

Pools

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opments covering about 150 acres in the San Miguel Avenue area in northwest Santa Rosa. The Corps studied the projects for eight months before giving the green light to the "sweat equity" Burbank Housing Development and three others in December. The four other sites are still under study.

■ A 500-home subdivision in Windsor that had received the go-ahead from the county before the Army Corps of Engineers stepped in and required that 2.5 acres of vernal pools either be preserved or replaced before development. Negotiations are now underway to determine where the preserve should be located.

■ Expansion of the Sonoma County sewage treatment plant near the airport, where the Corps identified seasonal wetlands at the site of a storage pond and, after eight months, issued a permit under the proviso the county create replacement wetlands.

Ironically, the Corps may not have been tough enough. The Environmental Protection Agency has

asked the Corps to rethink its approval of some of the San Miguel properties and to require developers to create new vernal pool areas to replace those that are lost.

North Coast Building Exchange's Robert Harder said a lot of builders were shocked by the Corps' entry into the development scene.

"The Army Corps has gone from deep water oceans to harbors to navigable rivers and gradually smaller creeks. Finally they've ended up in the middle of the field," he said.

The Corps ended up in fields because it has jurisdiction over waterways used for interstate commerce and the waters that feed into them. This includes wetlands, of which vernal pools are one variety.

Migrating birds, which cross state lines, meet the definition of interstate commerce, according to federal law.

Only in recent years, however, has the Corps taken full advantage of its power to preserve habitat. Corps attorney John Eft explained the emphasis mirrors rising national concern over loss of natural resources.

Sonoma County residents began alerting the federal engineers to vernal ponds and other wetlands in about late 1987, according to politi-

cal observers.

Sometimes the Corps gets applications from developers, but in many cases, the agency responds to concerns from neighbors or environmentalists.

Harder insists the Corps is a boon to the anti-growth faction.

"There's a feeling by some that houses need to be stopped, based on whatever you can come up with... If it looks like the development is going to go, people say 'better call the Corps out.'"

While he says he understands concerns about habitats where rare plants live, he said with a laugh, "when you get down to a depression in a field, that's a little ridiculous."

Biologists, on the other hand, say those depressions are habitats for a variety of plants, animals, water creatures and migrating birds that get closer to becoming endangered every time a vernal pool is drained or paved over.

"Even the most greedy developer probably has a twang of sympathy when he sees a television program about a clear-cut forest in the Amazon. The situation isn't much different with vernal pools, but there's a double standard when the issue is right next door," said biologist Marco Waaland.

Waaland is mapping for the county of Sonoma vernal pools with rare flowers in portions of the Santa Rosa plain. He described vernal pools as home for a number of species that are "pushed to the brink of extinction."

"People have to give a little. There's not a lot out there," he said.

A vernal pool is a depression in a rolling or level terrain that holds water because of a unique under layer of hardpan soil — often clay — that fills in the wintertime, creating a special environment for spring vegetation. They can be a few feet or an acre in diameter.

In Sonoma County, vernal pools play host to three kinds of rare plants, including the Sebastopol Meadow Foam that has been identified as producing the same precious oil as that found in sperm whales, said Waaland.

Under a state Department of Fish and Game grant administered by the county, Waaland is mapping vernal pools where the rare plants are found on the Santa Rosa plain.

But he said that accounts for only about 10 percent of the county's vernal pools and he believes efforts should be made to protect the other 90 percent, including those where rare plants haven't been identified.

They support diverse populations specially adapted to the changing ecosystem.

"The migrating birds need these resting stops on their flights," Waaland added. And, he said, each vernal pool serves as a mini-dam, offering flood control relief for the

Russian River.

Many people are critical of the Corps' blanket protection of vernal pools. Among them are Harder and Sonoma County planner Richard Lehtinen.

"At the local level, we're sensitive to rare plants, but not necessarily to standing water," said Lehtinen.

Lehtinen is overseeing a county report on vernal pools, still uncompleted, that will include Waaland's research.

He believes the Corps' approach has been "overkill." In situations like the one in Windsor where a project was approved before the Corps became involved, the current process "tends to undermine the local jurisdiction."

"The problem is the Corps doesn't know when to exert its power," he said. "One problem is they're working with 15 counties and have a staff of five," he added.

John Lowry, project manager for the Burbank development, said the

delays mean setbacks for families who might have started building their homes this year if the permit had come sooner.

"I feel it's destructive to address environmental concerns in a crisis mode," he said.

The Burbank site, along with neighboring properties, has come under scrutiny again, this time with the Environmental Protection Agency urging another look at the property by the Corps.

California Department of Fish and Game biologist Carl Wilcox believes it's up to the cities and counties to come up with policies to protect vernal pools that would involve the Corps in planning ahead.

"We're trying to develop a uniform policy for addressing these issues," he said.

He is urging urged local government officials and developers to view vernal pools as a unique feature to be preserved and showcased.