics say, is that people will choose only what is familiar to them, and thus deprive their towns of the finest in art to come. "Good art cannot be gotten all at once," wrote art philosopher Marcia Meulder Eaton in *Art and Nonart* (1983). "(It should offer) the stimulation of infinite ambiguity." She was comparing the obviousness of Norman Rockwell with the subtleties of Jan Vermeer.

What the professionalists fear is that the unsophisticated will choose a Rockwell over a Vermeer.

During the public hearings on the "Tilted Arc," someone suggested that public art be installed on a provisional basis to give the people time—a couple of years, maybe—to see how they feel about it. This idea is worth considering. Had San Francisco given Robert Arneson's bust of George Moscone that kind of a chance, the work might well have come to be seen as the strong, evocative, honest memorial it is. The city rejected it because on the pedestal the artist had pictured a gun and other references to the mayor's assassination, in a way that touched some raw nerves.

A public rejection would mean loss of a public financial investment, of course. But better that than live with something hated. And what a ferment of public involvement would result from such a selection process. School children would write essays, elected officials would be voted out of office for lack of (or excessive), aesthetic appreciation, cognoscenti and hoi polloi would meet in encounter groups.

It might be interesting to apply this idea hypothetically to the works pictured here in *Waterfront Age*. Were these to have been subjected to that provisional process, which would stay, which would go? Which connect to the place they're in, "tell you where you are"? Which invite inquiry into "infinite ambiguity"? And which fail so utterly to communicate anything at all that you shrug your shoulders and walk away?

"Tilted Arc," a candidate for the last category, would probably never make it through such a selection process—not because it is abstract, but because it is such a crude and alien intrusion into an existing public space, destroying rather than enhancing its qualities. People can accept art that is new and unfamiliar if they sense that it respects its place. An image of Calder's sculpture is now on the stationery of Grand Rapids' mayor and on municipal sanitation trucks. Eventually, good public art that at first seems strange can win not only acceptance but affection. And at its best, such art can open people's minds to a new way of seeing.

— Margaret Azevedo

Margaret Azevedo, writer and news analyst, has been a member of the State Coastal Conservancy Board since its inception in 1977.



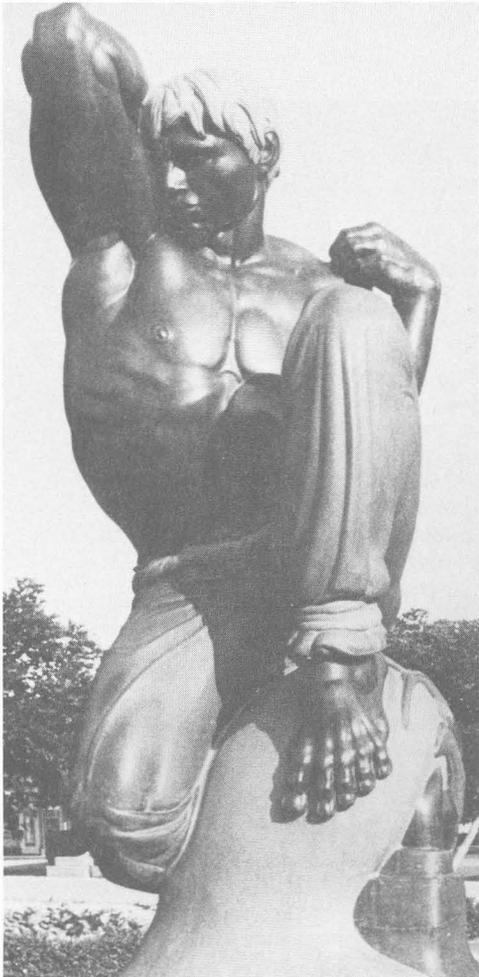
"Which (of the following works) invite inquiry into 'infinite ambiguity'? Which connect to the place they're in, 'tell you where you are'?"

In San Diego

HEROIC ART

This statue of a youth stretching, by the late Donal Hord of San Diego, is titled "Morning" and stands at North Embarcadero Marina Park. It was purchased by the Port of San Diego under a policy that since 1983 has allocated 3/8 of 1 percent of the Port's projected annual gross revenue for art acquisition.

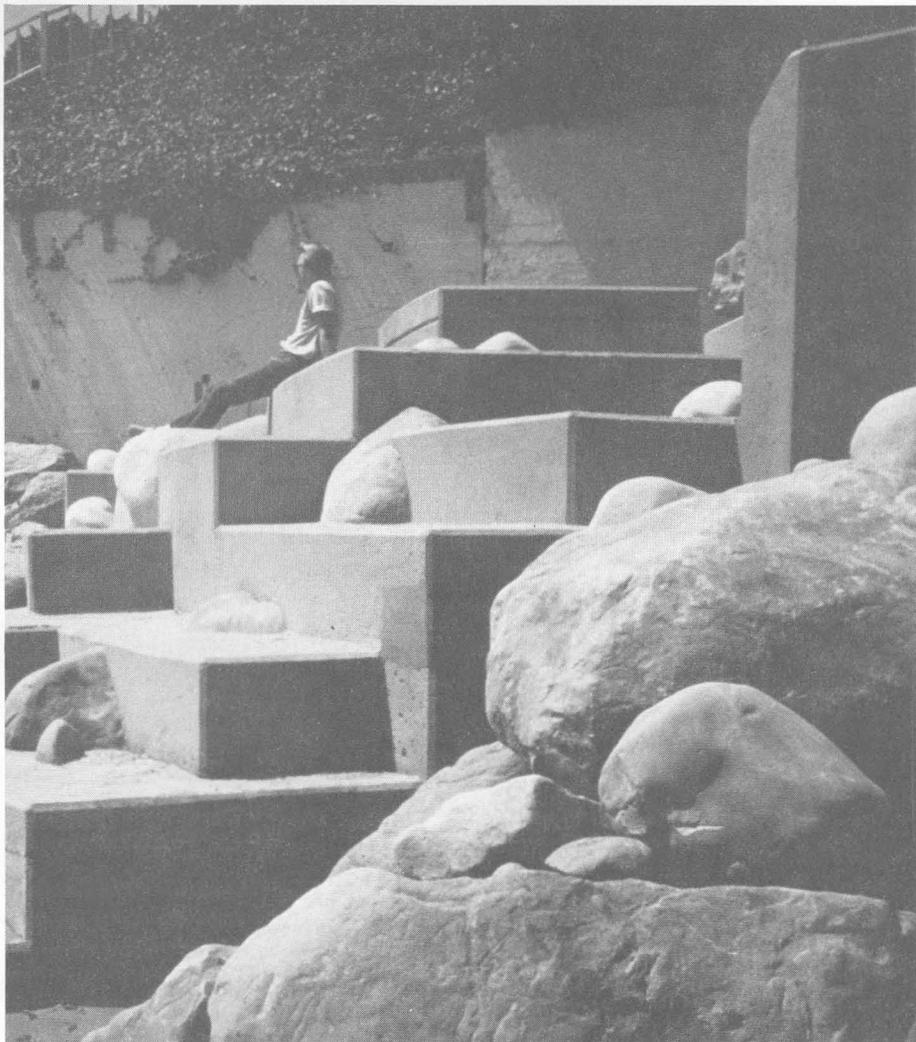
The Tunamen's Memorial Statue by sculptor and commercial fisherman Franco Vianello, shows Portuguese, Italian, and Japanese tunamen reeling in a "three-man fish." It was commissioned by the Portuguese Historical Center and placed on Shelter Island last year.



In Santa Barbara

ACCESS AS ART

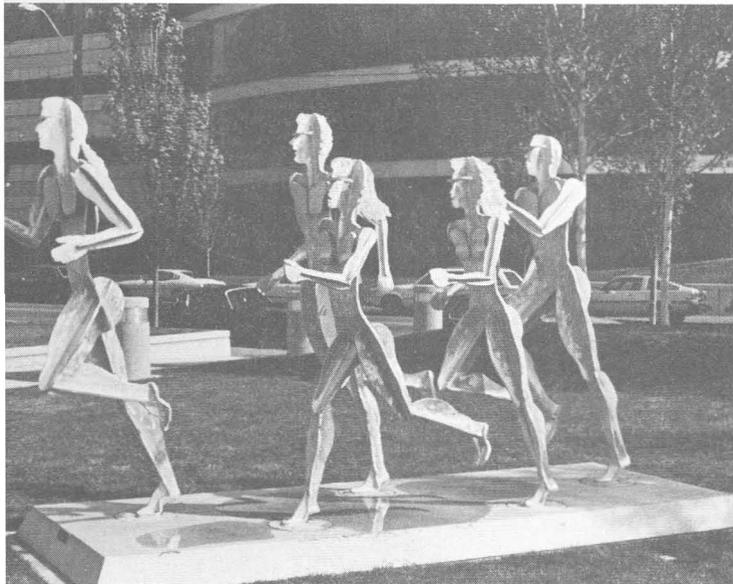
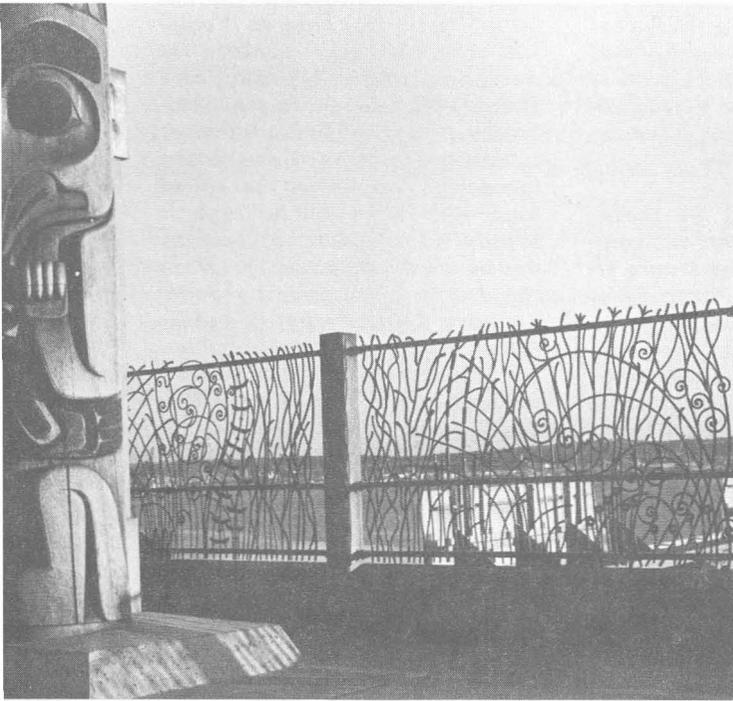
Eucalyptus Lane Beach Stairway is "a kind of dry waterfall... terminating Eucalyptus Lane as it empties into the sea," explain its designers, Marc Appleton and Thomas Bortolazzo. In sand-colored concrete, with boulders set into widening steps, it was chosen in a design competition that called for a work that would be "organic in nature, respond to the elements, and be functionally appropriate to the site." It was a project of Santa Barbara County's Art in Public Places Program, administered under an ordinance providing that 1 percent of the cost of all major County construction projects be set aside for public art.



In Seattle

THE CITY LOVES ART

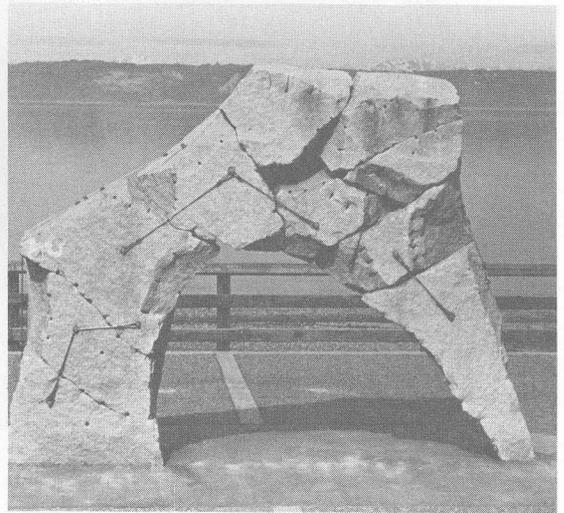
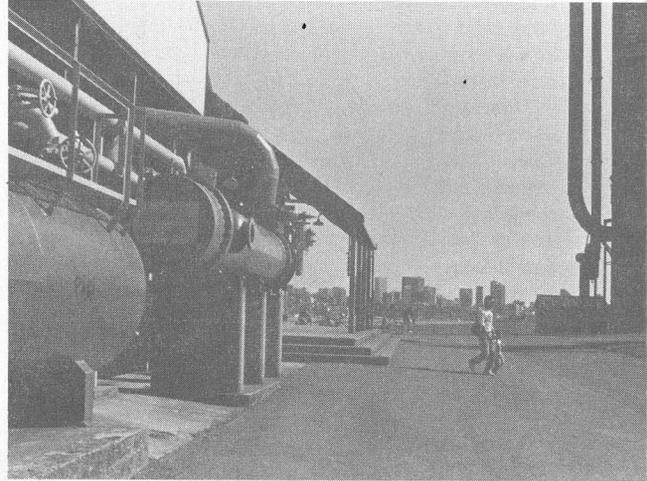
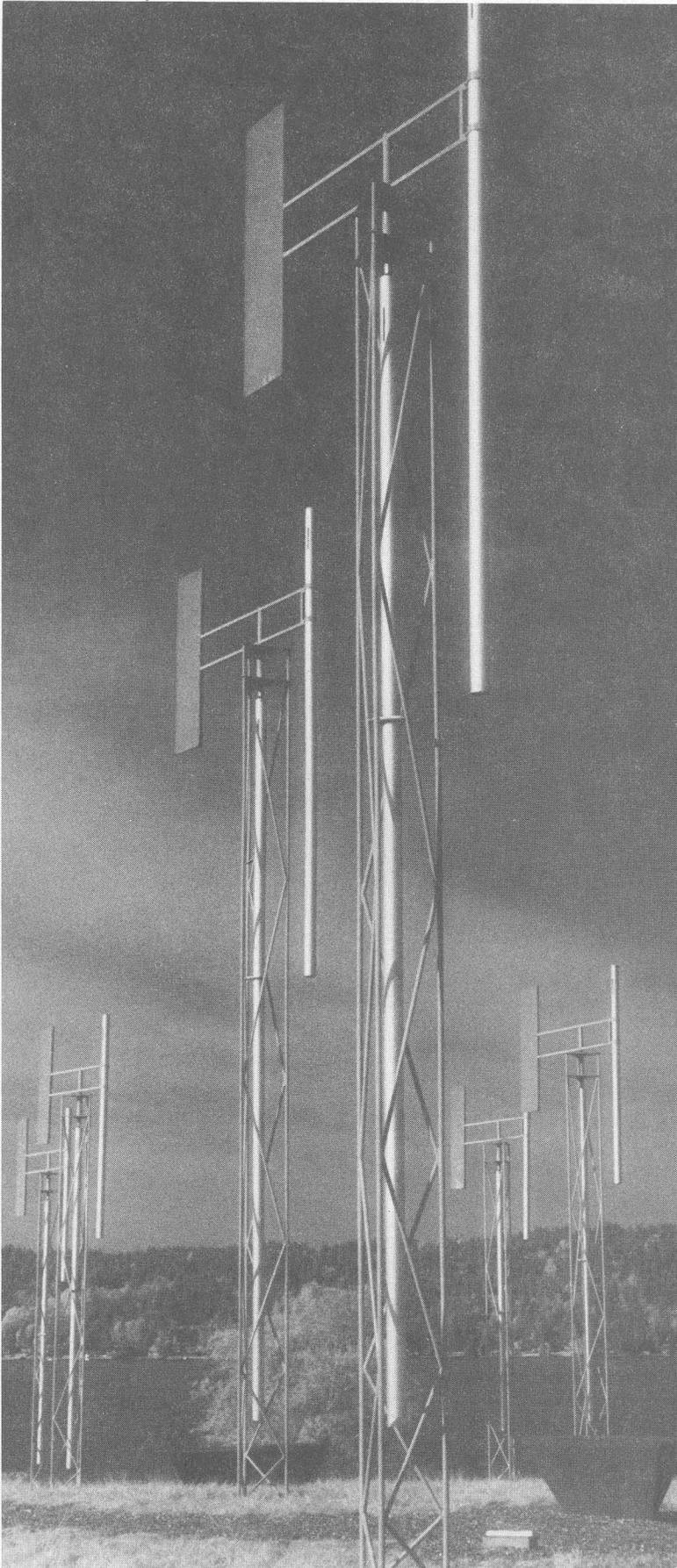
More than a thousand public artworks are scattered throughout this city, which has become nationally known for its support of art and artists. Design team projects, include a soothing wall of woven glass in a police station, several colorful electrical substations, numerous waterfront works, and the National Oceanic and Atmospheric Administration (NOAA) sculpture park. Artists work with architects, landscape architects, and engineers in the design of public construction projects. They are also included in policy decisions on public art. Of an estimated 30,000 artists in Washington State, 4,000 live in Seattle. An ordinance designates 1 percent of certain City capital improvement program funds for the purchase and installation of artworks at the site or on other City property. The municipal Art in Public Places Program is a major reason why the U.S. Conference of Mayors named Seattle "The Most Livable City" in 1984.



James Bender's totem pole and Marvin Oliver's fence at the north end of Seattle's famous Pike Place Market, which offers gorgeous views of the day's catch from the sea, to please both the eye and the palate.

David Govedare's aluminum joggers, "Ten Feet into the Future," seem westward-bound from the 3131 Elliott Building to the open waters of Elliott Bay.





In Gasworks Park on Lake Union, a 1906 coal-to-gas conversion plant has been transformed into a brightly painted play barn.

John T. Young's "Redondo Arch, A Gateway Between Shore and Sea," stands on Poverty Bay, between Seattle and Tacoma, near a fishing pier and public boat launch.

On the NOAA site, the 11 steel towers of Douglas Hollis's "Sound Garden" support wind-activated organ pipes, each tuned to a specific pitch.

Also at the NOAA site, Scott Burton's "Viewpoint" (opposite left), with terraced promontory, plantings, boulders, stone chairs, and benches.

THE WAVE ORGAN

You don't even see it until you get close to the end of the Marina Yacht Harbor jetty. Then suddenly there are steps leading down into a kind of open stone temple. You sit on a sheltered bench. From fat concrete pipes that protrude here and there comes a rushing and gargling, the sound of water sloshing in and out of the pipes, moved by wind and tide. What is this strange place and what is it doing?

This is the Wave Organ, a collaboration among artist Peter Richards, master stone masons George Gonzales and Tomas Lipps, and crane operator Joe Tate. It is a musical instrument, a park, a shrine, a wonderful place for contemplation, a memorial for Frank Oppenheimer, founder of the Exploratorium. Richards, associate director of the Exploratorium, was partly inspired by artist Bill Fontana, who recorded "music" made by a floating concrete pier in Sydney, Australia. Gonzales likes to think of the Wave Organ as "a temple to Poseidon, a listening station for the voices undersea."



AD INTERIM ART

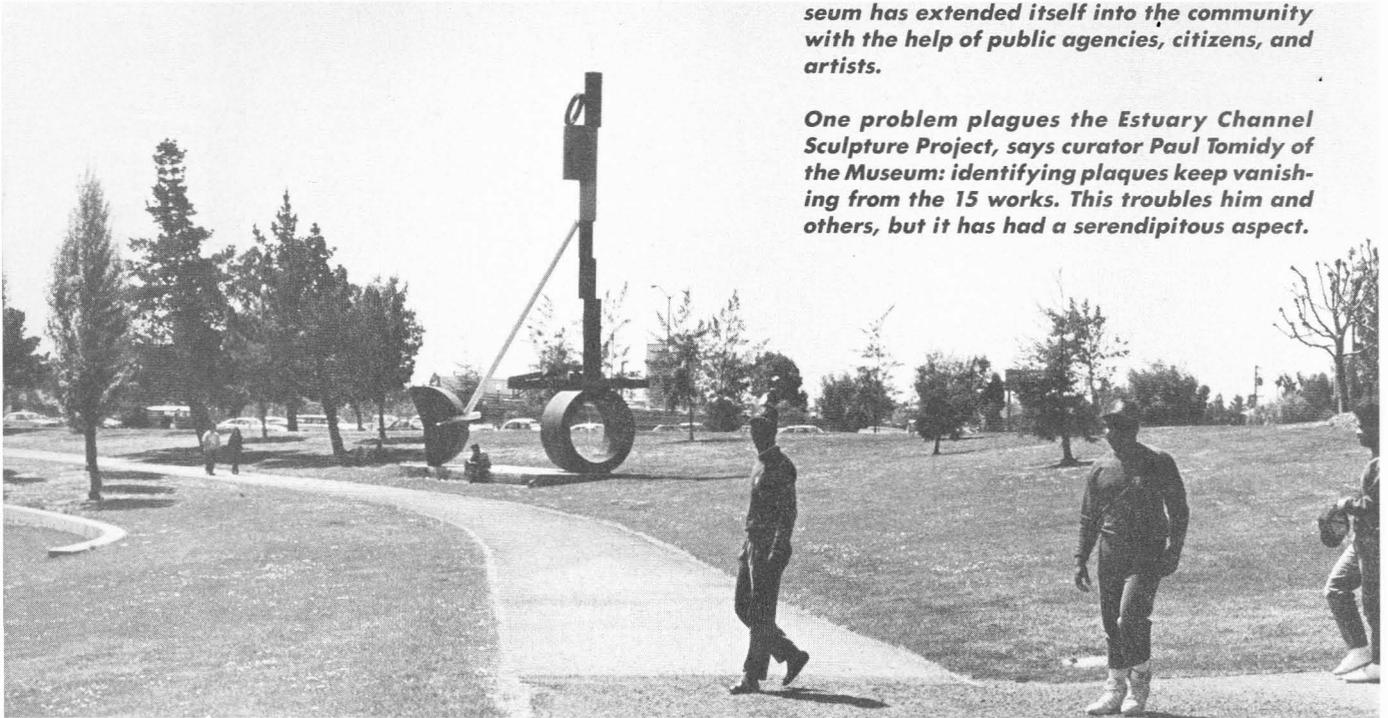
They started to build as the tide receded, and their works only lasted until the returning tide washed them away. But within those hours, 20 architectural firms, 20 developers, and 8,000 onlookers raised \$16,000 for the Learning Through Arts in Education Project (LEAP) in San Francisco. The annual LEAP Sand Castle Contest, in Aquatic Park, was sponsored by American Express with cooperation of the Golden Gate National Recreation Area. Best in show prize went to Storek & Storek's obelisk and sphere. Haworth Design/LTDD, Inc., was judged to have the best fantasy castle.

Students and a professor from the California College of Arts and Crafts in Oakland launched a tradition of building sculptures from driftwood and junk that abounds on the Emeryville mudflats, near the Bay Bridge. In the last 20 years, some wondrous animal and structural forms have risen and, after a while, succumbed to the elements. Lately, playful creativity has given way to expressions of political protest. This has drawn vandals, sometimes in crowds and with chainsaws. In the process, some of the last rich wetlands of San Francisco Bay have been stomped on, threatening migrating water birds and the salt marsh harvest mouse.



A SCULPTURE GARDEN

Fletcher Benton, "Balanced-Unbalanced Plank," 1982.



Along Lake Merritt Channel, which runs from the downtown Lake to the Oakland Estuary, one of California's largest public sculpture collections has been assembled in a beautifully landscaped waterside park. The Oakland Museum has extended itself into the community with the help of public agencies, citizens, and artists.

One problem plagues the Estuary Channel Sculpture Project, says curator Paul Tomidy of the Museum: identifying plaques keep vanishing from the 15 works. This troubles him and others, but it has had a serendipitous aspect.

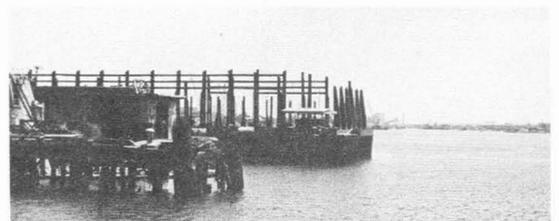
Andrew Harader, "Site Development 5," 1982.



Bruce Johnson, "Red Bluff," 1979.



After viewing the anonymous art, one visitor arrived at the estuary and gazed in wonder at algae-covered pilings and some rusty metal. How beautiful, against that pale gray sky, she thought, and no plaque on these creations either. Art seemed to be everywhere.



Close-Up

A Plop Art Flap

LITERALLY THE WEIGHTIEST ISSUE on last November's ballot in Berkeley was Measure N, a city initiative on whether to evict a 3,000-pound ferro-cement Chinese warrior/god from the city's waterfront.

The 14-foot-high "See Jin Kooi," also known as the "Guardian," a mythic Chinese tiger with an archer on its back, had been installed without permission by Fred Fierstein, a local electrician and dabbler in many art forms.

The archer's arrow is aimed out over the Bay to protect the city from greedy developers, Fierstein said. The battle is entirely self-serving, countered opponents; the warrior is an illegal resident.

Fierstein had tried to follow a legal route in donating his creation to the city. But he found it too slow and insulting. "I took photographs and a letter to the arts commission and they said it might take six months for them to decide," he recalls. "I was flabbergasted. I'd call periodically, but they couldn't make up their minds. It was amazing."

Finally, he decided to donate the statue anyway. On Monday, October 21, with a rented truck and a crane, he and a friend hauled the "Guardian" to the site they had chosen, in the middle of a grassy median where University Avenue ends at the Bay.

A Berkeley parks official happened by as the crane was lowering the mammoth work into place. Surprised, he stopped and inquired. Fierstein whipped out a letter on city stationery, seemingly signed by Arts Commission Chair Susan Felix, stating he had permission. The official hastened to City Hall and there uncovered the forgery. But by this time the "Guardian" was bolted into concrete, his arrow raised, and Fierstein and friends were regaling admirers with the story at a nearby coffeehouse.

The city's arts commissioners ob-



Artist Fred Fierstein and the "Guardian."

jected: It might crack; kids might be injured playing on it; the artist had resorted to forgery and deception; it was a copy of a Chinese original; it was "violent and out of keeping with Berkeley"; it was in a prime location; it wasn't art; it urinated (rainwater enters the open mouth and escapes through the penis). Felix said it was "cartoon art" and warned that if Fierstein got away with his act, "we're going to get plop art all over the city." "Plop art," also known as guerrilla art, is art that is plopped down in public places without official sanction.

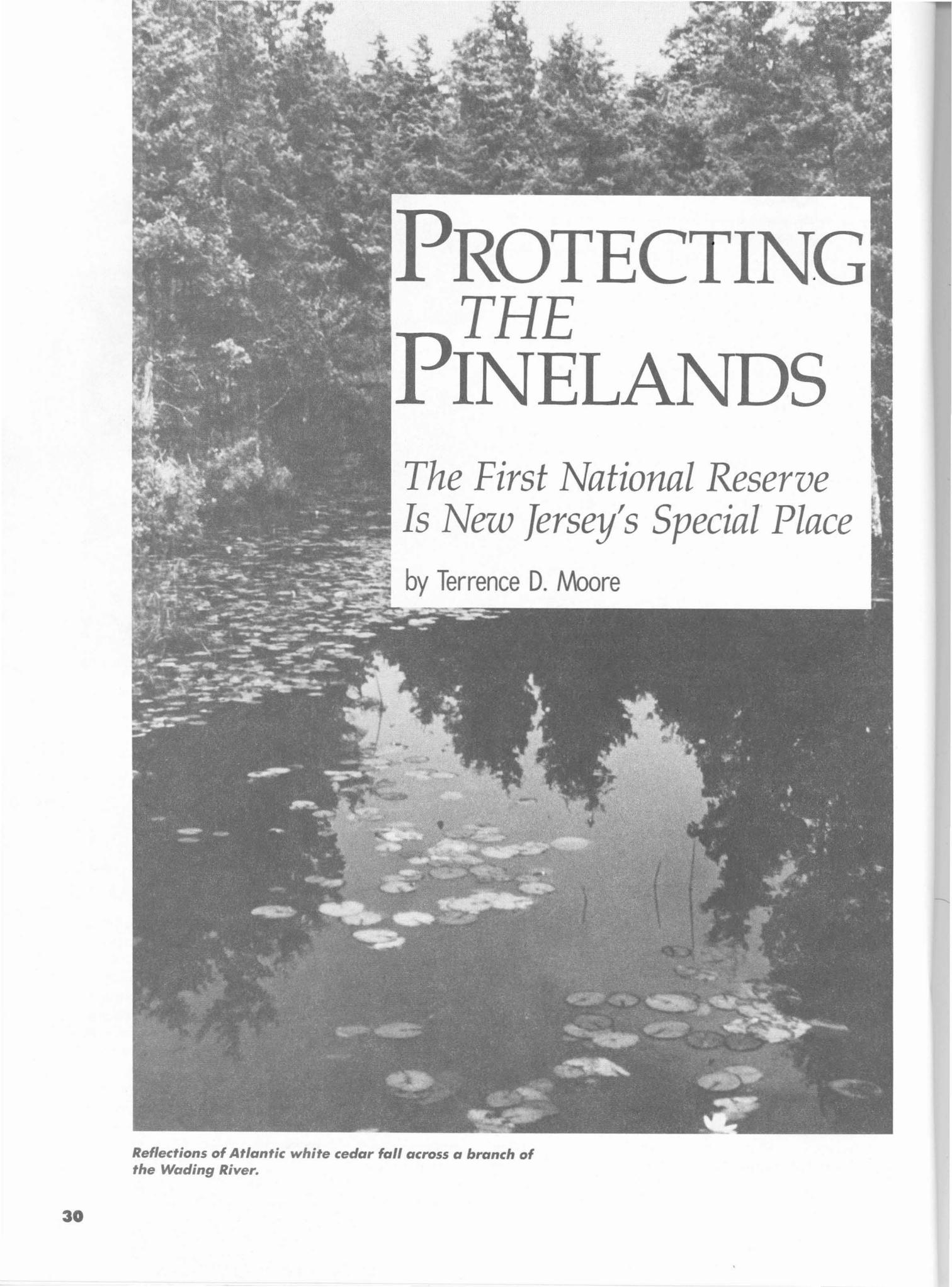
The arts commission ordered Fierstein to remove the "Guardian." Fierstein's attorney replied that the commission was out of line. It could reject the statue, but only the City Council had authority to order its removal.

The "Guardian" collected backup troops. City Manager Dan Boggan's

phone line was jammed with calls from supporters. The City Council, facing the possibility of wholesale eviction itself, wasn't about to step into the brouhaha just before an election. Sensing a favorable climate, Fierstein decided to take his cause to the voters and quickly collected the 2,400 signatures required to put it on the ballot.

On November 4, the "Guardian" won what will probably be a permanent perch on the city's waterfront by a comfortable margin of votes. Though the city attorney had ruled that the ballot measure was merely advisory, no City Council in the foreseeable future is apt to have the nerve—or courage—to move the warrior. It remains debatable whether the statue is great public art. But it has at least brought about a great public debate about art, its proper place—and placement.

—Jon Stewart

A black and white photograph of a river. The water is dark and still, reflecting the surrounding trees and foliage. Numerous lily pads are scattered across the surface of the water. The background is filled with dense, leafy trees, creating a lush, natural setting.

PROTECTING *THE* PINELANDS

*The First National Reserve
Is New Jersey's Special Place*

by Terrence D. Moore

*Reflections of Atlantic white cedar fall across a branch of
the Wading River.*

THE NEW JERSEY Pinelands National Reserve, which encompasses 1.1 million acres and 22 percent of the state's land area, enjoys its eighth anniversary this year. Created by means of a new federal-state-local strategy to preserve and protect a nationally significant landscape, today it is evidence of this strategy's success.

The Pinelands are the last expanse resembling wilderness on the bustling northeast coast, in the midst of America's most populous region. They became the country's first, and until recently remained the sole, national reserve. In 1986, Congress designated the second national reserve, the Columbia River Gorge on the Washington-Oregon border, through legislation resembling that for the Pinelands.

The national reserve concept is an alternative to a national park. Instead of acquiring all the land to be preserved and protected, a three-level government partnership combines limited purchase with regulatory policies. These include a variety of land management techniques and full use of the state's land use authority. Therefore, such a reserve is a true laboratory for the application of innovative—and in the case of the Pinelands, exceptionally stringent—land use and environmental management standards, many of which are adaptable to environmentally sensitive landscapes elsewhere.

Born in a storm of controversy that renewed its force with the adoption of the Pinelands Comprehensive Management Plan in late 1980, this New Jersey initiative appears destined for a period of unaccustomed security. It has survived a flurry of lawsuits and early legislative attempts to dilute both the state Pinelands Protection Act of 1979, a key element in the reserve strategy, and the authority of its implementing agency, the Pinelands Commission.

There are many reasons for the growing sense of permanence that both supporters and detractors now share. These include the way the plan was constructed, the strong public and political support it has enjoyed, and the commission's record of successful implementation.

The Pinelands are a sanctuary of sand, pine, oak, and cedar stretching across southern New Jersey. They are a patchwork

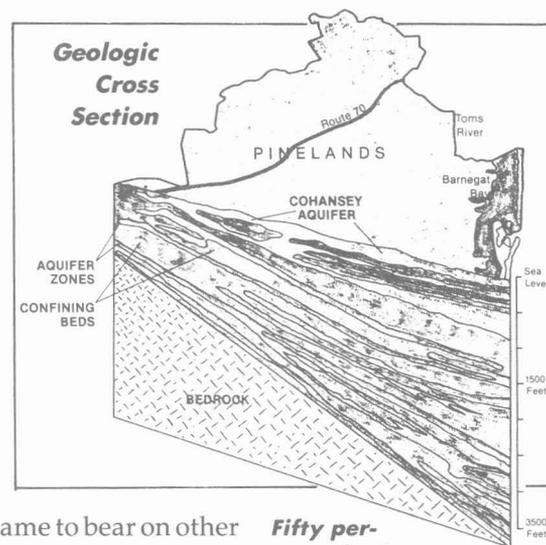
of forests, rivers, farms, crossroads hamlets, and small towns, all underlain by the 17 trillion gallon Cohansey aquifer, one of the purest water supplies in the nation. They encompass more than 12,000 acres of a unique "pygmy forest" of dwarf pine and oak, and a variety of rare plants and animals including the Curly Grass Fern and the Pine Barrens Tree Frog. Miles of rivers and streams course through the region, and freshwater wetlands provide habitat for 80 percent of the rare and endangered plant and animal species found here. With its sandy soils, the area is exceptionally sensitive to pollution.

This was once a place where fortunes were made from lumber, bog iron, and glass. These early industries died out, and as New Jersey became increasingly urban near the end of the last century, the Pinelands came to be considered as the state's empty quarter, paradoxically known as the Pine Barrens, although the bounty of cranberry bogs and blueberry fields matched the profusion of the forest.

The Rescue Begins

As the full weight of postwar urban sprawl came to bear on other parts of New Jersey, the future of the Pinelands as an environmental resource looked dim. Grandiose plans for development loomed. A jetport and new town were proposed. But then people from the area, with the assistance of state and national environmental organizations, gradually fostered the recognition that the Pinelands were an asset of national and international significance, worthy of safeguards to divert

The Pinelands are in the middle of America's most populous region.



Fifty percent of rainfall seeps through sandy soil into Cohansey Aquifer. The water's purity has been compared to that in polar ice caps.



In the 1800s, iron-masters occupied this mansion at Batsto Village in the Pinelands, where early residents mined bog iron.

the flow of growth from Philadelphia, northern New Jersey, and New York. In time, the site of the proposed jetport became the heart of a 368,000-acre preservation area.

In the early 1970s, after years of vigorous debate, action was catalyzed by accelerating growth pressures that rose from nearby Atlantic City's new-found gambling wealth. The remedy would be difficult. The region was too large and too ingrained with the patterns of 300 years of human use and habitation for outright purchase.

In 1978, the National Parks and Recreation Act, which embodied the national reserve concept, extended protection. In the three-level Pinelands National Reserve partnership, the federal government would

"The Pine Barrens are so close to New York that on a very clear night a bright light in the pines would be visible from the Empire State Building."

—John McPhee

provide \$26 million for planning and acquisitions; state and local governments would create and implement a plan approved by the secretary of the interior. The secretary would monitor implementation.

The Act divided the Pinelands into two discrete areas. The 368,000-acre preservation area was to be the most stringently protected from impact of future development.

Surrounding it would be the 732,000-acre protection area, containing a mix of valuable environmental features, farmland, hamlets, subdivisions, and towns. Here development was to be allowed in a manner that would not degrade the "essential character" of the Pinelands environment.

Governor Brendan Byrne immediately responded with an executive order creating the 15-member Pinelands Commission to undertake the necessary planning. He included in the order a moratorium on any development that the commission did not find consistent with the protection of Pinelands resources during the planning process. The commission is composed of seven members appointed by the governor, seven selected locally, and a representative of the secretary of the interior.

At the governor's urging, the New Jersey Legislature in 1979 supplemented federal law with the Pinelands Protection Act, affirming the limitations on development in the executive order. It required the commission to adopt and implement a Comprehensive Management Plan in 18 months, and called for mandatory local compliance by 7 counties and 52 municipalities in the Pinelands region. The commission began its task confronted by more than 1,000 applications seeking relief from the "moratorium" on development. But

more importantly, it began to plan with full control over the landscape.

The Plan Takes Shape

As it struggled to devise a workable plan, the commission had three prime concerns: to protect resources under its jurisdiction, to create scientifically and legally defensible regulatory provisions, and to draft policies that would permit flexible implementation, responsive to legitimate local and individual needs.

Toward these ends, the commission evolved a plan with eight management areas, each drawn with consideration of ecosystems, each with specific development densities and assigned uses. In the preservation area, virtually no residential development is allowed. The regional growth areas will absorb the preponderance of future growth. Fourteen management programs, most of them addressing environmental concerns, contain specific standards against which development projects are evaluated in the various management areas. Portions of critical environmental importance are being acquired with federal and state funds.

The regulatory portions of the plan are based on a series of scientific studies and intensive legal analysis. Many of the regulations are designed to protect the sensitive aquifer and wetlands, which are intricately tied to the area's ecology. Additional scientific information continues to be generated by the Rutgers University Division of Pinelands Research, an entity formed shortly after the adoption of the Comprehensive Management Plan. Even more scientific endeavors are being encouraged by the 1983 designation of the Pinelands as an International Biosphere Reserve, a protected region that represents some of the world's major ecosystem types. Among others so designated by the United Nations are the Florida Everglades and Yellowstone National Park.

On the legal front, the Pinelands Commission's heavy investment in the design and analysis of its regulatory provisions has paid its intended dividends. The commission recognized early on that a plan for such a large segment of the state's land would be

challenged. However, of the dozen or so important legal attacks, none has come close to success. This has given the commission an aura of legal invincibility.

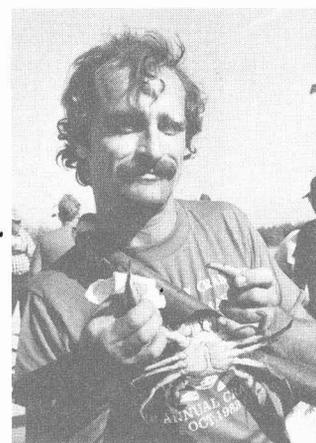
In implementation, flexibility has been the key. The commission recognized it did not have all the answers. Each section of the 450-page plan was therefore preceded by flexibility language. For instance, management area lines can be moved within certain limits if municipalities demonstrate administrative or environmental reasons for moving them. Specific standards enunciated in the plan can be changed by municipalities, as long as they afford the same resource protection. Certain exemptions and waivers of strict compliance are permitted.

Of primary importance is a provision for letters of interpretation: anyone may ask the commission how the plan applies to an unusual circumstance or to a use unanticipated by the plan's drafters. This allows the commission to define its intent, and to apply the plan to unique situations rather than being tied to the precise language of regulatory sections. As will be seen shortly, the flexible nature of the plan has been instrumental in its successful implementation so far.

Are the Pines Preserved?

Polls and studies have shown that New Jersey residents, including those living in and near the Pinelands, overwhelmingly support the state's efforts to protect this unique area. In the political arena, there has been intensive debate. Several legislative leaders in both houses of the state Legislature have forestalled efforts to "take a step backwards in the Pines." Governor Byrne and his successor, Governor Thomas Kean, have given critically important support.

At present, no serious legislative initiatives are underway to impede the plan's implementation. Rather, a series of bills has been passed to assist the commission or to ease suspected impacts of the plan. Among these are a law establishing a Pinelands Development Credit Bank to buy, sell, and guarantee loans for such credits, enabling transfer of development from preservation and agricultural areas to growth areas. [See Spring 1987 issue of *Waterfront Age* for story



Participant at a crab festival displays distinguishing feature of a male crab.

on transferable development credits.] In addition, two in-lieu-of-tax payment bills were passed, to assist municipalities that have been economically affected by the plan.

It is, perhaps, time to suggest that the Pinelands experiment and the national reserve concept have proved successful. Objectives of the federal and state legislation, as well as the Comprehensive Management Plan, are coming to fruition.

The Pinelands Protection Act requires that every county and municipality in the Pinelands area revise its master plan and zoning ordinances to be consistent with the provisions of the Comprehensive Management Plan. These then must be certified by the Pinelands Commission. Subsequently, the commission may review local development approvals and affirm or reverse them.

It is in this "conformance process" that the commission has been particularly successful and where the plan's flexibility pro-

visions have been most significant. Of 52 affected municipal plans and ordinances, 44 have already been certified, as have four of the seven county master plans. Requests for modification have been few, minimal, and for the most part easily addressed. The remaining plans are approaching conformance.

Upon review of specific local development approvals, virtually all commission actions have been sustained upon appeal. Contrary to some early concerns expressed by municipalities and builders, development is on the increase in defined regional growth areas.

The Pinelands Development Credit Program has taken its first steps. Private sales of credits have begun, and their transfers to development projects have been approved. Burlington County, which had taken a leading role in Pinelands protection, has created its own bank to buy and sell credits. It has survived a lawsuit and has acquired credits

Harry Shourds, of Seaville, blending in with a bank in a sneakbox at Beesley's Point.



to sell to the public.

It can now be said, without hesitation, that the Comprehensive Plan is channeling development into less sensitive locations of the region. A review of approved development applications shows that 96 percent are in areas that were designed to accommodate new development in an environmentally sensitive manner. An economic analysis of the plan's impact on the region has shown that neither the economic vitality of the Pinelands nor the fiscal integrity of its municipalities has been hindered.

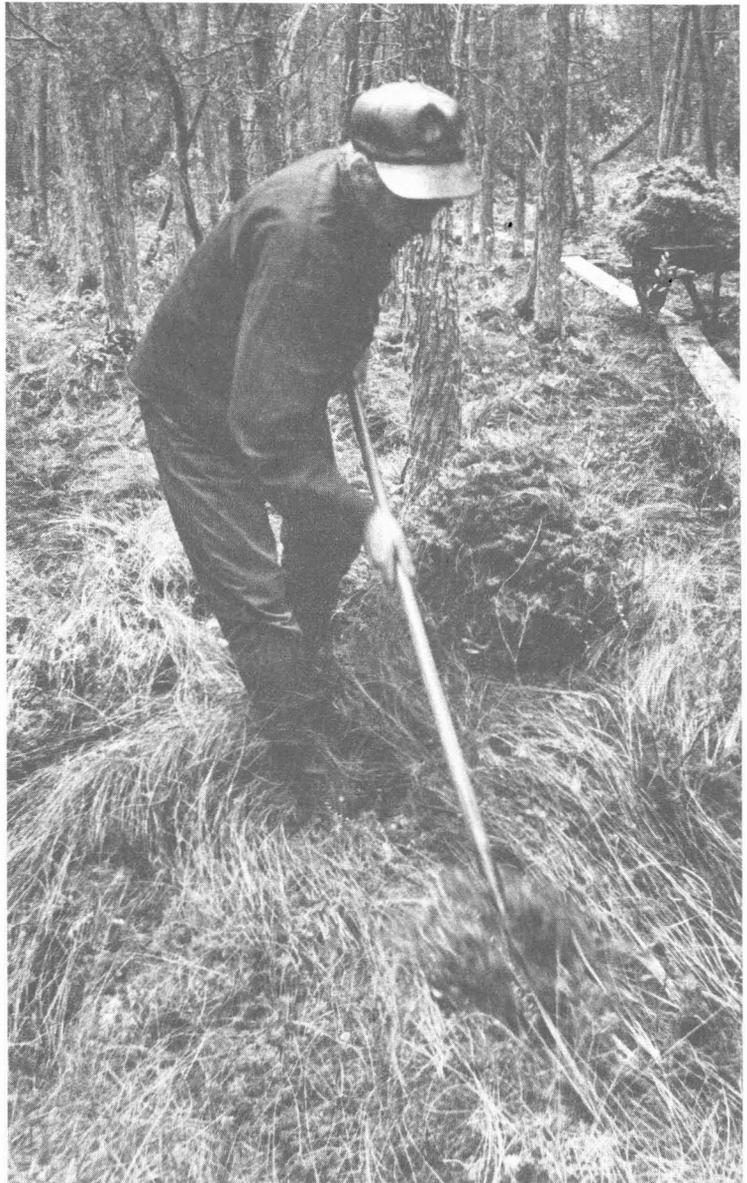
Opposition to the plan continues, but less regularly. A builders' spokesman has observed: "We find that it no longer pays to litigate the Comprehensive Management Plan or take the commission to court. Now, we want to see regional growth areas grow." To assist in this process, New Jersey voters approved a \$30 million bond issue. A plan providing for grants and loans for sewer lines in the growth areas has been completed; funds will be disbursed this year.

Meanwhile, with federal and state funds, the commission has come two-thirds of the way toward its 1979 goal of adding 100,000 acres to the 237,670 already owned by the public, mostly in the preservation area. It is confident it will reach that goal within the next few years.

Despite these successes, the commission has come to realize that—as was true in California, with the State Coastal Commission—authority to regulate development and require local compliance is not the final answer to the need for land protection. In every endeavor of this kind, people's lives are affected, and problems arise for which land use regulation alone does not suffice. A new initiative, not unlike California's State Coastal Conservancy, is now being explored. It may be the last piece in the Pinelands puzzle.

At this writing, eight years after passage of the Pinelands Protection Act, it's safe to say that the nation's most urbanized state can look confidently on the future of its special wilderness. □

Terrence D. Moore is executive director of the New Jersey Pinelands Commission.



William Wasiowich harvesting sphagnum moss in a cedar swamp.

Close-Up

The Living Landscape

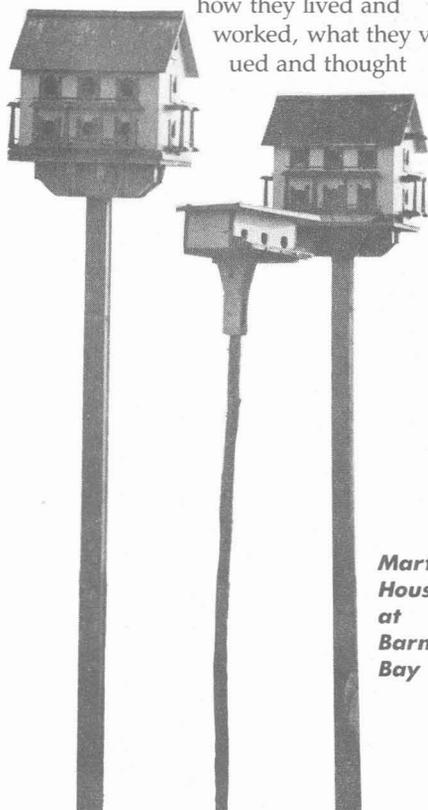
"How we act on a place depends upon how we view it. How we view it depends on the information we have. The kind of information we have depends upon the tools we have for gathering it. Our tools transform the place, which in turn affects our lives."

—One Space, Many Places

Like the plants and animals, the people in the Pinelands have evolved in relation to this unique land. They have a sense of the place, traditional lifeways, and a collective memory that connects them to their surroundings.

With that perspective, a team from the American Folklife Center of the Library of Congress arrived in the Pinelands in 1983. Even as scientists wandered in the woods studying the many indigenous species and the amazing hydrology, these researchers visited with the local people to learn

how they lived and worked, what they valued and thought



**Martin
Houses
at
Barnegat
Bay**

beautiful, and how they enjoyed themselves. They collected stories, songs, and histories of place names. Their aim was cultural conservation which, they pointed out in a subsequent report, is seldom included in efforts to preserve natural areas.

Arguments for land preservation tend to be based on scientific data, leaning heavily on what can be measured and stressing rare species. Yet the impetus for preservation is seldom a dedication to any one species, be it the Snail Darter in the case of Tennessee's Tellico Dam, the Mission Blue Butterfly in the case of California's San Bruno Mountain, or, in the Pinelands, the presence of the Pine Barrens Tree Frog and Curly Grass Fern.

What actually motivates many land conservation efforts is a shared feeling about entire landscapes, in which the presence of people living in a certain relationship to the land may actually play a significant part. These places are perceived as special. Rare species often become the focus of their defenders primarily because there is no easy way to make a case, legally or politically, for the elusive qualities that make up a living landscape.

"We need to develop a vocabulary so we can do that," said Mary Huford, author of the Folklife group's report. "If people realized they could invoke cultural reasons, they would do so. Sometimes the ecological argument may not be that persuasive when they want to save a special place."

In the Pinelands, the Folklife team tried to make a case for eelers, boat builders, trappers, and others who, unlike rare species, lack professional advocates. In so doing, they observed a "goodness of fit" among many human and natural features of the Pinelands. "The wilderness lover can enjoy a cranberry landscape without really seeing it, precisely because it

fits so well," they reported in *One Space, Many Places: Folklife and Land Use in New Jersey's Pinelands Natural Reserve*, published in 1986 by the Library of Congress. "The striving for goodness of fit goes hand-in-hand with the collective memory. It is underwritten by a firm grasp of the possibilities and limitations posed by the environment." Clearly, they found, local knowledge was an important resource for the Pinelands National Reserve.

Cranberry growers, woodspeople, and bay fishermen may not care as much as some environmentalists and botanists about the Curly Grass Fern. However, many have a "fine grained view of the landscape" based on experience, which planners often lack. They almost always notice when the wind changes. They recognize hillocks of sugar sand, which will swallow a tire, and understand some unique aspects of the local hydrology. Their place and plant names also show links to the past, and keen observation. A small plant with white flowers and shiny, wet-looking leaves is not sandwort or *Arenaria* here but sparkle, John McPhee reported in his book, *The Pine Barrens*. A lady's slipper is a whip-poor-will shoe.

The Comprehensive Plan for the Pinelands states that "the major thrust of the planning effort has been directed towards developing ways to safeguard the Pinelands' resources while the land remains in the care of its traditional guardians, the people who live there." However, the Folklife group found, this commitment can be carried out only if decision-makers learn more about the lifeways of the long-time inhabitants.

Ethnically diverse, the Pineys, as they call themselves, have become a separate culture. They continue to live and work according to seasonal cycles, in the woods, the bay, and the bogs, supplementing such activities with occasional employment in the



parks or on highways, always ready to join in fighting the fires that frequently sweep through the woods.

In early spring, they have for years gone into lowland forests to gather highly water-absorbent sphagnum moss for florists. A plastic substitute has diminished that market, but it still exists.

In June and July there are wild blueberries to pick, in the fall there are cranberries. Commercial growing began here in the 1860s, when people first transplanted wild berries into excavated bogs from which bog iron had been removed. In the winter, pine cones are gathered, primarily from the dwarf trees, and also holly, laurel, mistletoe, and pine boughs for Christmas decorations. Cordwood is cut. Seasonal fishing and hunting provide food, relaxation, and many stories.

The basic traditions continue, despite the fact that many particulars have changed, the report noted. "People may have stopped making sails and singing shanties, but they still know how to move a garvey through a particular bay, whether the garvey is constructed of fiberglass or wood. . . . The loss of a particular tra-

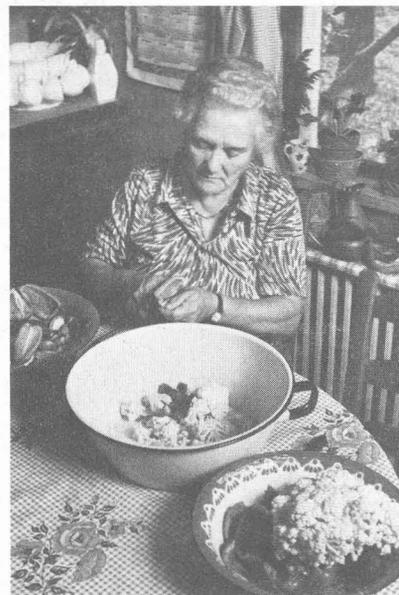
dition may sadden us in retrospect, but we must not forget that fishermen, boat builders, and musicians are still with us."

The challenge now is to support the continuance of the traditional culture, rather than viewing it as a thing of the past, said Mary Hufford. Can that be done? There are already some conflicts. Complaints have been heard, for instance, that mosquito eradication, for recreational visitors, is killing muskrats and fish.

The Folklife investigators recommended that the Pinelands Commission hire a cultural conservation planner, and take other steps to assure that the collective memory of the Pinelands people, expressed in their traditional lifeways, be conserved as an integral part of the living landscape.

—Rasa Gustaitis

One Space, Many Places, by Mary Hufford, 144 pages, is available for \$10 including postage from the American Folklife Center, Library of Congress, Washington, D.C. 20540.



William Wasiowich, of Woodmansie, gathering pine cones on the plains. (lower) Helen Zimmer, of Egg Harbor City, preparing peppers and cauliflower for "chow-chow."

The Coast Worldwide

Coastal Zone 87, the fifth biennial conference on coastal and ocean management, and the largest gathering in the world concerning these issues, brought more than 1,300 professionals, citizens, and decision-makers from 40 countries to Seattle, Washington, May 26–29. More than 600 papers were presented on subjects including pollution and water quality, public shoreline access, shoreline erosion, urban waterfront development, off- and onshore oil development, fisheries and wildlife habitat, and wetland mitigation. This year's theme, "Spotlight on Solutions," focused on problem-solving.

Nearly every region of the world was represented. Two sessions dealt with coastal problems in Latin America. From almost every country in that region came expressions of concern about water pollution from domestic sewage and industry, and about sedimentation from tropical deforestation. The vast and often pristine coastal resources of South and Central America are threatened because of growing populations and inadequate coastal or environmental regulations—problems compounded by unstable governments.

Nine sessions and many additional papers were devoted to wetlands—their management, values, mitigation schemes, creation, and regulation. Case histories of development projects were presented—what effect they had on particular wetlands, how detrimental effects were minimized through site planning, and how mitigation efforts that were fine on paper were unsuccessful in the field.

Several sessions highlighted the problems occurring in large estuarine systems such as the Albemarle-Pamlico Sound in North Carolina, Chesapeake Bay, Puget Sound, San Francisco Bay, Long Island Sound, Hudson River, Boston Harbor, Massachusetts Bay, and the Louisiana Estuaries. The comparison of issues and problems in each area, and the approach to

solving them, was quite informative.

Wetland problems associated with oil development on Alaska's North Slope were presented in many, often conflicting, papers from both industry and agency perspectives. One source of controversy is whether mitigation should be required for drill pads and other facilities in pristine areas, and how such mitigation should be implemented. Several papers also presented results of many years of monitoring data on the effects of oil development on wildlife, particularly on waterfowl nesting and caribou migration. This information will be particularly important as Congress debates whether to open the Arctic National Wildlife Refuge, a pristine wilderness on the North Slope, to large-scale oil exploration.

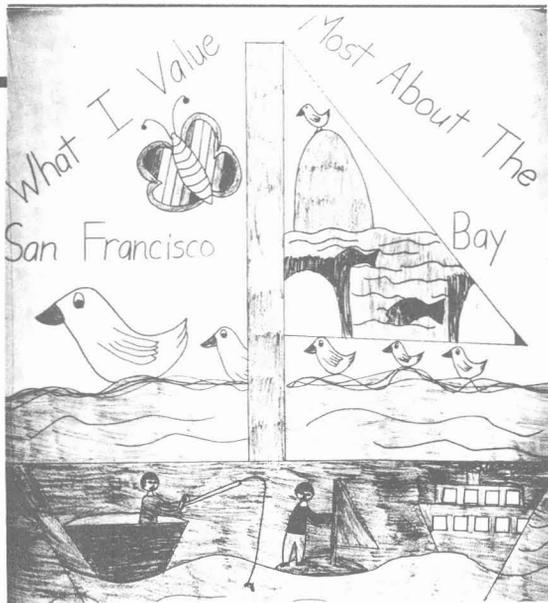
Staff members of the California State Coastal Conservancy contributed the following papers to the conference: "Coastal Project Solution, Conservancy Style" and "Multiple Interest Problem Solving at Cascade Ranch," by Peter Grenell; "Multiple Interest Problem Solving—Sinkystone," by Neal Fishman and Maxene Spellman; "The Huntington Beach Wetlands," by Wendy Eliot and Reed Holderman; and "Lagoon Restoration and Port Development," by Laurel Marcus. Michael Josselyn, director of the Tiburon Center for Environmental Studies, co-authored "An Evaluation of Habitat Use in Natural and Restored Tidal Marshes in San Francisco Bay" with Joan Duffield and Millicent L. Quammen.

The next conference, Coastal Zone 89, will be held in Charleston, South Carolina.

—Laurel Marcus

State of the Bay: Sick

San Francisco Bay is becoming saltier, shallower, and more toxic. Much of its aquatic life is ailing. "Restorative stewardship" can and must reverse problems that threaten to cancel gains against pollution, the State of the Bay Conference was told March 7.



Quyên Luu's poster, "What I Value Most About The San Francisco Bay," was one of the entrants in the Oceanic Society's poster contest in the San Francisco schools, held in conjunction with the State of the Bay conference.

"The real challenge is to get some of the water back," according to Marc Reisner, author of *Cadillac Desert*, a book on water. "While the political battle to save the Bay has been fought with considerable success, the legal battle has hardly been joined."

Proceedings are available from the San Francisco Bay Chapter, Oceanic Society, Fort Mason Center, Building E, San Francisco, CA 94123. \$10. —*Rasa Gustaitis*

Small Urban Waterfronts

A Washington Sea Grant conference on revitalizing smaller communities' waterfronts drew 150 participants to Ocean Shores, Washington, April 23–24. The focus was on four basic themes of waterfront restoration: getting started, fostering revitalization, financing improvements, and waterfront management.

Getting started involves organizing the local community, choosing a consultant, and developing goals with consensual, local backing. Fostering revitalization entails conducting local real estate market analyses, setting realistic development goals, avoiding grandiose schemes more appropriate to metropolitan waterfronts, and adopting regulations to encourage the kind of development desired.

Financing improvements by both the public and private sector includes the use of municipal bonds, grants, and loans available from federal and state sources, and both conventional and federally subsidized loans through commercial banks.

On the fourth theme, speakers addressed the importance of managing a revitalized waterfront as a special public place for festivals, recreational small craft, and visiting vessels, but cautioned about house-keeping tasks necessary to avoid vandalism, injury, and litigation.

Discussions examined successfully revitalized waterfronts in Oregon (Astoria), British Columbia (Campbell River), and

Though the Bay "doesn't look like a draft beer anymore" thanks to more sophisticated sewage treatment, Dungeness crabs are being born with legs missing, fish swim with rotting fins, and the immune systems of many Bay creatures are severely depressed, according to Tom Harris, environmental writer for the *Sacramento Bee*. "Only those fish that grow fast and don't stay around long enough to accumulate toxics" can live in the Bay, added Carol Benfell, his counterpart on the *Oakland Tribune*.

"While 20 years ago we were concerned with the physical shape of the Bay, now we're concerned with the chemistry," noted Representative George Miller of Contra Costa County, chairman of the House Subcommittee on Power and Water Resources. He placed much of the blame on the operation of federal and state water projects and federal military reservations, "a source of deadly chemicals, where cleanup efforts are cloaked in secrecy."

Non-point source pollution is also a major contributor. "We have to start educating people not to dump crankcase oil into gutters," Harris told the gathering, sponsored by the San Francisco Bay Chapter of the Oceanic Society, at Golden Gate University.

Calling for "restorative stewardship," David Pesonen, general manager of the East Bay Regional Parks District, said: "We can start to recapture bits and pieces of what we have lost since the Gold Rush. . . . I see the wetlands movement as part of a continuum that started with the Save the Bay movement."

Washington (Port Angeles, Langley, Ilwaco, and Poulsbo). Common themes emerged: conventional planning procedures don't always work, and planners need to be flexible in meeting changing opportunities and circumstances; the environmental errors of the past—landfills, sewage plants, or parking lots on tidelands—are costly to correct; and public port authorities play critical roles in the redevelopment of formerly industrial shores.

The day concluded with a banquet and a slide show narrated by Peter Grenell, executive officer of the California State Coastal Conservancy.

Three field trips, each led by an urban designer experienced in smaller communities' waterfronts, invited the use of the nearby communities of Aberdeen, Hoquiam, and Westport, along with Ocean Shores, as laboratories. Participants were asked to identify problems—blocked views, poor pedestrian circulation, underused public parks and street ends, design incongruities—and opportunities to plant street trees, place street furniture, remove parking to open up critical views, or install interpretive signs to revitalize each community's waterfront.

Workshops provided detailed information about waterfront access and park planning, recreational boating and moorage, promoting and managing waterfront tourism, urban waterfront design principles, and waterfront interpretation (both natural and cultural).

A final panel addressed an important question that had run through the entire conference: how can traditional maritime industries and tourist-oriented commercial activities co-exist on a revitalized waterfront? The role of public ports was seen as paramount here; port officials can speak for their maritime industrial tenants and fight for their place on the waterfront.

Conference proceedings will be available in early fall. For information contact Carol Ovens, Washington Sea Grant Marine Advisory Program, Mail Stop HG-30, University of Washington, Seattle, WA 98195; or phone: (206) 543-6600.

— Robert F. Goodwin

Statewide Trail Conference

In Washington, D.C., the Rails-to-Trails Conservancy is working to convert the nation's abandoned railroad rights-of-way into trails for walkers, bikers, and horseback riders. In California, efforts are underway to realize a continuous coastal trail from the Oregon to the Mexican borders.

These were among many trail projects discussed March 8-10 in Pacific Grove during the fourth annual Statewide Trail Conference, sponsored by the California Recreational Trails Committee and the California Trail Repair and Improvement Program. Some 120 trail enthusiasts attended.

David Burwell, executive director of the Washington Conservancy, suggested ways to organize for effective navigation through complex laws and regulations regarding abandoned rail routes. The California State Coastal Conservancy stressed that its coastal trail program relies heavily on input and support from nonprofit trail organizations for mapping, project ideas, and trail construction and maintenance.

Also discussed were the U.S. Forest Service's Adopt-a-Trail Program, which maintains 1,300 miles of trails in California; Monterey's Peninsula Regional Park District's trail project; trail liability issues (presented by F.C. Butcher, legal counsel for the California Department of Parks and Recreation); and the President's Commission on Americans Outdoors, which has recommended a national trail network.

Toward the end of the gathering, intense discussions arose on the need for a statewide trails coordinator. The Recreational Trails Committee voted to gather information from states having such coordinators. The subject will be taken up at the next meeting.

—Maxene Spellman

Wastewater Conference

The complexities and advantages of wastewater reclamation in Sonoma County were discussed at a forum, "Designing For The Future: Wastewater As A Resource," held at Sonoma State University in Rohnert Park

on April 11. The impetus was a proposal to combine agricultural irrigation during the summer with a winter discharge to San Pablo Bay, through an extensive freshwater marsh system.

The forum was sponsored by Citizens for Responsible Water Use, a citizens' group promoting wastewater reclamation and reuse as a solution to the ongoing sewage problems of the region. The University of California Cooperative Extension and the U.C. Toxic Substances Teaching and Research Program also provided support. More than 100 local officials, state and regional agency staff, scientists, environmentalists, and business leaders attended.

State Assemblyman Dan Hauser and state Water Quality Control Board member Danny Walsh, the two keynote speakers, both urged the participants to look to the Arcata marsh project in Humboldt County as an example of the technical and political complexities of developing such a project.

The final consensus statement concluded that such a project would have to be implemented in stages, with early testing through a pilot project. A mixed strategy of treatment and reuse would allow for continuing flexibility and refinement. In addition, a significant outreach and education program would be needed to draw in the agricultural community and other local governments.

The marsh panel was concerned most about the feasibility of managing a marsh for both wastewater treatment and wildlife habitat. There was general agreement that soil type and the intensity of management could result in marshes ranging from 200 acres to 8,000 acres, with the larger natural marshes providing better habitat.

For further information, please contact Citizens for Responsible Water Use at 3305 Wallace Road, Santa Rosa, CA 95404.

—Scot Stegeman

Mitigation Study

Is mitigation too short-range and a shell game? Should there be mitigation for air quality standards not met by 1987? These and other questions were raised and discussed by speakers and participants at the

League of Women Voters of the Bay Area Mitigation Study Conference April 25 at the College of San Mateo.

The League's study, due for completion in a year, seeks to determine appropriate criteria for decision-making on mitigation, with particular attention to cumulative impacts, and to establish under what circumstances mitigation is or is not an acceptable process for meeting legal requirements and public need.

—Ora Huth and Jo Ann B. Price

Restoring the Earth 1988

Restoring the Earth, a nonprofit organization, in cooperation with the University of California, Berkeley, will hold a national conference on natural resource restoration and ecologically sustainable environmental planning at the University of California, Berkeley on January 15–17, 1988.

The conference will consist of scientific sessions, sessions for the general public, and sessions for restoration professionals. The scientific and technical sessions are intended to share information about current restoration technologies and new scientific developments in environmental restoration, planning, and policy. *Papers are invited for these sessions.* Proceedings of the conference will be published by the University of California, Berkeley's Center for Environmental Design Research.

Topics to be covered include restoration of coastal ecosystems and estuaries; rivers and lakes; streams and fisheries; rangelands, prairies, mined lands, forests and wildlife; redesign of human settlements; and control of toxic wastes. The nontechnical sessions will include slide shows and discussions of relevant policy issues, legislation, litigation, conflict resolution, trends, and accounts of restoration successes.

Submit title and 200–400 word descriptions of proposed 20-minute presentations as soon as possible but not later than August 30, 1987. Send proposals to Restoring the Earth Conference, 693 Mission St., Room 708, San Francisco, CA 94705. Telephone: (415) 777-9515. □

Three Can Change History

THREE WOMEN CHANGED the course of history in the San Francisco Bay area when they started the movement to save San Francisco Bay, a predecessor of the movement to save the coast. The three are Esther Gulick, wife of University of California economics professor Charles Gulick; Catherine Kerr, wife of Clark Kerr, former president of the University of California; and Sylvia McLaughlin, wife of Donald McLaughlin, former chairman of the U.C. Board of Regents. *Waterfront Age* editor Rasa Gustaitis talked with them in the home of Mrs. Gulick.

Waterfront Age: *What moved you to begin?*

Catherine Kerr: It started in 1961, with the publication in the *Oakland Tribune* of the Corps of Engineers map of what San Francisco Bay would look like in the year 2020: just a river running down the middle of what is now the Bay. I live on a hill overlooking the Berkeley-Albany garbage dumps. So do Esther and Sylvia.

Esther Gulick: We frequently saw the dumps burning. There were many of these ugly fills on the shoreline. The Bay was being filled with garbage, dirt, old tires, all sorts of things.

C.K.: Shortly after this map appeared, I was at a tea at the Town and Gown Club. Sylvia was there also. I said, "Did you see the Army Corps map? Isn't it terrible? What

can we do?" A third lady said, "Two people can't do anything, but three people can change the world." So I told Sylvia, "I'll let you know when I find the third." Two weeks later, Esther came to my house with Christmas cookies. I phoned Sylvia and told her we now had the third.

Sylvia McLaughlin: During the next month we found that other cities besides Berkeley had plans to fill the Bay—that it was happening all around the Bay. So we hoped to find a Bay area group to take on this problem. We invited about a dozen people we expected to be as concerned as we were, from the Audubon Society, Save the Redwoods League, Sierra Club, and other conservation organizations.

C.K.: We met here, in Esther's living room. None of the three of us were conservationists, and each of us was busy with a lot of non-environmental responsibilities. We wanted some of them to do something. But though they were deeply concerned, it turned out they were also very busy. The conclusion was that a new organization was needed. A few of them offered their mailing lists, and we were on our way.

WA: *And so, due to the "Save the Bay" legislation of the '60s, we now have the Bay Conservation and Development Commission. Is the Bay protected?*

E.G.: We have to stay alert and keep up

**Pioneers in saving
the bay (front to
back): Sylvia
McLaughlin, Esther
Gulick, and
Catherine Kerr.**



with what is going on.

C.K.: We follow every permit application and keep our 22,000 members informed. Some problems we did not foresee. One of the biggest is the jeopardy the marshlands would be in. In 1961, nobody wanted to build on wetlands; there were lots of better upland sites. Now it's the wetlands that are left. We also did not know that the characteristics of pollution would change. We had been concerned with sewage treatment. But toxics are now the big problem.

S.McL.: Diversion of water to Southern California is a continuing concern, and watching out for the public trust.

E.G.: Some illegal fill is still going on—though it's noticed, sooner or later. The city of Emeryville filled in four-and-a-half acres for which it had no permission and had to pay \$250,000 to make public access improvements. Currently there is illegal fill in the city of Alameda. We are urging removal of this fill.

WA: *But the Emeryville fill remained?*

C.K.: The biologists said if you removed that fill you would cause more damage. There has been removal of some illegal fills in non-sensitive shoreline areas.

S.McL.: We have also lost Bay land by deliberate diking and diking, thereby con-

verting wetlands to agricultural uses. By this process, the regulatory jurisdiction of the Army Corps of Engineers is removed, since the definition of wetland no longer applies. The Corps has jurisdiction over seasonal wetlands behind the dikes, but not over agricultural land.

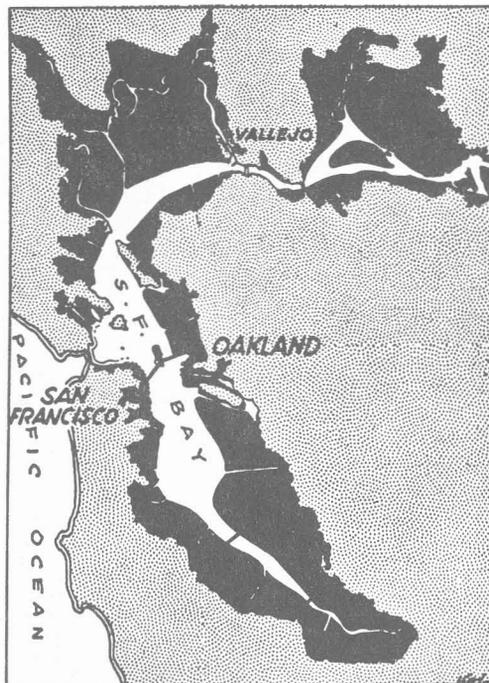
WA: *In a recent issue, Ellen Johnck, executive director of the Bay Planning Coalition, said the Corps had become an extremist on the conservation side.*

C.K.: Well, you see, in the past no big group was watching the Corps, and many seasonal wetlands were destroyed. Now there are many people reminding the Corps of its legal responsibilities.

WA: *It has been said that conservation is like guerrilla warfare. You must stay alert, because the other side has the power to wait till the guard comes down.*

S.McL.: We're more pacifistic. I've often compared it to housework that is never

The white area of this Army Corps of Engineers map shows how San Francisco Bay would dwindle if all shallow parts were filled.



done. Ideally, we'd like to see everyone on the same team, all working together to protect the quality and the quantity of the Bay's water and reserving as much of the shoreline as possible for public use and enjoyment.

C.K.: Things we had to watch so carefully in the past, are now accepted. Now no one wants to destroy the Bay. It is just a question of time before those who own migratory bird habitat, for example, will realize that although they may own the bottom of the Bay, such habitat cannot be destroyed legally.

S.McL.: People are better informed about the need to protect wetlands, international flyways, and the microorganisms in shallow water.

WA: *So you're optimistic?*

E.G.: That's a bit overstated.

S.McL.: At a recent conference of the Bay Planning Coalition, Esther and I were impressed by the informational presentations of the numerous regulatory agencies concerned with the Bay. At the same time, we were appalled at the long list of Bay fill projects currently being planned by developers. The economic and environmental

health of the Bay area should go hand in hand. It seems to me this is a subject that needs lots more attention. The Bay itself is our area's greatest asset. Neither the quantity nor the quality of the water should be destroyed.

C.K.: We are very committed to education at all levels and in many media.

S.McL.: One of our great concerns is public access. We envision a necklace of parks around the Bay. Currently, we are working for a shoreline park along the east side of the Bay. Here, there is one land owner, Santa Fe Southern Pacific. Five cities are involved and at least seven state and federal agencies, as well as many community and environmental groups.

C.K.: In the '60s there was hardly any shoreline available to the public. Now access is a requirement for almost every BCDC permit. But this access, which a developer pays for, is often less than 50 feet wide.

WA: *Some of it is hard to find.*

E.G.: The "Public Shore" signs disappear very fast.

C.K.: Every three or four years we ask members to monitor some of these public access permit areas. When we get their reports and find there is a chain and "No Admittance" where there is supposed to be a public access sign, we go to BCDC, and in every case they get it fixed.

E.G.: For about two minutes.

WA: *Sounds as though you are still spending a lot of time saving the Bay.*

S.McL.: Meetings all the time. Our interest is still high, and we'll always remain involved. □

Lessons of an Urban Bay

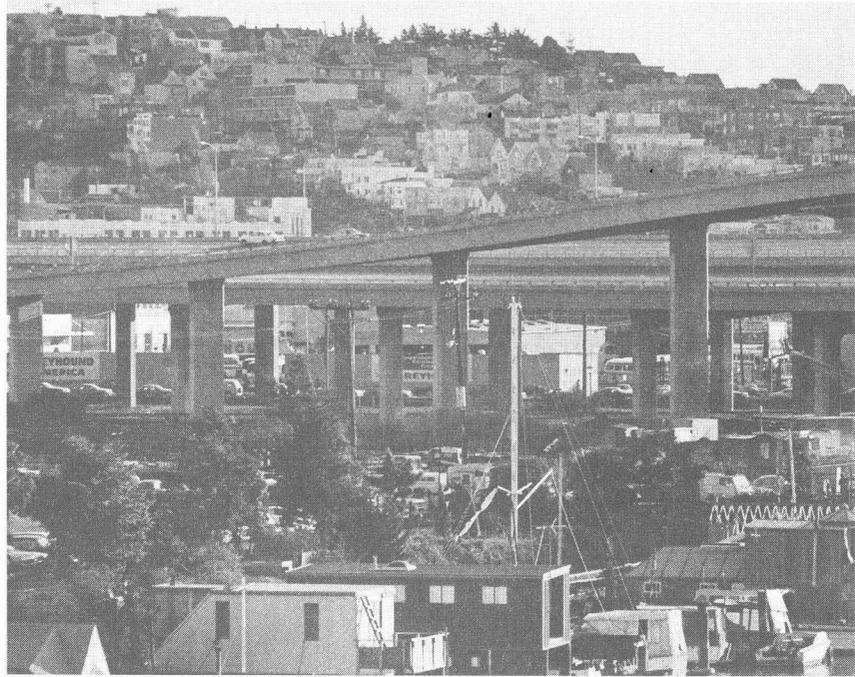
Vanished Waters, A History of San Francisco's Mission Bay, by Nancy Olmsted. *The Mission Creek Conservancy*, 1986. \$25 hb, \$15 pb; 70 pp.

You're the project manager for Southern Pacific's Mission Bay Project, a 200-acre waterfront *tabula rasa* for a new town in one of the most wonderful waterfront cities in the world, San Francisco. What do you do? The first thing you *should* do is read *Vanished Waters*. This wonderful, genteel little book is full of clues for waterfront planners and advocates.

Beautifully illustrated and charged both with facts and eloquent prose, Nancy Olmsted's history of Mission Bay is published (with funds from the San Francisco Foundation) by the Mission Creek Conservancy, a small coalition of some 50 houseboat owners and friends, the group that would be engulfed by the vast planned development. But this history is no political diatribe; it is a eulogy to lively working waterfronts, a panegyric for a shoreline and a bay that has vanished under concrete and railroad tracks.

Olmsted traces the natural and social ecology of this small bay between San Francisco's downtown high-rises and its port, through Spanish colonization, landfill, and port and railroad development to its current position on the brink of a change as complete as its previous metamorphosis, which took 200 years.

The changes in Mission Bay reflect major changes in California's urban history and waterfront development. Olmsted deftly takes the reader through, pausing occasionally to describe "the 260 acres of shallow seawater spread out to receive the sun like a great floating greenhouse," wading confidently through the legalistic mud of tidelands settlements, riding the heady tides of the Gold Rush and the excited tones of 19th century muckraker journalism.



Vanished Waters is important not just as a historical document but also for the quality of ideas, often subtle, we can pull from its pages and insert into plans—for this urban waterfront and perhaps also for others.

Mission Bay

We learn from this history that men and boys used to come from other parts of San Francisco to row and swim on the southern waterfront at Long Bridge, taking advantage of the calmer, warmer waters that this area enjoys, sheltered from the blasts of wind and water coming through the Golden Gate. Boathouses and saltwater bathhouses extended out over the water.

We are reminded of the 19th century tradition of commercial public gardens. At an establishment called the Willows, "dances were held in the outdoor pavilion and the willow trees offered pleasant seclusion for outdoor dining." San Francisco is a city of microclimates. Development at Mission Bay and the southern waterfront can take advantage of more days of "California weather."

The city planning director's proposal for a linear park may have forestalled the prospect of a container-shipping wasteland here. But another possibility is evoked by photographs of Mission Bay's shipyards

and Olmsted's reflection that "materials and craftsmen and the 'master builder' were really what constituted a shipyard." Perhaps the way to repopulate the new shoreline of Mission Bay is not just with parks but also with boat building and repair yards to service the demand for recreational



marinas elsewhere on the Bay. A small community of live-aboards and houseboats might also be provided for those who work in the crafts of boat maintenance.

Any proposals for wetland restoration in Mission Bay will be a pale reflection of the 560 acres of lagoon and salt marsh described in this book.

Southern Pacific's original proposals called for hard edge lagoons. Small wetlands may, instead, be built in, as "mitigation," as a historical reminder, and as a place for children who don't enjoy linear parks.

Mission Bay will never return to what it once was, but with inspired planning, it can have qualities of its former life. This volume will nourish the imagination.

—Peter S. Brand

Vanished Waters is available from the Mission Creek Conservancy, 300 Channel Street #21, San Francisco, CA 94107.

Peter S. Brand is a project manager for the Coastal Conservancy working primarily on urban waterfront and community participation projects.

Pier Pleasures

Fishing Piers: What Cities Can Do, by Ann Breen and Dick Rigby. *The Waterfront Press*, 1986. \$19.95, 76 pp.

This is a useful introductory guide to the development and design of recreational fishing piers. The authors describe a wide variety of these important community facilities, many of them along the California

coast. Indeed, by only touching the surface of what is available in this state, it suggests how richly endowed its citizens are in pier pleasures.

Ann Breen and Dick Rigby document that recreational piers "add a significant dimension to almost any urban setting: be it industrial, as in Oakland; commercial-residential, as in Edmonds [Washington]; tourist-oriented, as in Ft. Lauderdale [Florida]; or in the heart of a great city, such as Chicago." They demonstrate that most such piers serve as focal points for many public recreational activities in addition to fishing. And they outline most of the major issues and concerns that must be addressed in planning for new, improved, or expanded recreational fishing facilities.

As the dozens of examples along the California coastline demonstrate, piers become important public spaces and significant community assets, enhancing access to and use of waterfront and shoreline areas.

Readers should note that information on pier cost is inaccurate in the light of recent experience in constructing and redeveloping piers in California. In the past five years, piers along the state's coast have had cost estimates and final prices ranging from about \$1 million to more than \$5 million each.

Because of cost and physical considerations, successful pier development projects require strong local sponsorship, active intergovernmental coordination, and well-developed plans for funding, construction, operation, and maintenance.

As this report published by the Washington-based Waterfront Press describes, there is in California a strong commitment of state funding and technical assistance for recreational pier development. Both the State Coastal Conservancy and the Wildlife Conservation Board fund such development.

—Marc Beyeler

Marc Beyeler is manager of the State Coastal Conservancy's Urban Waterfronts Program.

A comprehensive list of coastal piers and current information on all coastal public recreational piers in California is available by request from the Conservancy's Urban Waterfronts Program.

On Natural Values

Philosophy Gone Wild, by Holmes Rolston III. Prometheus Press, 1986. \$19.95, 269 pp.

Holmes Rolston III posits that natural things possess value and are morally considerable in their own right, apart from the fact that people appreciate them or find them useful. This is a scholarly volume, a collection of 15 previously published essays. The author is professor of philosophy at Colorado State University and associate editor of the quarterly *Environmental Ethics*. But it is his work as a field naturalist that informs this work.

In perhaps the best known of his essays, "Is There An Environmental Ethic?" Rolston discusses the theory and moral principles that give rise to ecological laws. One such law holds that an ecosystem either stabilizes at a finite carrying capacity or is destroyed. A duty under this law, then, is to stabilize, or do no violence to, ecosystems. In another section, Rolston, acknowledging the difficulty of assigning something as subjective and ideal as a value to nature, develops concepts of values: economic, recreational, and aesthetic values, values of diversity and unity, the value of life, and values that are sacramental.

In "Values Gone Wild: Nature and Culture," he discusses the historical imperative to "master" nature: "Only about 2 percent of the contiguous United States remains wilderness; 98 percent is farmed, grazed, hunted over, dwelt upon, paved, or otherwise possessed. Not to put the remaining wildlands to use seems un-American. It is as though a football team were to carry the ball 98 yards and walk off the field . . . To have islands of wildness deliberately in a sea of culture seems to let values go wild, out of our disciplined control. . . . That is why calling everything a resource seems so comfortable logically and psychologically." In later sections, he writes thoughtfully of his own experiences in the wilderness.

Readers with backgrounds in philosophy, botany, and geology will find it easier to read *Philosophy Gone Wild* than those without them, since the essays often rely

on the conventions and technical terms of those disciplines. Chapters are well annotated, and the analyses bring together principled intellectual reasoning and personal experience to develop an environmental ethic.

—Susan Connell

Susan Connell is a faculty member in the Center for Interdisciplinary Science, San Francisco State University, where she is also the editor of the journal of the School of Science.

A Need Unfilled

Coastal Recreation in California, by Michael Heiman. Institute of Governmental Studies, University of California, Berkeley, 1986. \$7.75, 170 pp.

"Where's the Beach?" was one of the slogans most persuasive to the California voters in 1972, when they overwhelmingly passed the coastal protection initiative. They feared that access to the state's beaches and recreational opportunities would be lost, buried under high-rise towers, stained by oil and sewage, and fenced off by private locked-gate subdivisions. This book attempts to describe what Californians feared to lose.

A book on this subject is badly needed. Unfortunately, this one does not fill the need. Michael Heiman deals with coastal access and recreation, with the function of the agencies involved, and with recreation management. He presents an enormous amount of information on these subjects. He



has obviously undertaken extensive research. One wishes, however, that a greater (or at least more successful) effort had been made to organize and analyze. One has the impression of reading raw material assembled for a dissertation rather than a finished work.

For example, in Chapter III, "On Providing for Coastal Recreation: Local, State and Federal Roles," there is a list of the activities of several agencies involved in coastal restoration. But there is no evaluation of their significance. Throughout, interpretation is grievously lacking.

A sample from Page 64 gives an idea of the whole:

Fishing is permitted but carefully regulated at San Diego-La Jolla Ecological Reserve, encompassing a mile of ocean frontage plus submerged lands. The reserve is owned by the City of San Diego, and managed under a license from the city. The Santa Cruz Long-toed Salamander Ecological Reserve, established in two separate units in 1974, has some of the most stringent reserve access restrictions. It is fenced and posted to protect a rare and endangered species.

This flood of information flows relentlessly. The important issue of value is poorly dealt with, for the author's definition of the coast's economic value appears too limited. Far more needs to be considered than the sums spent on recreation.

Books have many uses. They can entertain, inform, or be used for reference. This book's use is hard to determine. It is certainly not entertaining. The extensive table of contents implies that it could be a reference work. If it were intended for planners, the plethora of minutiae might be justified. But even so, the structure would require radical adjustment.

What this volume does achieve is to provide raw material for the one that should still be written, demonstrating the value of the coast as a recreational resource.

—Joseph E. Petrillo

Joseph E. Petrillo, an attorney in private practice, was the executive officer of the State Coastal Conservancy for its first nine years.

Continued from Page 2

the California State Coastal Conservancy, a government agency, now works with more than 40 nonprofits.

All this activity shows that a quiet but increasingly vocal public concern is emerging that natural resources and their ecosystems, which form the biological basis of life on this planet, are increasingly at risk because of unwise human intervention; and that the time to act is now.

Just as we have an obligation to maintain the continuity of our history and culture into the future, we are also obligated to clean up the environmental mess we have created as a byproduct of technological and economic development, and to point the direction toward a way of life that is not self-destructive. Indeed, let us not mortgage our children's future. □

Mystery Photo

So you think you know your waterfront art? This famous monument, now 100 years old (that's a hint) is located in one of the world's most exciting cities. Name both, and you win a year's subscription to Waterfront Age—absolutely free. Answer next issue.

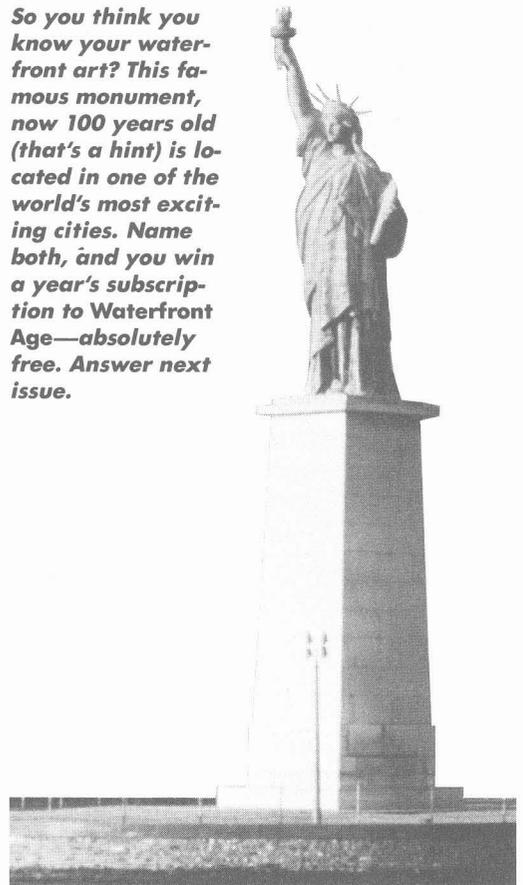


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Correction

Because of a typographical error, the word "none" appeared as "more" on page 23, column 2, line 27, of the article by Jim Burns, "Visions of a Vital Waterfront," in the Spring issue of *Waterfront Age*. The correct version is: "Piers 1-1½, north of the Ferry Building, are the potential site of a multi-use development, none of which appears to be maritime. . . ."

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