



Nature Collective

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San Elijo Lagoon

*A history of San Elijo Alliance**

By Ray and R. G. Jenco Patterson

The official names of the pioneering organizations that saved San Elijo Lagoon are **San Elijo Alliance and **San Elijo Lagoon Foundation**. In the oral history they are referred to in shorter or expanded references.*

Sometimes, for the sake of a place and the plants and animals that live there, people undertake a struggle even if it is against the odds. The value of what the place is becomes something worth fighting for. San Elijo Lagoon is one of those places.

Located in the mild climate of Southern California where Escondido Creek meets the ocean, it is an essential part of the ecosystem and home to several endangered species. For thousands of years human beings coexisted with the lagoon. Then, in the late 1800s, new settlers interrupted that balance and made the first major impacts. A railroad was constructed that linked San Diego with the East. It was built on a raised land berm connected by bridges and spanned the lagoon's mouth. Land speculators dammed Escondido Creek to form Lake Wohlford and diverted water headed to the lagoon to agriculture and residential uses. Over time other major impacts took place. The Coast Highway and Highway 101 were built on two additional berms across the lagoon's mouth. Drought, the filling in of the lagoon's outlets, the building of Interstate 5 on another berm across the lagoon, and the dumping of sewage effluent into the lagoon affected plant and animal life. By the 1960s, the lagoon had become a place sought after for development. Values finally collided. Local residents and scientists, who saw the lagoon as an important habitat for endangered birds and fish, squared off against land speculators who saw the land as an economic opportunity.



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Nearly forty years after the beginning of that struggle, the lagoon still exists and still provides a habitat for birds, fish and other wildlife. The efforts of those early activists, who wrote letters and attended meetings, who lobbied politicians, who collected scientific data, who provided financial support and who gave up time with their friends and families, saved San Elijo Lagoon.

On September 9, 2001, a cool, sunny Sunday afternoon, visitors gathered on the lawn near the rose garden at a home in Rancho Santa Fe. The event was organized by Nature Collective (formerly San Elijo Conservancy) to honor the Pioneer Protectors of San Elijo Lagoon: members and friends of San Elijo Alliance and San Elijo Lagoon Foundation who fought for, saved, and established the foundation for the lagoon's continuing preservation.

Aerial photos and architectural renderings displayed showed visual glimpses of the lagoon's history. One map outlined what the lagoon might have become if a proposed theme park had been built. High above the gathering, an osprey looked down from its perch nearby in a grove that serves as a heron and egret rookery.

As Nature Collective's Secretary, Jim McCall, helped organize the event. He was impressed by the activism and the early years of struggle that sustained the lagoon's preservation. "We didn't know them very well," McCall said of members of the San Elijo Alliance and San Elijo Lagoon Foundation, the predecessors of Nature Collective. "They were sort of in the mist. They seemed to have disappeared about the time we (Nature Collective) got started. Many of those people who were at the event we had in September were new to us. I mean new in the sense that we didn't know their connection. For example, we never knew that Neil Morgan (columnist for the San Diego Union Tribune) wrote all those columns about the lagoon."

McCall had met Tom Clotfelter, Eric Lodge and Scott Englehorn, but other volunteers who were a part of the Alliance were unknown

"I never met any of them until we got started on this project," McCall said. "I heard these names before, but I never met any of them. I did develop some relationships that were vital for us to maintain our continuity."

Efforts of the volunteers of the San Elijo Alliance and San Elijo Lagoon Foundation connect the past preservation with the present and future preservation of the lagoon.

Today the future of San Elijo Lagoon looks bright; however, it's future wasn't always bright.

In 1960, a syndicate of investors purchased 10 lots from the former San Dieguito Irrigation District for \$750. As time progressed, land developers Mayfair Development Company, and later Dome Ltd., planned to develop the area. By 1964 the proposed marina and residential development, which had been increased from its initial proposed size, was presented to the County Planning Commission. The commission voted to rezone 319 acres in the lagoon and

approved the project. However, in 1965, the estimated \$85 million project was stopped by the U.S. Army Corps of Engineers. The permit to dredge a channel from the lagoon to the ocean was held in abeyance because of the presence of two reefs offshore.

"I think it was 1963 or '64," recalled Pete Schroeder, one of the early activists. "San Diego County invited Dome Limited (a land development company) down to take a look at the lagoon and try for an economic stimulus package. That process went along fairly slowly, surprisingly enough."

"About 1967, '68 or '69, along in there, the County was at the point where they needed some public input before they destroyed this lagoon," Schroeder said. "They had progressed enough to where they had a map that showed a typical kind of marina – a development in there (the middle of the basin) with houses and boat docks –about 750 residences in the lagoon around the edges. With that much done, the County appointed an advisory committee for the San Elijo Lagoon. M. A. (Mary Ann) Nofflett and Carole Bailey had been involved with the county for a lot longer than I had been. When I found out about the potential residential development of the basin, I became very concerned. I really was fond of the place."

"I had a practice on the west side of Highway 101," Schroeder said. "Starting in '66, I drove around the lagoon on all my calls and I loved seeing the great herons, avocets, all the waterfowl and all the shore birds."

He credits his partner, David Martin, for maintaining the practice during the time he spent lobbying for the lagoon. In addition to his veterinary practice, Schroeder also worked at SeaWorld and for the Physiological Research Laboratory at Scripps Institution of Oceanography. In 1981, he moved to Hawaii to work with the Navy on marine mammal projects. Schroeder retired in 1991 and moved to Sequim, Washington where he continues to work as a consultant on marine mammal projects and still works on environmental issues.

As Schroeder reminisced about the lagoon, he recalled how he became involved with the county's advisory committee along with others who were concerned with the lagoon's future and how he got a place on the committee.

"I had gotten on the board of the San Dieguito Boys and Girls Club," he said. "There was a fellow there named Al Kern. He was with Lomas Santa Fe (a land development company). He was appointed as a delegate to that advisory committee. I asked him if it was all right if I was his alternate. He said that would be fine. I knew Al was going to be too busy to go to the meetings."

On the committee Schroeder, Bailey and Nofflett pursued a common goal.

"We formed a minority report from the advisory committee to the supervisors," Schroeder said. "The minority report raised all the environmental issues and leaned on Dr. Jack Bradshaw's biological report."

The group realized more action beyond the work of the advisory committee needed to be taken. "The members of the committee interested in preserving the lagoon formed the Alliance," Schroeder said. "From that advisory group came the nucleus, you might say, of the San Elijo Alliance, which was Eric Lodge, myself, M.A. Nofflett and Carole Bailey. Quickly joining us were Bob Small and Tom Clotfelter. Each one of these people brought a unique element that was necessary at the time. Clotfelter was in Rancho Santa Fe," Schroeder continued, "and he brought brains and a lot of financial and public support. The Rancho Santa Fe folks realized what a treasure they had just to the west of them and running through their community up the creek to Escondido."

Tom Clotfelter was born and grew up in Rancho Santa Fe. His parents, Reginald and Connie Clotfelter came to the area in 1931. His father worked for the Santa Fe Land and Improvement Company. His mother became the local historian. In her book, Echoes of Rancho Santa Fe, she chronicled life in Rancho Santa Fe through a collection of essays and photos.

The lagoon has been a part of Clotfelter's life for more than 60 years.

"I rode the school bus from 7th grade through high school," Clotfelter said. "The bus went right by the lagoon. For every day of my school life, I saw the lagoon."

Among the things Clotfelter saw were the boats that went out to the ocean through the lagoon's entrance.

"They went out on their daily fishing or lobstering, right out through the lagoon's mouth," Clotfelter said. "One of those guys had a fish market in Encinitas and he went out in his boat every day and tended to his business."

Clotfelter graduated from Stanford University and returned to Rancho Santa Fe in 1962. He became involved in the Alliance after he was lobbied by activists who were concerned about the impacts of developments proposed for the area.

"I was aware of it because Schroeder was a friend of mine," he said. "I joined in. I talked to Mary Carol Isaacs. It (the Alliance) needed work and that is what we did."

Another early champion of the lagoon, Carole Bailey, looked back on the earliest days of the San Elijo Alliance from her home in Orange County where she has lived since 1973.

"My memory is that as a member of the League of Women Voters, and I may have been president at the time, we had a national item on water quality. The League couldn't take action on things unless they had a position on something. So several of us in the League who wanted to save the San Elijo Lagoon, all the lagoons, thought the best thing was to have a separate organization to deal with lagoon issues."

Bailey was living in Cardiff by the Sea when the San Elijo Alliance began. She recalled her personal interest in preservation of the lagoons and her work with M.A. Nofflett.

In addition to meetings in the kitchen at Nofflett's house, Bailey recalled attending larger group meetings.

"My memory is that we met at St. Andrew's Episcopal Church in Encinitas," Bailey said. "M.A. was a member of that church. I don't know if she went, but she was a member and she knew the reverend. That is what my memory says, but I'm getting senior moments," Bailey said with a chuckle. At 69, Bailey has retired from office administration in public schools, but continues to work as a consultant for several school districts.

Bailey recounted how the meetings helped the Alliance take shape.

"We had strategy meetings," Bailey said as she remembered the meetings as blueprints used to approach the supervisors.

"I lived down at the County Supervisors," Bailey recalled. "When I would go down there, I wasn't the only one. We were all very professional about what we did and we were very, very good. We organized it and we made speeches and we got our facts behind us."

Bailey said some of the battles over development were concurrent with the effort to save the lagoon.

"We fought every one of those condo developments on the bluffs in Solana Beach, saying those bluffs are going to crumble -they will not support the weight of those buildings," Bailey recalled. "And now they've crumbled and they are trying to keep the buildings safe the last time I heard. We did things like that, but we had experts in the Alliance like the people at Scripps (Institution of Oceanography.) They knew about water. I learned about the along shore transport of sand, which I never knew anything about before. Anyway, we went down probably every time they had something going on at the Board of Supervisors related to the coastline from La Jolla to Oceanside. There was always an issue to be dealt with. We would rally the troops to go to those meetings."

Recalling how the struggles unfolded she recounted some of the thinking in the early years of the Alliance.

"Some of the people didn't want to compromise," she said. "The compromise was to put some dense condo units on the north side of the lagoon. I haven't been down there in a while, but the first condo unit that went in there was dense. That was a trade off. We said, 'You've got to be realistic; you can't just keep it pristine forever and not let housing in there.'"

Although the stakes were high, with developers eyeing huge profits, Bailey said the meetings with the Board of Supervisors were civil.

"They were very polite and we were very polite," Bailey said. "When they knew we were coming down, they (the supervisors) always brought people down from the planning department so they would be able to hear what we said."

As she looks back Bailey recalled that Alliance members had a quiet confidence that their efforts would be successful.

"I think we were always hopeful," Bailey said. "It was an uphill battle. I mean every week there was something new. If it wasn't another condo on the bluff, it was relocating the Coast Highway. There were just lots and lots and lots of things that were happening along the coastline at that time."

One project Bailey recalled threatened the lagoons and attracted the attention of Alliance members.

"The people from La Costa wanted to put a freeway from La Costa down to the beach," Bailey said. "They wanted to move the Coast Highway next to the railroad tracks and make the beach go all the way up to the railroad tracks. They bought that trailer court there on the north end of Solana Beach."

The Alliance opposed the proposal.

Bailey remembered the concerns she had about opposing the group from La Costa which was purported to have had Mafia connections.

"The Mafia is pretty tough," she said. "They have a lot of money. I had lived in Las Vegas and I had a friend who knew who was what," Bailey said. "I called him and said, 'Are we safe doing this?'"

Bailey noted that though the plans seemed quite grandiose, at that time they were well within the realm of possibility.

"M. A. (Nofflett) or Noel Myers and I went down to the county and checked the ownership records," she said. "The Teamsters were the owners of a lot of that land. They didn't build a freeway from La Costa down to the beach. They didn't relocate the coast road, so I think we were effective."

Even as the Alliance enjoyed successes, the group spent many hours writing letters, making phone calls and attending meetings as they tried to raise interest in their efforts.

"We sometimes got up a petition, walked our neighborhoods and tried to get people to sign it," Bailey said. "People, you know, live their everyday lives. They don't go to the poles. They're just not interested. Oh my, we were distressed that people were not interested because



we were so interested."

Bailey attributes the success of the Alliance to the diversity of the people who worked for a common goal -preservation of the lagoon.

"That's why it was so interesting and so effective," Bailey said of the Alliance, "because we didn't just have a monolithic organization. There were so many interests. You know, we all wanted to work together for a common cause. We were, I think, all in our 30s and 40s." Bailey recalled an early rally in support of saving the lagoon.

"We had a walk through the San Elijo Lagoon one Sunday," Bailey said. "We had about 200 people show up. The photographer from the Coast Dispatch newspaper took photographs. We were in the (San Diego) Union (newspaper). That got people more aware of the lagoon." Bailey recalled that people would support the Alliance and then become involved with other issues in the area.

"There was an old man in Solana Beach," Bailey said. "He was the oldest one in the group. He did everything. Then they formed the Solana Beach group specifically to save the bluffs."

The person Bailey recalled was Alfred Cochrane, who died in 1989 at age 94.

Cochrane's daughter, Nora Cochrane, recalled how her father became involved in the Alliance. "Gemma Parks got him interested," Nora said. "I met her way back when her daughter was just six months old. She was very ecology minded and was very interested in recycling -teaching how to do art projects and things out of recycled stuff."

Cochrane recalled that her father joined the Alliance; he quickly found a niche.

"He was a great letter writer," she said. "That was his favorite thing to do. He also went down a lot to the Board of Supervisors. He went down practically every week for one thing or another," she said of his efforts. "He was also one of the people to fight against the buildings on top of the bluffs where the old dahlia fields used to be," Nora said.

She noted that her father decided to get involved with the preservation effort after he had retired.

"He was never a man to sit back on his haunches," she said. "He was a great animal and nature lover. He never walked out in nature much, but he was a great believer that without nature we also would probably be eradicated sooner or later."

Alfred Cochrane had no patience or tolerance for inept or corrupt politicians.

"He was very vocal about politicians when they didn't do things in the right way and they didn't do them for the right purposes," she said. "He believed that area planning should be done



intelligently."

Nora Cochrane applauded efforts of Alliance members.

"The people that saved the lagoon – God bless them every day – because if they hadn't, they probably would have put a Disneyland in the lagoon like they wanted to do with the Batiquitos Lagoon."

Like Cochrane and others in the Alliance, Bailey looked back on the effort as well worth the time and sacrifices. Although she did not follow much of the work of the San Elijo Alliance after she left the area in 1973, she still savors the triumphs she and her successors have had. "Well, you don't see houses in the middle of the lagoon or an aquatic park," she said. "Oh my goodness, I don't regret one minute that I put into all that effort. My kids may not have eaten as many home cooked meals as other kids did because mamma was writing something or was on the phone or was at a county supervisors' meeting. I think it was worth it."

As the San Elijo Alliance began to take shape, Schroeder was enlisted to be spokesperson and president.

"He was a very active, interested person who was very, very knowledgeable about all the coastal issues and he was one of the good guys," Bailey said.

Schroeder recalled how he became the president of the Alliance and how M.A. Nofflett picked him.

"She basically got the thing organized and started up," Schroeder said. "She and Carole Bailey convinced me to be president and they got Eric involved. By that time they needed a pretty face to talk to the supervisors; somebody that could think on his feet."

Schroeder recalled the role Nofflett and Bailey had in mind for him.

"They wanted someone who wasn't bashful about going down there and speaking up, Schroeder said." They said, 'You don't have to do anything, Pete, just go down there and tell them what we tell you to tell them'. They knew how government worked. M.A. and Carole, they were really unique. They are as responsible as anybody," Schroeder said as he credited them for much of the early success of the San Elijo Alliance.

A lot of the Alliance's early work involved attending a number of meetings and representing the group's goals.

"Pete did all the talking," Clotfelter recalled.

The file of roughly scratched notes on speaker cards and other bits of paper show that Schroeder quickly mastered the art of persuasion at county meetings and in other settings. He recalled some

of the Alliance's adversaries. One person, a lawyer and primary in the Dome Ltd. project, owned several tracts of land near the mouth of the lagoon.

"Berman Swartz was a tough nut," Schroeder said as recalled the landowner. Swartz, however, approached the Alliance in the '80s and offered five parcels of land that he held next to the lagoon.

Another person Schroeder remembered as an adversary of the Alliance was Allen Jaffe. "Allen Jaffe was the developer that developed that project on the east side of the freeway on the north side of the lagoon. Up on top, if you notice, there is a kind of knob. My friends, at one time, called it Schroeder's knob because we really went to the trenches on that one. They wanted to level that off. It would have given them maybe two or three more home sites. Also, they wanted a road down to the lagoon. That was a place where we (the Alliance) stood firm and said, 'You've got to leave that peak and forget about that road and get access from other places like everybody else does. Jaffe didn't like us at all.'"

The small group grew as people became interested in saving the lagoon.

"We got Eric (Lodge), a young lawyer [with] one or two years in practice, who was anxious to do environmental law and pro bono work," Schroeder said.

Lodge, who graduated from the University of Southern California with a law degree, recalled how he became interested in the lagoon.

"In those days you could see that there was going to be tremendous growth in North County," Lodge said. "I was hoping that I could maintain some areas of wildness." Today Lodge, 58, has his own law practice in Carlsbad.

"When I started to practice there was no such thing as environmental law," Lodge said. "The law firm I was with didn't see it as a separate area that could be productive. That's really ironic because now environmental law is a big deal."

Lodge became aware of the Alliance after he had received a note from the San Diego Bar Association that mentioned the need for lawyers for the new field called environmental law. A fellow lawyer, Howard Wiggins, had been contacted by the Alliance to help save the lagoon. Wiggins suggested that Lodge take on the challenge. Lodge volunteered his legal services.

"If litigation was going to be required, it was good to have a lawyer around," he said of his work with the Alliance. "Just as much, it was to help understand the county ordinances and statutes that governed land use."

Jack Bradshaw, who gathered much of the scientific data to support saving the lagoon, noted that Lodge contributed much to the effort.

"What we needed was a lawyer and he fit the bill," Bradshaw said. "I think from that point on it (the Alliance) became more stable. The group did. We had enough money from donations and memberships to maintain it."

One of Lodge's first efforts was to help the San Elijo Alliance incorporate.

"We formed a board and went out to get members," Schroeder said. "I was president from about '71 to '79."

Schroeder's wife, Carolyn, became interested in San Elijo Lagoon not long after their marriage in 1974.

"If you take a look at the board, there were a certain number of people who were interested in aesthetics and a certain number of people who were interested in the science," Schroeder said. "The science came with Peta Mudie and Jack Bradshaw. I had both interests and I walked pretty much in both communities."

The studies conducted by Bradshaw and Mudie provided the scientific data to support the concept that the lagoons provided much more than just esthetic value. At age 73, John (Jack) Bradshaw recalled his work and how he became involved with saving the lagoon.

Bradshaw graduated from San Diego State College (now San Diego State University) and went to work at the Scripps Institution of Oceanography in 1958. He remained at Scripps until 1965 when he began a teaching career at the University of San Diego that lasted 25 years. While teaching a course on the county's ecology, Bradshaw became directly involved with studying the changing environment of lagoons.

In the mid '60s Bradshaw studied the marshes in Mission Bay and watched the changes that took place at Los Penãsquitos Lagoon. He recalled that heavy rains in 1966 washed away the sand bars that had built up and closed the mouth of the lagoon.

"Before this time it was pretty stagnant," Bradshaw said. "A lot of plants and animals had died -especially animals. This interested me; to see it opened like that."

Bradshaw decided to see what could be done to keep the lagoon open to the sea.

"Dick Rypinski, a friend of mine, and I went to the Torrey Pines State Park to see if something could be done to keep the (Los Penãsquitos) lagoon open like that," Bradshaw said. "They were interested in the value of the marshland down there and they got a small grant for us to study the lagoon. It was a \$1,000 grant which doesn't sound like very much nowadays, but it was a lot for us then," Bradshaw recalled.

"We had Peta Mudie, a botanist, and Don Marsh, an artist," Bradshaw said. "We became very interested in Los Penãsquitos Lagoon, so it seemed natural for us for us to begin looking at the

other San Diego County lagoons. About this time, which was 1967, the California Water Control Board authorized a study of water quality in San Elijo Lagoon. Peta Mudie and I did some studies in there as consultants for them. The outcome of our study was that the Water Quality Control Board issued a cease and desist order against the City of Escondido requesting a halt to the discharge of sewage effluent."

Bradshaw chronicled the work in a document titled: "An Ecologist's View of Early Studies of San Diego County Lagoons."

He wrote: "This began a conflicting series of events that were hailed by some as ecologically beneficial and by others as equally deleterious. We wanted to see water in there and we didn't care if it was polluted or not -at the time anyway."

As the battle began over the development of the lagoon Bradshaw continued: "In 1968 an even more serious potential danger loomed in front of us. At this time Dome Ltd., together with a Hawaiian fruit company, proposed conversion of the lagoon into an artificial, non-tidal salt water lake which would contain about 163 housing units (a number that would increase with time) that would be built on fingers of land fill. We all got together and went to the County Board of Supervisors and pleaded that they would deny the proposed project. It was about this time that the San Elijo Alliance was created – born during this long struggle."

Bradshaw recalled how he challenged the proposed project by citing negative impacts on the environment.

"I remember there was a professor in Ecology from UCSD (University of California, San Diego)," Bradshaw said. "We went down and talked about how bad this salt water lake would be. It would become polluted."

The lagoon studies confirmed the observations.

"We wanted to see them (lagoons) open," Bradshaw said. "When that happens you get snails, clams and a lot of interesting marine life in there. Being an oceanographer, that seemed to me to be a desirable thing."

Although drought and a lack of water coming down Escondido Creek had closed the ocean entrance to San Elijo Lagoon in the 1950s and early 60s, Bradshaw found that it, like Los Peñasquitos Lagoon, could remain open.

"It was more of a narrow, twisting entrance, but it did stay open from time to time," Bradshaw said of San Elijo Lagoon "During winter time, generally, was when it would open, when you would have big floods"

To amplify the significance of his scientific studies, Bradshaw made presentations to the county.



"We would go down to these hearings," Bradshaw said. "There were quite a few hearings before the Board of Supervisors. We would all talk about the use for ducks. These lagoons were on the Pacific Flyway. They were important for ducks, and waterfowl of all kinds, to land on their way south to Mexico and refuel, so to speak."

Bradshaw recalled one exchange at a hearing that demonstrates the differences in thinking then and now.

"I remember, at the Board of Supervisors, mentioning the importance to waterfowl," Bradshaw said. "And one of the members, (Bill Craven), chairman of the board – I guess he was – said, 'what is all that talk about ducks -they don't have property rights.' It seemed like that was the end of it. But you know, eventually the law changed, and now people don't think anything about it do they? They do think that plants and animals have rights."

Looking back Bradshaw acknowledged that the zeal for the cause was tempered by the realities of the time.

"It looked like it was kind of 50-50," he said of the possibility to save the lagoon. "Although we thought maybe we would have to compromise. That seemed reasonable in a way – to compromise if you can't get the whole thing – maybe let them build a little bit up on the tops of the mesas, someplace like that, as long as they weren't down close to the water. I don't think we really had to go that far. We were lucky enough to get it turned down."

Bradshaw recalled some of the feelings he and the other members of the Alliance had even though they knew they were fighting an uphill battle.

"It was a lot of work," he said. "I had a lot more energy in those days. We would go to the meetings at night and talk about what we would propose in front of the Board of Supervisors and that sort of thing."

"There's enthusiasm when you have some sort of a fight," he said. "That happens nowadays too where you have a group of people who are very interested in maintaining some sort of open space. They all go down to public hearings and somehow there is some sort of spirit – you are on the side of God. God is on your side and the enemy is evil and it seems to me that you have a little bit of that idea."

Peta Mudie, who was born in South Africa and received a biology degree from the University of Leicester in England, worked part-time at Scripps Institution of Oceanography when she became involved in the effort to save the local lagoons.

"I am 61 years old now, and when I look back on it, there are a lot of things I think I've wasted time on. But that time spent on those lagoons, I'm just so happy that I did that one right. It's not just me -the way it came together as a community – I mean we also made friends. In retrospect, it



is something that really makes my heart warm to think about having contributed something."

Mudie, who left San Diego to study for a Ph.D. in Canada, took a job with the Canadian Geological Survey to study fossils after she completed her degree. She lives in Nova Scotia.

Although she has been away from San Diego for more than 25 years, she still writes and talks to friends she made while working to save the lagoons.

Mudie credits the community volunteers and activists with really saving San Elijo and the other lagoons. Her first efforts, which focused on Los Penãsquitos Lagoon, were not with a microscope or a typewriter, but with a shovel.

"When the entrance got closed off by the beach bar building up, then a lot of mosquitoes would breed in the lagoon because there was no water movement. When the power and gas people wanted to build a nuclear plant they used this as part of the argument; that it was going to help the community because we wouldn't have mosquitoes. We also knew that it was a very important breeding area for the rail and other birds. We approached the County and the Parks and Recreation people to keep it open using bulldozers. When that didn't happen, we would get down there as a team of people with shovels and the kids would all dig. All you had to do was dig a channel that was just enough to let the head of water from the lagoon start flowing toward the ocean and then the channel would erode itself. We had some significant success on that lagoon after a couple of years of working at it, so we began looking a bit further. San Elijo had the same problem. There was this threat of developers filling it in. The same reasons were being used -mosquitoes. We watched this one and saw it was the same problem. The bridges and the railroad had filled in the natural entrance so it couldn't wander back and forth. If you opened it up, it was fine."

"Part of our argument was that prior to the railroad and the highway these lagoons were naturally flushing. By interviewing people like Tom Clotfelter, who could remember, we could find the old-timers."

The first hand observations of Clotfelter and others validated the recommendations and supported the scientific arguments of Bradshaw and Mudie which reinforced the contention that the rains, which had opened the Los Penãsquitos Lagoon, had returned the lagoons to their more natural state.

Clotfelter has been a keen observer. The argument that the lagoon mouth always closed was dismissed by Clotfelter as a short-range view used by the developers to justify building on relatively dry land. In the past, runoff helped maintain water levels in the lagoon.

"That was before the sewer line was put across diagonally and had a damming effect on the main channel which cut down on the tidal prism," Clotfelter said. "That's the expression that's used for all the water that's collected between the mean low and the mean high tides."



Clotfelter said other factors helped dry out the natural wetland ecosystem. Development and periods of drought have kept water from flowing into the lagoon through the natural smaller channels.

"You can see it from the aerial photography," he said. "What you see is just like the human body. I mean it has these little rivulets at the edge that become larger and feed into the main channel and that's the life of any lagoon. Those finger channels can be seen on the photography. The sediment that occurred over the 15 years that the sewage was dumped in there from Escondido neighbors uphill put in this layer of ooze."

The ooze, Clotfelter has observed, caused the community of plants to change over time. Sycamores began to die off in the lower parts of the lagoon, but their remains can still be observed.

"You don't find a sycamore now in Escondido Creek from the lagoon all the way to the upper gradient area at Lake Val Sereno," he said. He recalled seeing sycamores in areas much closer to the ocean during the 1950s and into the 1960s.

"You can still see some of their snags below La Bajada bridge, and above it some of the dead ones are still visible," Clotfelter said. "They were all the way up the valley to Upper Olivenhain where Escondido Creek stops falling through the gorge and fans out on its alluvial plain. They're dead all the way up the alluvial plain. You get into sycamores where they are getting their feet wet by a fresher flow. In Rancho Santa Fe on our creek called La Orilla, the sycamores are gradually dying out. Around our riding club some of them are suffering."

Clotfelter noted other changes.

"There was a positive change; up stream elements of willow and all that were extended further to the west because they neutralized the salt down Manchester Way to where they stop at the alkali flat," he said.

One addition to the lagoon, due in part to the sediment layer deposited by the sewage and the changes in the runoff were cattails.

"Cattails were never a part of the lagoon because it was a salt marsh," Clotfelter said. "If it was restored to full health, I think they would die back. The nutrient level is laid down and the cattails infiltrate that, so they are being fed by surface water that allows them to survive. Not very far under is the salt."

Visitors to the lagoon can view these changes from the trails that surround the area.

One trail, the Gemma Parks Trail, was named for Alliance member Gemma Parks. Don Parks, 71, said the trail was created in memory of his wife.

"When my wife died in 1988, a lot of people, including former mayor Margaret Schlessinger of Solana Beach, decided something should be done in honor of Gemma after all that she had given to the community through her many years," Parks said.

Parks was asked to join the Alliance by M. A. Nofflett and Pete Schroeder.

"I was the actual board member of the Alliance," Parks said. "My wife was involved as a member. She was also active in many other areas. As a result of her activities in areas of land use planning, the environment and such, she was eventually appointed Planning Commissioner of San Diego County."

Parks, a physicist who came to California in the late 1950s, recalled their efforts from his home in Olivenhain.

"We'd been longtime residents of Solana Beach," Parks said. "At that time a lot of heavy development was getting underway. The bluffs in Solana Beach were developing and there was a threat to develop the lagoon to a high intensity level – many things of this nature. We got involved as many people in the neighborhood and in the town did. That probably took place in 1970, maybe a little bit after that."

"There was talk at that time of the lagoon becoming a harbor for small craft – becoming developed like so many other coastal areas of Southern California," Parks recalled. "In my wife's mind, my mind and in the minds of many other people, we preferred to see the lagoon remain a pristine place. As I dealt more with it (the lagoon) and came to know people who were involved, it also became clear to me its importance as an environmental haven, bird habitats and that kind of thing."

Parks echoed Bailey's observation that during the early years of the Alliance the battle was centered at the County Board of Supervisors. The Alliance was able to mobilize activist support, however the key to the lagoon's preservation rested with the five county supervisors.

"The topics of our meetings revolved around what was going on at the County Board of Supervisors," Parks said. "That's sort of where all the action occurred. There were actually a couple of schools of thought on the board of directors (of the Alliance) at that time. There were people who sort of took a hard line and really wanted to have nothing to do with the developers. Then there were other people who said you really have to work out something with the developers. That frame of mind, that said cooperate as much as possible, was essential to gain the support of the County Board of Supervisors, for example," he said. "You had to keep in mind that, indeed, they (developers) had a financial stake in the area. The reality was that the County Board of Supervisors and these other governmental agencies were going to be aware of that, perhaps not dominated by that concept, but none the less aware these people had a stake in it."

Parks put those internal Alliance considerations into a broader perspective of evolving laws being forged in court battles and new laws enacted in the early 1970s as he recalled the



competing interests.

"There was always a question of are there property rights and the rights of the environment," he said. "There is always that strain and push going on between the two extremes. I came down pretty much on the moderate side. We were always trying to think of strategies that may be successful with the Board of Supervisors or whatever agency was making decisions with respect to the lagoon."

Like other members of the Alliance, Parks recalled that before new laws came into effect the plans of developers were far reaching and seemed to have no bounds.

"I remember that one of the biggest concerns was the beach," he said. "Just as there were thoughts of intensely developing the lagoon, there were thoughts about intensely changing the shoreline. Among those thoughts was the idea of grading down the bluffs and putting houses closer to the shoreline -maybe terracing the bluffs or something like that. I think most of the people in Solana Beach, certainly the people I dealt with in the Alliance and the other organizations, wanted to preserve the beach pretty much as it was and preserve the bluffs and preserve access to the beach. That was one of the big issues at the time -like Malibu Beach up north. It was at this point, back in the early '70s, that I began to hear talk about prescriptive rights. That became a big issue. I don't know to what extent it held sway in decision making, but certainly as a result of the activities of people in the organizations like the San Elijo Alliance and the Solana Beach Town Council, access to the beach was preserved as condominiums were being built on the bluff tops."

Parks notes that some of the battles had to be fought in the courts.

"You win a few and you lose a few, I guess," he said. "You know, we had some pretty knowledgeable and talented people who knew what to do – like Eric Lodge, a competent lawyer, and just the help of guys like that." Parks said of the Alliance members. He recalls one victory the Alliance won in the courts.

"I think, for example, that there was talk about building a road across the lagoon," he said. "I think the environmental impact laws existed. On the basis of that, suit was brought against, I think the County. On the basis of that kind of action we were able to prevent that road from being built."

Parks also noted the growth within the group.

"If my wife, Gemma, were here, she would be very impressed with by the sophistication, maturity, and what has become of the San Elijo Alliance. The fact that they can engage lawyers that have the qualities to deal with politicians and sources of money, speaks a lot for the maturity that has evolved in the Alliance."

Parks noted many environmental issues today are similar to issues many years ago.



"I think it is always the case that constant vigilance is required," he said. "The battle never ends."

Schroeder agreed that the group was able to attain many of their goals over time, especially as the laws changed and evolved.

"Of course 1972 was the key," Schroeder said. "They passed the Coastal Zone Initiative and the Endangered Species Act. I think the Endangered Species Act came in '73, but the Marine Mammal Protection Act came in '72. In the early 70s there was tremendous impact from the public to save places like San Elijo Lagoon. They (lagoons) were falling like dominoes right down the coast. Up in L.A. there just weren't any sloughs left that didn't have a bunch of developments in them. There were seven left down in San Diego County going down from Batiquitos to the Tijuana sloughs. We were fighting until that time – and it was really just a holding action by moral suasion, you might say, and just public desire to save a beautiful piece of property for migrating waterfowl," Schroeder recalled. "What we had before the '70s was the Migratory Bird Act," he said. "The lagoons are an integral part of the Pacific Flyway -a critical stop over. We had that going for us early on. Then, with the Endangered Species Act, we had the Savannah Sparrow, Virginia Rail (the light-footed clapper rail) and the Least Tern -that little bitty tern -that got us attention of the federal government. They told us, 'We will help you out, but you've got to explore all your local options first.'" He noted that bird watchers, who have become strong environmental advocates, deserve a lot of the credit for the success of the Alliance.

Schroeder attributed the success of the Alliance against the building proposals to the tactics he prefers.

"What we didn't do was beat them (the developers) around the head and shoulders," Schroeder said. "We just tried to be non-confrontational, but very assertive. We had a focus and we knew what we wanted, and it was the preservation of the lagoon."

"I wasn't perceived as a great threat," Schroeder said. "I was always kind of able to walk the line between people who wanted development and people who wanted to stop development," Schroeder said. "My position was always that if we want to stop development, we don't down zone the property, we buy the property. I still take that position."

A few who worked to save the lagoon were perceived to be a threat to the county.

"There were, however, members of the Alliance that paid a price for their opposition to land development in the lagoon," Schroeder said. "Bob Small was in line for county administrative officer and he was in charge of development and taking care of the environment within the county. So we had a friend there in county government. He kept us apprised of what was going on – so he was essential. Because of his interest in the San Elijo Lagoon, he never did realize the position of county administrative officer. He was passed over. He knew it might happen and it

did. In those days, there were a lot of guts around."

Robert Small, 71, looked back on the struggle by San Elijo Alliance from his home in Alameda, California in early 2002. He arrived in San Diego in 1958.

"I met a lady from Ohio, married her and she thought there was only one place to live in the world and that was San Diego."

Small received a degree from Willamette College in Oregon and completed graduate work at the University of Washington. He began working for the County of San Diego and still has fond memories of those early years.

"It was a great place and time to be there," Small said. "I had a great Chief Administrative Officer. His name was T. M. Heggland (the county's CAO from '51 to '68). When the formation commission came along, he said I don't want it, give it to Bob," Small said as he recalled the promotion to head LAFCO (Local Agency Formation Commission). "I was LAFCO executive officer from its formation in 1963. I had seven years of it and that kind of got me into land use."

"In 1970 the Ford Foundation was looking for a place to make a grant," Small said. "They decided that it would be San Diego County and me – \$725,000 in 1970. This was for what they called Integrated Environmental Management. What we were trying to do was come up with a coordinated approach to questions of the environment."

Environmental planning of this type was a new, and, as it turned out, too controversial concept.

"It was too early," Small said of the coordinated planning. "It really shook up the politicians."

During the time Small was learning about coordinated planning, he was introduced to the San Elijo Alliance. Ironically it was Small who invited developers to suggest commercial uses for San Elijo Lagoon. He doesn't recall exactly how the invitation to develop the lagoon was extended to Dome Ltd., but he noted thinking of that type was common in the late '50s and early '60s.

"The Alliance came along about the same time," Small recalled. "There was Pete Schroeder, and Mary Anne (M.A.) Nofflett. They showed up at my door at the County and said something has got to be done about the San Elijo Lagoon. Five or six years prior I had recommended the formation of a CSD (Community Services District) that would have resulted in the creation of a harbor in the lagoon. It was a real estate development. I thought it was a good deal. That was the way one thought back in the '60s. If there was an invitation that came from LAFCO, I guess it came from me," Small said as he recalled the initial marina proposal by Dome Limited.

Small said the insistent and helpful prodding of M.A. Nofflett and other Alliance members changed his own sensitivities. He noted how persuasive the Alliance members were and how their urging caused a change of heart and County policy.

"These guys came in and started talking about how important the lagoon was," Small said.

"Sensitivities had changed. I started recommending that there be no further development in San Elijo Lagoon. It had to do with two projects. One was Santa Fe Hills on the south side; the other one was Cardiff Sea Village on the north side. We had more success in terms of modifying Cardiff Sea Village than we did with Santa Fe Hills. It (Santa Fe Hills) came right down to the edge of the lagoon. In the case of Cardiff we held them up to the top of the hill."

Small recalled the conflict between those people who wanted to preserve environmentally important areas and those who sought to develop the same areas at a time when there were no Environmental Impact Reports (EIRs) or other such legal mandates to determine the effects of development on the environment.

"What was happening, basically, was that the planning department was not questioning development which should have been questioned. So I took it on myself to do it."

Small's actions were not the only influences on environmental policy.

"What happened at the same time -I don't remember if it was '70, '71 or '72 -the Friends of Mammoth decision came down from the California Supreme Court. That required Environmental Impact Reports."

The court's decisions have had far reaching effects. Small said issues in the news in late 2001 were still being affected by court decisions made during his time at the county. He recalled one case he used.

"There has been some news recently about beach access," he said. "There was a decision - I can't recall the name of it that says if land has been used for access to the beach it's public and that resulted in the pathways to the beach." (It is known as prescriptive rights.)

Small was instrumental in commissioning a study of the lagoon by California Polytechnic University, Pomona.

"John Lyle was the professor of landscape architecture at Cal Poly, Pomona in 1969," Small said. "We did a coastal lagoon study which identified the unusual characteristics of coastal lagoons. After that we had the money to go ahead and do a coastal plain inventory to take the physical characteristics of the coastal plain and effectively try to rank them to say these areas here should not be developed."

Small puts that study into a broad and significant perspective. The study and the agency's work,



along with funding by the Ford Foundation grant, developed a planning tool to guide the County Planning Departments to uniform decisions about land zoning based on quantifiable environmental characteristics. Developers, who wanted a case-by-case review of potential sites done without standardized EIRs, countered Small's efforts.

"It was not a very pleasant situation," Small said. "I remember one time that Berman Swartz, who was the head of Dome Ltd., came into my office and said, 'I want to see everything that you have in the way of correspondence.' He was really upset."

Swartz and others interested in development turned that upset into action. Small described himself and the conflict in 1971.

"So here was the Board of Supervisors that had this guy (Small) down there, in what was called the Environmental Development Agency, which was the result of the Ford Foundation grant, raising hell," Small recounted. "He was raising questions about beach access, about lagoon development, about development standards. One day my boss called me into his office and said, 'I don't want you in that position anymore.'"

The supervisors removed Small from his job. One of those supervisors was William Craven who was honored, posthumously, at the September 9 event. Small sees Craven's support of the lagoon in a less charitable light.

"There was one supervisor, one of my great fans, who subsequently became an assemblyman and a state senator," Small said of Craven. "He was the best damned jack-in-the-box. You never knew where he was going to come from. In June or July of '72, I was moved aside and given a choice of taking a \$5,000 a year cut in salary and becoming a useless bureaucrat. I said, 'Hell no! I'm leaving.' So I opted out. That's when I got directly – and I stress the word directly because I had been working with Mary Ann, Pete and Eric as much as I could even though I was a county employee – involved in the Alliance."

Small watched as the coordinated planning and guide he tried to implement was abandoned.

"We had a system which no one understood and which disappeared right after I left," Small said.

"We said this ought to be done. We need to know what is going on in the county. We need to have an approach where we can say, 'Okay, here is a subdivision and it is on a piece of land that doesn't make that much difference, and here's another subdivision that is in a sensitive area and needs to be thoroughly evaluated.'"

One of the areas that benefited from the coordinated planning was San Elijo Lagoon. Small recalled his final work at the County's Environmental Development Agency.



"We set it in motion and we kept working," Small said. "Basically, we got to the point where San Elijo Lagoon was not threatened, but there was a lot of work to be done in terms of rehabilitation related to the function of the lagoon which may or may not be by now."

Small did not keep track of later efforts on behalf of the lagoon.

When Small left his job at the County, he began a land use and environmental consulting company that he called Environmental Analysis Systems Inc. (EASI). He became an advocate on behalf of groups like the Alliance. Small used his experience with the County to persuade the supervisors and his former colleagues.

"They knew that we knew what we were talking about and we tried to give them the best factual argument that we could give them," Small said. "We weren't just talking out of our back pocket." Small evaluated the role of the supervisors.

"Bill (Craven) didn't really share our values," Small said. Lee Taylor, who replaced Craven, was more receptive according to Small. "He would listen to you. When it really came down to it, I hate to say it," Small said. "The guy that made the difference was Roger Hedgecock, because he wore the environmental coat so to speak. He supported what we were trying to do. He started out as an environmentalist. He started out as the City Attorney of the City of Del Mar. He started out urging that Del Mar be treated very specially."

"Roger and I were kind of dancing with each other for a few years," Small said. "He came to the County after I left. He knew who I was and what I stood for."

The grassroots nature of the San Elijo Alliance and the ability of the members of that group to pull together for a common goal still impresses Small as he recalled the early days.

"Mary Ann, Carole, Eric, Pete and Clotz (Tom Clotfelter), they worked together," Small said. "Clotz had standing because he came from the Ranch (Rancho Santa Fe). He was second generation in the Ranch and he thought the lagoon was important."

Another person Small credits is colleague Scott Englehorn, who has continued to work with Nature Collective.

"The guy that I think made the difference by hard, consistent long term work was Scott Englehorn," Small said as he admitted a strong bias. "He just hung in there. Another part of the story is that Scott came to San Diego looking for a job and he worked for EASI (Environmental Analysis Systems Inc.). He just walked in and said, 'I want to help you guys.'"

In 1991 Small moved to the San Francisco bay area and he has helped raise funds to restore habitat of the Monarch butterfly in Mexico.

Another person helped the Alliance was Neil Marshall, who now has an environmental



consulting company called Ecosystems Management in Carlsbad.

Marshall, 64, recalled how he joined the San Elijo Alliance in 1971.

"It was useful for me to be on the Alliance board of directors so that I was aware of what they were doing and what was happening," Marshall said. "We (the San Dieguito Planning Group) had some authority to monitor and evaluate projects that were occurring in about a 100 square miles of the county. We had the opportunity to look at and evaluate projects. For example, there was one project (by Dome Ltd.) for 750 units between Highway 5 and 101 in the lagoon. We had the opportunity to evaluate that -put our 'No way in Hell' stamp on it, so to speak."

Marshall noted that the lagoon was one of the areas the planning group felt should be kept free from development.

"We were all for a common goal, to keep the community nice and keep some of the environmental benefits in the region," he said. "Everybody had an opportunity to talk and express their point of view. It made our meetings go on forever."

During the early days of the San Elijo Alliance, Marshall worked as an oceanographer at Scripps Institution of Oceanography. He had attended a Japanese University, Jochi Dai Gaku, and then went on to San Diego State University where he majored in geology. He completed graduate work at the University of California, Berkeley.

Marshall pursued many environmental issues after college. He said his scientific background created an enthusiasm to save natural resources. He noted, however, there were no legal protections for the environment back then.

"I was an early environmentalist," Marshall said. "All the legislation hadn't been created in those days. It was how many units you could cram into paradise. The planning departments in the cities and county are not planning departments at all. They follow the rules given to them by the County Board of Supervisors and those change from time to time."

He noted that it was the combination of the community activism and the newly evolving laws that allowed the Alliance to gather strength. He said that every tactic that could be conceived was used in the fight. Not only did the rules change from time to time, but also the focus of the county changed with the Supervisors.

In 1973, the San Elijo Alliance found a new member of the San Diego County Board of Supervisors sympathetic to the lagoon's preservation. Lee Taylor was appointed to fill the seat of Supervisor William Craven who was elected to the California Assembly.

On the day before his 86th birthday in November 2001, Taylor recalled his life and how he came into a position to help protect the lagoon.



Born in Durrant, Oklahoma in 1915, Taylor graduated from high school in the 1930s.

"During the Great Depression we moved to Lubbock, Texas where we were dryland farming," Taylor said of his family's life during the Dust Bowl. "It got so dry that our crops pretty well blew away and I came to California," he said as he recalled the 1930s. Taylor left farming and moved into construction until the beginning of World War II when he enlisted.

"I volunteered, true, but it was just ahead of the draft," he said with a chuckle. He served with the Army Engineers and worked in New Guinea, the Philippines and Okinawa.

In 1943 Taylor and his wife Jean were married. After the war, they decided to settle in San Diego, Jean's hometown.

When Taylor came to San Diego, he returned to construction and built a successful business that installed underground utilities. He described a different era when he spoke of their decision in 1952 to move to rural Rancho Santa Fe.

"We liked Rancho Santa Fe so we bought four acres here," he said. "We had saved a little money, scraped pretty good to buy this place," he said of the house where he and Jean still live.

Taylor said he decided to serve on the County Board of Supervisors in 1973.

"I just figured the country had been good to me, even though I had been in the South Pacific, and I had been successful in the contracting business; I felt that it was my turn to do something political."

Because of his work and his experiences, Taylor took his seat on the Board of Supervisors with firm opinions about what should be done, and not done, in San Elijo Lagoon.

"I did not want them to put houses in there," he said. "There was plenty of room for houses without using the lagoon; plus the safety factor and the damage you would do to the fauna. I was very sensitive about that because that's where our fish and a lot of these things originate – in lagoons. They go out to sea, but they have to have a place to germinate, so to speak. That's one of the major reasons I wanted to protect the lagoon – that's where life starts."

Neil Marshall recognized Taylor as a sympathetic member on the Board of Supervisors.

He remembered some interactions he had with Supervisor Taylor.

"I didn't work with him much, but he was a very honest guy, very honest," Marshall said of Taylor. "I got a message from him after he had been in office about a week or so asking me to come down because I was one of the community leaders. He introduced himself and we chatted for just a minute or two. He said, 'Here I've got something I want you to look at.' He pulled this wad of papers out of his coat pocket. It was a statement of all of his assets, how much money he

had in the bank – all that stuff. He said, 'I would like you to look over it so you know exactly who I am,'" Marshall said.

At a meeting at Taylor's home, Marshall discovered that Taylor had received a painting for his work with Ducks Unlimited.

"Lee Taylor, at that time, was very conservative," Marshall said. "I know that Ducks Unlimited has set aside millions of acres that they don't even hunt on – it is just for breeding. Well, that is a conservationist to me. The next time we had a problem with San Elijo Lagoon which was a drought year in which there was almost no water in the Lagoon, I called Lee up. I said, 'The ducks aren't going to have any place to land when they come.' We got quite a few acre feet out of one of the water districts," Marshall said.

With Taylor in office, the focus changed to favor preservation of the lagoon. It was still not certain, however, that proposed developments with mixed-use approaches could be kept from encroaching on the lagoon. It was during this time that legal decisions started making an impact and played an important role in the lagoon's future.

By '73 and '74, Schroeder recalled that the Alliance was winning battles and being taken seriously.

"We had credibility by then," Schroeder said. "We went up against Lomas Santa Fe (development)," Schroeder recalled, "and we went up against the folks up there at Batiquitos Lagoon, Merv Adelson and that bunch, Teamster money up at La Costa -they wanted to develop that part of the lagoon between the railroad tracks and the middle basin; it died," Schroeder said. "We stopped the county dead in its tracks. They wanted to put a sewer pipe across the lagoon without any environmental impact report."

Lodge recalled the fight with the county.

"We filed a law suit against the county to enjoin them from proceeding until an Environmental Impact Report was completed," Lodge said of the 1973 Alliance initiation of legal action against the County of San Diego. "We were successful in that."

Although Eric Lodge helped the Alliance, he could not represent them in this suit because of a conflict of interest and had to put that case in the hands of another lawyer, Charles (Buzz) Renshaw III. Renshaw represented the Alliance on a pro bono basis. In January 1973, Judge F.V. Lopardo issued an injunction that halted construction of two sewer lines across the lagoon between Cardiff and Solana Beach. It may have been the first suit filed under CEQA (California Environmental Quality Act) in San Diego County.

Another person interested in the legal actions by the Alliance was member Dwight Worden, now 54, who graduated from the University of San Diego School of Law.

"I was a sort of typical student from the '60s who went to law school because I wanted to make the world a better place," Worden said. "Environmentalism was this brand new, budding movement where people were starting to understand and talk about ecosystems and endangered species. I thought, 'Wow! This is really important, cool stuff,' and I got involved in it. I was one of the original petition carriers in 1971 for the coastal commission. At the time the bloom was really on the rise with all the great environmental stuff that was happening. We had a brand new law called the CEQA (California Environmental Quality Act) in 1970. We had the Coastal Act in 1972. We had the Clean Water Act. All this stuff was brand new and it was exciting in the courts because the judges and the courts had never seen this kind of stuff and most of them were very interested in it." He noted the changes in sentiment overtime. "Now you go down with an environmental case, you sort of get a poor reception," he said.

After graduation, Worden, along with fellow law student and Alliance member W. Scott Williams, 55, began a law practice that specialized in environmental law in 1974. They represented the San Elijo Alliance and tackled the new issues brought about by the new laws and court decisions. The concept of lands being part of the public trust came about when the California Supreme Court ruled that land subject to tidal action (which included lagoons) were public trust lands.

Worden noted that this court decision came after nearly 150 years of ownership of California by the United States. What the court ruled was that because the United States took California from Mexico and the state of California accepted into its law the Mexican law that allowed the government to hold navigable waterways as public lands, the land was therefore as land in the public trust. This interpretation of the law by the court put lands in public trust that would have been public lands under the controlling law in 1850.

Williams, who grew in Del Mar, was aware of the value of places like the lagoon. He looked back on the early days of the Alliance from his office and recalled how the court's ruling changed the interpretation of the public trust doctrine.

"It never went dormant," Williams said of the doctrine. "What happened was the public trust doctrine has always been recognized in terms of more commercial interests. In other words, people who may have thought that they owned tidelands or lake bottoms were trying to prevent people from fishing or using the water for navigation or commerce or that sort of thing. That's always been in the law. The environmental issue and the environmental aspect of the public trust doctrine were first recognized in the Marks vs. Whitney case. The gist of the case was that the California Supreme Court recognized that appropriate uses of public trust land were not just limited to navigation, commerce and fishing, but embraced all kinds of different uses such as environmental protection, public recreation and other things like that."

Williams discussed a paper he wrote in law school on the public trust doctrine.

"The specific issue was whether or not (the public trust doctrine) applied to a lagoon type situation," Williams said. "I knew that there were things going on with the lagoon. I don't recall

exactly, but somebody else raised the question or maybe somebody at the county that the public trust doctrine might apply to the wetlands in the lagoon in the theory that they were once tidelands. The lagoon was once open to the ocean and the ocean would come in and out which would make them into tidelands which were clearly subject to the public trust doctrine."

He said that after the Marks vs. Whitney decision in 1971, he began work on his paper and first met with Pete Schroeder.

"I remember that as part of writing the paper I interviewed Dr. Schroeder in his office down on South 101," Williams said. "I got some information about what was going on and how the Alliance was fighting the project -things of that nature. That was the first time I met anybody involved. He (Schroeder) was a dedicated environmentalist. I was in awe, frankly, of the activists who were doing this because they were putting a tremendous amount of personal time and energy into it."

While Williams and Worden were finishing law school, the courts were beginning to issue rulings based on the new interpretation of the public trust doctrine. During the first few years after the Marks vs. Whitney ruling there was uncertainty about how the law would affect developments that had already been approved. Williams said that the public trust doctrine ruling permanently stopped the developments that had been held in abeyance by the Alliance.

"There were a couple of developments that were actually approved," Williams said. "They floundered, I think, because they couldn't get financing for them because of the possible application of the public trust doctrine to those lands. Nobody really knew for sure," he said of the reasons behind the abandoning of the developments.

Williams recalled more of that first meeting with Schroeder and the introduction to the Alliance.

"Now that I am thinking of when I interviewed Dr. Schroeder, at that point in time, it seemed to me that they were about ready to go down to a Board of Supervisors hearing," Williams said. "The topic of the hearing was the board was encouraging the various, different players – the Alliance on one hand and the property owners on the other — to try to get together and resolve their differences in some way. I kept thinking, that's never going to happen. It just seems to be like oil and water in terms of what the different objectives were. I was surprised when that eventually led to acquisition. I think the Board of Supervisors had something to do with pushing for money to get it acquired. I remember the price of the acreage involved did take into consideration the public trust and the fact that the wetlands were, at least potentially, subject to the public trust doctrine – so those were valued at very low figures."

Because the Board of Supervisors would not act alone, they did not fund the project until the state agreed to a joint venture of the project.

Williams found himself writing more about the Alliance. He graduated from law school before



Worden and studied more of the issues while he waited for Worden to graduate.

"When I graduated from USD (University of San Diego), a professor down there asked me if I wanted to expand that paper into a law review article," Williams said. "He got a grant or something, so I got some of the money from the grant to work for, I think it was five or six weeks, to polish that up and do a formal paper on it."

Williams added that several environmental issues merged.

"Another law student, Mary Eikel, worked on another aspect of the overall issue that had to do with public access," he said. "We worked together on it and prepared a law review article that was eventually published."

As new views on the environment emerged from the new laws, new arguments were put forward. Not all of the arguments were successful. Worden recalled one early defeat.

"One of the arguments that I thought was innovative, that we lost, was one of the problems of San Elijo Lagoon – a reliable fresh water supply. It tended to dry up. There was reclaimed sewage water that was basically as good as tap water available and we were arguing that it should be put into the lagoon for the health of the lagoon. Water law says that you can only use reclaimed water for beneficial purposes, so we cooked up an argument to say that environmental preservation fell within the scope of beneficial purposes under the law. That had never been argued before. The law said beneficial purposes meant drinking and irrigation. We said that preserving species and habitat is beneficial as well. We were arguing that to the Regional Water Quality Control Board." The board rejected that argument.

As the Alliance plied through the legal interpretations and legislation, decisions about future actions needed to be made. Some environmentalists, state agencies and lawyers advising non-profit groups felt that since these lands subject to tidal action were considered public trust lands, they would, by definition, be public lands and did not need to be purchased to be preserved. The Alliance was on tenuous ground because land around the lagoon was privately owned and controlled.

Lodge felt with the change on the Board of Supervisors and change in the courts rulings, timing was imperative and there was a need to act quickly. Favorable court rulings and sympathetic members on the County Board of Supervisors could change again. The decision was made to take advantage of these changes and purchase the land as quickly as possible to protect it.

"We knew the tide could turn," Lodge said. "The composition of the court changes and, you have new cases that come down. At some point in time it might potentially swing. We wouldn't be able to just hold off development. The more productive and or the more positive approach was to try to get the land acquired by public agencies, so we played an important role in bringing the state lands people together with the private owners."

Lodge recalled how the land in the lagoon came under public protection. Owners of property,



which was potentially valuable as a development, did not push the project after a demonstration of public concern created reluctance by the County to proceed.

"I think they (the developers) decided that they weren't going to be able to pursue it," Lodge said. "Then it became a matter of trying to work out a compromise where we could get the land into public ownership."

Lodge said that it was particularly difficult to get state money to acquire property in the lagoon because some agencies felt that there was no need to pay for land that would be brought under the public trust. The court rulings indicated the lagoon would have to be protected, however, members of the Alliance felt that the best way to proceed was to find funding and buy the privately held land. Even when it seemed that everyone with an interest in the lagoon realized that it was not possible to develop land there, preservation of the area could not take place without funding.

"I think we were a very good catalyst for bringing about the public acquisition of the property in the lagoon," Lodge said.

The Alliance stepped into action and sought funding sources that could provide the money necessary to acquire the land.

Tom Clotfelter knew the state agency to approach for the funding. It was the Wildlife Conservation Board, which was the smallest agency in state government at that time. The small staff, the available funding, and the authority to make quick decisions made it the ideal contributor. Clotfelter also knew the right person to approach, Chester (Chet) Hart – executive officer for ten years of the state's Wildlife Conservation Board.

Clotfelter had met Hart on the governor's annual pack trip. The trips were designed to bring department heads, politicians and interested citizens together in the wilderness. The current governor would often attend.

"The governor wasn't along on either of mine," Clotfelter said of the pack trips, "But Reagan went and Pat Brown was a regular. They do it every year. It's a Fish and Game function." Clotfelter noted that the group was composed of hunters, fishermen and those that liked the outdoors. "They didn't have many greenhorns," he said.

It was in this environment that Clotfelter lobbied for preservation of the lagoon. He described how he got the ear of Hart.

"I met him in successive years and I lobbied him and kept him fed with propaganda," Clotfelter said with a chuckle. "He was appreciative that there had been this follow through."

Clotfelter said that in all his meetings with Hart, he emphasized the organized grassroots group that was gaining support in the communities surrounding the lagoon. He contrasted that support

with the competing projects seeking funding.

"There had been lots of start ups with activist groups, but the consistency of ours and the persistence of ours impressed him," Clotfelter said.

In 2002, Hart, 82, recalled from his home in Sacramento how he was able to help the San Elijo Alliance protect the lagoon.

"We could do it in a matter of months," Hart said of the state agency's ability to buy and preserve land quickly. "Other agencies could take from one to three years. We were always sort of juggling projects. You would be after a piece of property, but the landowner was unwilling to sell it and sometimes he would sell it to another private landowner and we would try again. We might have to go through this two or three times."

Hart said that the seven lagoons in San Diego County that had survived without being developed had been of interest to his agency for quite some time before Clotfelter had lobbied him on the Governor's pack trip.

"There had been an old survey of all these lagoons early in the WCB's history, before I was with them," Hart said. "They marked them as potential land for acquisition because of the various natural values they had for migrating waterfowl, for shore birds and nursery areas for fish. We had them catalogued and in mind for possible purchase someday, but we had to have a local agency that was willing to operate and maintain the property. That's where the parties like the San Elijo Alliance were very key in arousing public interest and getting their local bureaucrats or politicians interested in wanting to play a role."

Hart recalled the pack trip where he met Clotfelter.

"Tom was a good friend of Pete Fletcher," Hart recalled. "He (Fletcher) was on the Fish and Game Commission. They had an annual pack trip and Tom went along on some of those trips as Pete's guest. We were both Southern Californians and had an interest in the area. The San Elijo Alliance provided a mechanism to accomplish something there."

Hart echoes Clotfelter's view that funding quite probably would have gone to another project if the Alliance had not made its presence felt in the community.

"They were the stimulus for the whole effort," Hart said of the Alliance. "It is unlikely that it would have come to pass without the citizens group like the Alliance interested and pushing things at the local level."

Hart said his small agency acquired not only a reputation, but also more demands and subsequent growth.

"We had a reputation for getting a lot done quickly for a small agency," Hart said. "So they kept



loading more and more of the work on the WCB because we had a reputation of being efficient. They would say we had the biggest bang for the buck in state government."

Funding for WCB purchases came from a combination of revenue from horse racing and bond acts. The moneys were pooled and earmarked for various acquisitions so that when a property became available, it could be purchased. Hart said that other agencies had significant delays because they had to seek funding from the next fiscal year, earmark that money to be spent and wait for funding to be made available. The WCB, on the other hand, could have surplus funds carry over from one year to the next and be reasonably assured that revenues would continue to come in as well.

Hart said that the oversight of the WCB was to insure that quick action remained ethical. Participants had to reach a unanimous decision and included the WCB, the state department of finance director, the director of Fish and Game and the president of the Fish and Game Commission. The unanimous decision as well as an independent appraisal of the land to be acquired was reviewed by the state's Department of General Services.

Hart noted that even when all the pieces of the puzzle were nearly in place, the final acquisition of land was never a simple matter.

"Generally they weren't easy to deal with," Hart said of property owners that the WCB approached. "The coastal commission was the one telling them whether they could develop their property or not. Frankly, a lot of these landowners thought that they would just go away eventually, or some how through political pressure they could get around these controls and go ahead and develop their property the way they wanted to. A lot of them had some pretty grandiose ideas of what they wanted to do. They could make some nice resorts on that land and have marinas. A lot of them had those ideas in the back of their minds -some of them not so far back – with goals for the property where they would make a lot of money."

Hart emphasized that WCB did not invoke eminent domain powers, but relied on buying property.

"We had to pay fair market value for it," Hart said of property the WCB acquired, "but, you know, there are always debates over what the development potential was. They would argue that they had a development value potential, but the Coastal Commission would say no." Hart said the WCB remained neutral in this debate.

"You are kind of in the middle there," Hart said. "A lot of them could kind of see the handwriting on the wall and it would be better for them to sell out and get into areas where they could produce rather than let the land just sit there. We were always buying on the basis of a willing sale, so we pretty much had to take the opportunity when it arose."

Clotfelter recalled the major competition for funding -a project in the Tijuana estuary. "Funding from the Wildlife Conservation Board was vital," Clotfelter said. "If the money had

gone to Tijuana, in my opinion, the development plan in San Elijo would have gone forward. The county was absolutely reluctant to act alone in the lagoon purchase."

Circumstances started working in favor of the Alliance.

"By this time (date here), the land had gone into foreclosure and was owned by United California Bank," Lodge said of land in the Dome Ltd. project.

With money from the Wildlife Conservation Board and from the county, that land was acquired and came under public control. However, other land next to the lagoon was still owned by Berman Swartz, a principal player in the Dome, Ltd. project. Lodge recalled the phone call he received from Swartz who offered his property to the Alliance.

"In 1982 or 1983 I got a call from him and he said, 'Well you guys beat me on this, but I've still got about five parcels,'" Lodge said. "He was willing to contribute them to a nonprofit entity."

The San Elijo Alliance, however, was not legally structured to receive property. To accommodate the acquisitions and land transfers, Lodge helped establish a foundation to receive the donations.

"We got in touch with the Nature Conservancy," Schroeder said. "They pretty much gave us the model for the foundation that we built."

Early on, Clotfelter realized that in order to galvanize support and raise money for specific projects, the Alliance needed to build a strong board of directors and recruited people in area. Directors were chosen by their ability to influence public opinion and move specific projects. "We were not trying to demean the efforts of anyone who had been a regular Joe in this process," Clotfelter said of the Foundation board's makeup. "That's what you do on any board."

"I think, geographically, we needed somebody from Cardiff, Solana Beach, and the Rancho because they bounded the space. We tried to get these people in the movement, if you will," Clotfelter said. "Their backgrounds were all good in that group. (Norm) Roberts has a big string (of credentials). He has a lot of hats to wear. He was the head of the Ronald Reagan movement -he gets a lot of credit in that department - in politics. He has written a book on the plants of Baja. He is the father of the Wild Animal Park; he really persevered on that - the purchase of the land.

"(David) Rorick was, at that time, a national director of the Audubon Society," Clotfelter said. "Ken Hill, at the time he was on our board, was the National Secretary of the Nature Conservancy. He might have become the president, but his health failed him. Those were pretty good recruits."

Another of Clotfelter's recruits was longtime newspaper columnist Neil Morgan who wrote about the lagoon in many of his columns.

In addition to providing the model for the foundation, the Nature Conservancy helped the Alliance by accepting into public trust the land acquired by the Alliance. That land was then given back to the foundation established by Lodge.

Two additional hurdles, however, stood in the way to the Swartz donation. Swartz wanted the land to be valued for tax purposes and the land transfer fees had to be paid.

"Swartz wanted a minimum evaluation of \$1.2 million," Clotfelter said of the tax valuation. "We helped that cause too. The appraisers were a San Diego firm. They had been involved in State Land Commission dealings having to do with submerged wetlands, up and down the state. We nudged them a bit. Swartz got what he needed, which was \$1.2 million. He gave us these five parcels – nine acres – including the river's mouth."

The money for the land transfer, escrow and title report was raised by the Alliance.

"We raised \$18,000," Clotfelter said. "I don't want to take too much credit," he said of the fundraising effort he organized. "We just beat on people," he said with a chuckle as he recalled bringing supporters together.

Clotfelter convinced many people to help the Alliance. One was Norm Roberts. In 2002 at age 81, Roberts looked back on his involvement with the Alliance.

"I'm a conservationist, environmentalist and naturalist," he said. "Watersheds and wetlands are very important. Tom is a good friend and he is the one who asked me," Roberts said of his association with the Alliance. "He was in the brokerage business and I had a brokerage firm." Roberts recalled some of his early years. "I was affiliated with an organization called the infantry," he quipped. "I toured Europe, France and Germany."

After World War II, Roberts attended veterinary school at the University of Colorado and worked as a vet for nearly 20 years at racetracks throughout California. In 1964, he gave up his practice and moved to Point Loma where he started working at his uncle's brokerage business.

Roberts pursued a wide variety of interests. He and his wife studied the flora of Baja California, Mexico and in 1975 he turned their efforts into a book: [A Field Guide to the Common and Interesting Plants of Baja California](#).

He also worked for Ronald Reagan's campaign for governor and was the campaign chairman in San Diego County. Although Roberts believes Ronald Reagan was one of the great presidents, he disagreed with Reagan's environmental policies. He recalled his involvement with Reagan that included appointment as director of the Fish and Wildlife Service.

"He had a bad record," Roberts said. "I was his token environmentalist. Some people have to have a token black in the organization. Well, I was the token environmentalist. I went back to Washington with him and I didn't like it. Watt was there. Watt was Secretary of the Interior and I couldn't get along with Watt so I came home."

Even though Roberts left Washington, Reagan appointed him to other positions.

"He appointed me to the International Whaling Commission and a couple of other things – Federal Home Loan Bank Board, and the Panama Canal Commission," Roberts said. "I was on an offshoot of the Panama Canal Commission that is called the U.S. Panama Commission for the Environment. The watershed was being destroyed by the slash and burn agriculture."

The Alliance benefited not only from Roberts' political experience, but also the successes and associations he had with other projects such as the creation of the San Diego Zoological Society's Wild Animal Park.

"Charley Shroeder had a dream," Roberts recalled as he described the Wild Animal Park's beginnings. "The City (of San Diego) had the land and Charley got 100 acres, but the zoo board wouldn't go for it. Charley got them to go for a committee. They (the zoo board) selected some and he selected some. I was one of the people he chose.

Roberts recalled with a chuckle the committee's work.

"The study committee, strangely enough, decided we should get, I think, Stanford University to do a feasibility study. In the second year, Gene Trepte asked me to chair the official Wild Animal Park Committee. We did the feasibility study, and strangely enough, it showed that it was practical."

Roberts recalled his work with the San Elijo Alliance.

"Our group was really a fundraising effort for the conservation of the lagoon -to protect it and to raise public awareness and to stop development."

Roberts's efforts, however, did not stop there.

"The lagoon wasn't flushing out," Roberts recalled, "and I got my son, in the heavy construction business, down there with his bulldozer to doze out the entrance. It is necessary or it stagnates." Even though the action caused controversy at first, the lagoon's entrance continues to be dredged whenever sandbars build up.

Another conservation effort in the lagoon that has helped wildlife was the creation of what is known as the "Burgener Doughnut." It is named for former Congressman Claire Burgener, who served north county from 1973 -1983. The doughnut-shaped channel, dredged about six feet deep, encircles an area used by nesting birds. It is not directly in the creek channel so it is not



subject to erosion or silting from flooding.

At the September 2001 event, Burgener was not only modest when he discussed his contribution to the lagoon; he also displayed a lively wit.

"I was in the right place at the right time by accident," Burgener said. "After the acquisition of the lagoon, at the end of President Ford's administration, the loyalists were there with a little extra money. I just happened to be on the committee that had jurisdiction over this money - a half million dollars," he said of his effort.

He noted that he had corrected the amount.

"Happily, I ran into Tom Clotfelter and Pete, so I had to change all these figures," he said as he paused and gave an impromptu satire of consulting with the two. "Actually, it was 50 million - I mean five million! 'No, no, no, Claire, (they said) it was 500 thousand,'" Burgener paused for affect and then said, "Oh, in Congress that isn't much!"

Then Burgener noted he was told how the money was spent.

"When I found out what I had done, I had taken the tax payers for \$500,000 for a doughnut," he quipped.

"Apparently a doughnut is a different kind of a thing that allows birds to live and eat and do whatever else do they do," he said. "I learned that today," he said of the doughnut's function in the lagoon's ecosystem. "Question hour will be next week."

On a serious note Burgener continued, "I am an amateur in all that part of it, but it turned out to be pretty important - not what I did, but what others did. I was just a vehicle."

The project Burgener funded continues to impact the wildlife of the lagoon.

"It was a remedial project," Clotfelter said of the doughnut's creation as he explains its importance in the lagoon.

"When you have spring runoff, nesting birds face a fast dry up," Clotfelter said. "When the days warm up and the water has no more inflow, it is gone fast. I saw hatchling ducks on several of my walks. If they haven't fledged to fly, they have a place that they could find and walk to for survivorship."

Over the years, changes in the environment and threats of development motivated many in the area to action. Peta Mudie recalled the progress: "It was very much a community thing," she said. "People who loved the natural history, and really appreciated the open space and all the wild birds, were not willing to accept the argument that nothing could be done about it. A couple of us had university degrees, but some of the hardest workers were housewives," Mudie

said. "It was a very grassroots thing."

Mudie remembers the efforts of one couple that worked with her beginning on the Los Penãsquitos Lagoon – Jessie and Lee La Grange.

"They were just the most amazing naturalists," Mudie said. "They knew more than all of us with all of our degrees -they just watched. Lee had a job with Atomic Energy I think, and he had to play his cards quite carefully not to lose his job.

Another person who Mudie remembered was Mary Ann Nofflett.

"I remember M.A. very well, from what – 30 years ago. She was a real fighter but she had a very cool head. It wasn't wild energy. She knew how to present her argument. Nothing could keep her down."

Mudie recalled how some of the public meetings would proceed.

"I would always present the more scientific point of view," Mudie said. "That's all I knew how to do at that time. When I look back on it, I know that it's not always the most effective way of making an argument to town councils or whatever. Being the group, you see, we sort of strengthened each other in different ways. I would do the little scientific spew and they would yawn and grin a bit – truly, you know. Then someone like M. A. would get up and fling it at them from a more legal or professional position."

Eric Lodge also remembered M. A. Nofflett's contributions.

"She was very knowledgeable," Lodge said. "She studied issues carefully. Her capacity to absorb information was immense and she wasn't shy about making her feelings known. She was a tiger."

M. A. (Mary Ann) Nofflett had many successes through her activism. Her son, Matt Nofflett, recalled how his mother fought for the things she believed in. She championed the lagoon and organized much of the effort to save it from her house. The famous kitchen meetings mentioned by many, actually expanded to a detached garage, which became the center for meetings about the lagoon and other efforts, and was filled with office equipment.

Matt recalled the early years of the Alliance and the interactions of his mother with people concerned about what seemed the inevitable destruction of an area they valued. "I learned how to answer the telephone a lot," Matt said of his childhood amid his mother's activism. "She was never at rest. One phone call would lead to the next. One conversation would foster another, and it was a perpetual snowball effect. The specifics eluded me because I was so young, but I just remember she had a fire in her – a drive that wouldn't allow her to just stand by and watch things go on that she felt weren't right. I think they (the developers) were coming into this project trying to develop that area thinking all we are going to do is buy this

32 make it happen, and then they ran into my mom."

Those involved mention M.A.'s pluck in the San Elijo Alliance and the San Elijo Foundation. Her letters preserved in the files attest to her forthright style in putting her points to the County Board of Supervisors and others.

Ann and Bob Sensibaugh were friends with M. A. Nofflett and helped with many of her endeavors. A project of Ann Sensibaugh to honor M. A., who died in 1985, was to place benches with plaques next to a path that winds through the lagoon.

"This was one of her important projects because she wanted to see the lagoon preserved," Bob said. "Her kitchen was a center of activity."

Ann, age 75, recalled the work of her friend shortly after the formal dedication of the benches in late 2001.

"I am a good friend of M.A.'s," Ann said. "She helped me get elected to the school board of the San Dieguito Union High School District. I had been a friend with her for many, many years. Then, when she died, I tried to think what to do and I chose the lagoon and the benches. I knew she had been instrumental in the beginning of the lagoon," Sensibaugh continued. "That's why I chose the lagoon and the benches. In her memory, I wrote to about 31 people. I told them what I wanted to do, and, by George, all of them with the exception of three donated to the benches."

Ann, who still lives in Rancho Santa Fe, first met Nofflett at the League of Women Voters. She recalled Nofflett as a formidable opponent.

"She was just someone who interested herself in all aspects of the community," Sensibaugh said of Nofflett's activism. "She was very, very unique. She was a difficult woman and a unique woman. She was controversial in a positive way. In other words, she just kind of shook everything up. We were very close friends."

Sensibaugh also recalled Nofflett's methodology for success.

"She just kind of kept talking to people," Sensibaugh said. "She did reach out and recruit candidates. She was very active in political things like that."

Another person who has observed the supporters and opponents of the lagoon's preservation is Dwight Worden. For 30 years he has worked with the activists of the San Elijo Alliance, the San Elijo Foundation and now Nature Collective. He said the people with houses near the lagoon had the greatest motivation, both then and now.

"They are the easiest to understand," Worden said of the lagoon's neighbors. "Group one, I would put the Tom Clotfelters in who grew up here and really, to the depths of their souls, love North San Diego County. They are probably not hard-core environmentalists in the sense that I

doubt that they are contributing to save the elephants in Africa. They felt compelled to preserve what they loved in their community and what they remembered as kids. There were a lot of those people at the time the environmental tools were most effective to achieve that. Then there were people like me who, I just say, were sort of planetary environmentalists."

Worden noted that inside government organizations like the San Dieguito Planning Group, there was great disagreement.

"There were these hugely contentious fights there because there was the real estate contingent on there – who wanted to develop everything," Worden said. "Then there were people like me and Tom Clotfelter who wanted to stop that and there was every shade of people in between."

Worden noted that inside the Alliance there were many points of view on the course of action to take as well. One source of contention was the three advertising billboards included in the Swartz donation.

"There were fights and disagreements amidst the environmental people that you can still see," Worden said. "I mean Tom Clotfelter and others (thought) it (was) a good idea to have those billboards generating revenue for the San Elijo Foundation. People like me don't. I think that what separates an environmental cause and an environmental movement from everything else is that it is based on principle. You could say if you are running an anti-smoking campaign, let's have some cigarette machines because we can use the money. At some point, the essence of what you are you compromise. Those kinds of disputes are still there."

By '90s, funding sources had mushroomed. The billboards, their income and their presence in the lagoon, were no longer wanted. In 2001, after the San Elijo Alliance and San Elijo Foundation merged with Nature Collective, a \$100,000 endowment fund was created to replace the income from the billboards, and the billboards were removed in 2002.

Clotfelter reflected on this decision.

"They just did away with them over my dead body," Clotfelter said. "When we first got the billboards, they were our only source of income. We were getting a little over \$2,000 a year, \$5,000 in 2002 when the foundation transferred its assets to Nature Collective. The sign income allowed us to print our newsletter and pay the liability insurance on the abandoned sewer structures."

Other changes to the lagoon are still on the horizon, but the preservation continues.

As Pete Schroeder noted at the September 2001 event, there is a continuation of the legacy through the joining of the San Elijo Alliance with Nature Collective. He put the victories of the Alliance into perspective as he shared an exchange he had with a county supervisor at a coastal commission meeting.

"Bill Craven, at the first meeting said, 'You know, Pete, 99.99 percent of the people who drive over I-5 couldn't care less about that lagoon.' Well, I'm here to tell you, "us" one-tenth of one percent have done some good. I know Nature Collective is going to go on and do wonderful things. I don't know if any of you wonder why we did this. I can't speak for anybody else but myself. Several of us here have kids that were just babies back then. We wanted to save something that our kids could see that we enjoyed."

The efforts of the dedicated people who formed the San Elijo Alliance and persevered in the face of great odds made sure the lagoon wouldn't become a sea of rooftops.

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