



Radical environmental protectionism in a small community : a study of the Bolinas water moratorium
by Marguerite Kirk Harris

A thesis submitted in partial fulfillment of the requirements for the degree of MASTER OF ARTS in
History

Montana State University

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Abstract:

A moratorium on further extension of water service was instituted to halt population growth in Bolinas, California on November 26, 1971 by the Bolinas Community Public Utilities District. This action by the recently elected Public Utilities Board reflected community attitudes towards environmental concerns which had developed in response to recent moves to further develop and commercialize the area.

Political response to environmental issues resulted in defeat of supporters of a multi-million dollar regional sewerage system.

The ideology of the new community leadership contained elements of the radical "New Left" movement of the sixties, environmental protectionism, agrarian romanticism, and parallels to the American populist movement.

The ideology when put into practice at Bolinas revealed a number of discrepancies not anticipated at the outset. Tactics used to retain the moratorium resulted in deterioration of the water supply, inadequate fire protection, and an increase in the occupancy of sub-standard illegal dwellings. Meanwhile real estate prices rose, pricing many of the original supporters of a no-growth policy for Bolinas out of residency. Growth was not appreciably affected by the moratorium; the population has more than doubled in a five-year period. The mixed rural and vacation community is well on its way to becoming an expensive and therefore exclusive suburb.

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RADICAL ENVIRONMENTAL PROTECTIONISM IN A SMALL COMMUNITY:
A STUDY OF THE BOLINAS WATER MORATORIUM

by

MARGUERITE KIRK HARRIS

A thesis submitted in partial fulfillment
of the requirements for the degree

of

MASTER OF ARTS


in

History

Approved:


Chairperson, Graduate Committee


Head, Major Department


Graduate Dean

MONTANA STATE UNIVERSITY
Bozeman, Montana

August, 1977

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ii

. . . a little thinking must be done, and done well,
before even the simplest historical fact can be
considered.

Paul Feyerabend

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ABSTRACT

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I. INTRODUCTION

On November 26, 1971 the directors of a small public utilities district in a coastal area of northern California passed a resolution establishing a moratorium on the extension of its water service. This was one of the first attempts by an American community to effect zero growth control using such means.

Whereas other communities used zoning to control population growth and density, Bolinas, an unincorporated area without zoning power, used the withholding of water as a means to curtail growth. The four out of five directors who voted for the water moratorium had just been elected to the board of the Bolinas Community Public Utilities District, the only locally elected governmental agency in Bolinas. The issues of the recent campaign had centered on the implications for growth of a proposed sewage treatment and collection system. The incumbents, two of whom were defeated in a recall vote, had approved a plan for a sewerage system to accommodate a large increase in population. The successful candidates had emphasized the high cost of the plan and its potential for providing a sharp increase in the population density of the Bolinas area. The related issues of local control of the environment and local autonomy over the allocation of land and water resources had also been part of the new board members' platform.

The language of the moratorium, which the new directors passed minutes after taking their seats, reflects some of the rhetoric and temper of the recent election:

BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

RESOLUTION NO. 93

NOVEMBER 26, 1971

WHEREAS the land areas encompassed by the Bolinas Community Public Utility District contain canyons, ridge-tops, mesas, a lagoon and ocean beach frontage which in total comprise a unique and irreplaceable [sic] combination of natural features providing a habitat for a variety of life forms including quail for which species a part of the above described land serves as a refuge; and

WHEREAS this area is threatened with chaotic human influx capable of destroying the existing delicate ecological balance already threatened; and

WHEREAS the existing water supply is inadequate to meet the health and safety standards creating in the summer months a serious fire hazard that is dangerous and constitutes a threat to human life and property; and

WHEREAS the water delivery system is in need of repair in order to meet the minimal needs of the inhabitants' district and that any further extension of its water delivery service would tax the resources of the district beyond the reasonable limits of its facilities; and

WHEREAS other necessary facilities are also either inadequate, harmful, or well below minimal acceptable standards such as sewerage, drainage, fire protection, transit facilities, medical care, etc.; and

WHEREAS further extension of the dedication of the district would seriously impair the ability of the district to provide water to its users;

THEREFORE, BE IT RESOLVED that the Bolinas Community Public Utility District hereby limit its dedication to the territory and to the water consumers that the district now supplies with water and do hereby declare that its policy is to establish, as of this date, a moratorium on providing its service of water to new construction requiring same until such time as a thorough

and comprehensive evaluation of the entire area is made to which this Board is committed in its capacity as a Public Utility District.¹

The ecological point of view expressed in the opening paragraphs was an indication of the attitudes of the newly elected directors, and was intended to elicit a sympathetic response from their constituents. Concern for the Bolinas environment had been an issue in a referendum vote on the use of the Bolinas Lagoon two and a half years before. The result of that vote was the defeat of a "commercialized" harbor plan for the Bolinas Lagoon. In January of 1971 a San Francisco oil spill, which had involved many Bolinas people in a concerted effort to save birds and lagoon from the black mess that had washed up on the shore, had also alerted them to threats to their environment.

The intent of the moratorium was to halt population growth by stopping building. Bolinas, an unincorporated area, is under the jurisdiction of Marin County, which regulates new building construction through the departments of building, planning and health. Before a building permit could be granted, adequate utilities had to be assured. By denying a necessary utility, the moratorium was, in one sense, asserting local control as opposed to county authority. The wording of the last five paragraphs of Resolution #93 was intended to

¹Bolinas Community Public Utilities District, Bolinas, California. Book of Resolutions, Resolution #93.

give legal sanction to the water moratorium and to make it stick--at least long enough for local planning and zoning to become a part of the county master plan for population density and land use.

This anti-growth sentiment and action on the part of the directors and their supporters in Bolinas, California, had its parallels in other communities and towns across the country, where a heightened sense of environmental protectiveness had been gathering momentum in the early 1970's. In many communities voters had passed measures which they hoped would stop the defacement of the hillsides, the congestion of their streets, and the crowding of their schools. Some measures were designed simply to keep people out. By restricting the amount the state could spend, citizens of Colorado voted not to host the 1976 Olympics; voters in Florida and California passed multi-million dollar bond issues to purchase open space and parks. Some local communities tried to use what power they had to slow growth in their area or to stop it altogether. To curtail population and control density, laws restricting building heights and number of houses were employed with more frequency. Carson City, Nevada, and Boca Raton, Florida, set absolute limits on population by restricting the total number of houses that could ever be built within their city limits.¹

¹New York Times, July 29, 1974, p. 20C.

These approaches were frequently accompanied by demands for local control of the environment--a political movement which not only paralleled the environmental movement but was corollary to it. The people making these political and environmental demands organized their campaigns in urban as well as rural communities. Their use of neo-populist slogans, their disregard for traditional land development, and the activist character of their responses caused the supporters of these population checks and environmental measures to be termed radical. "As ecologists begin to act," James Ridgeway wrote, "putting their ideas into practice, they emerge as radicals."¹

The Bolinas moratorium on water hook-ups and the events related to its passage contain elements associated with these national trends. This paper will examine this event in relation to other events both before and after November 26, 1971. What preceded the moratorium in Bolinas? What have been the consequences?² What have been the short-term results of an attempt at growth control?

¹James Ridgeway, The Politics of Ecology (New York: E. P. Dutton, 1970), p. 80.

²The history of any subject, especially one of such short span, has no "cut-off" date; it goes on and on, one event related to another in infinite series. This study, written in the fall and winter of 1976-77, has focused on events from 1971 to 1976. It makes no pretence to have probed the full range of consequences of the Bolinas water moratorium. The significance of trends, or problems and responses, and the consequences of events occurring in 1977 and after require further investigation for their understanding.

What have been the actions and the stated intent of those actions on the part of the moratorium supporters in Bolinas? Have there been discrepancies between the announced objectives and the actual outcomes? Considered in this way, the history of the Bolinas water moratorium may be taken as an example of an attempt to curtail population growth in a small community and may, at least such is the author's hope, further the reader's understanding of the radical protectionist nature of these events.

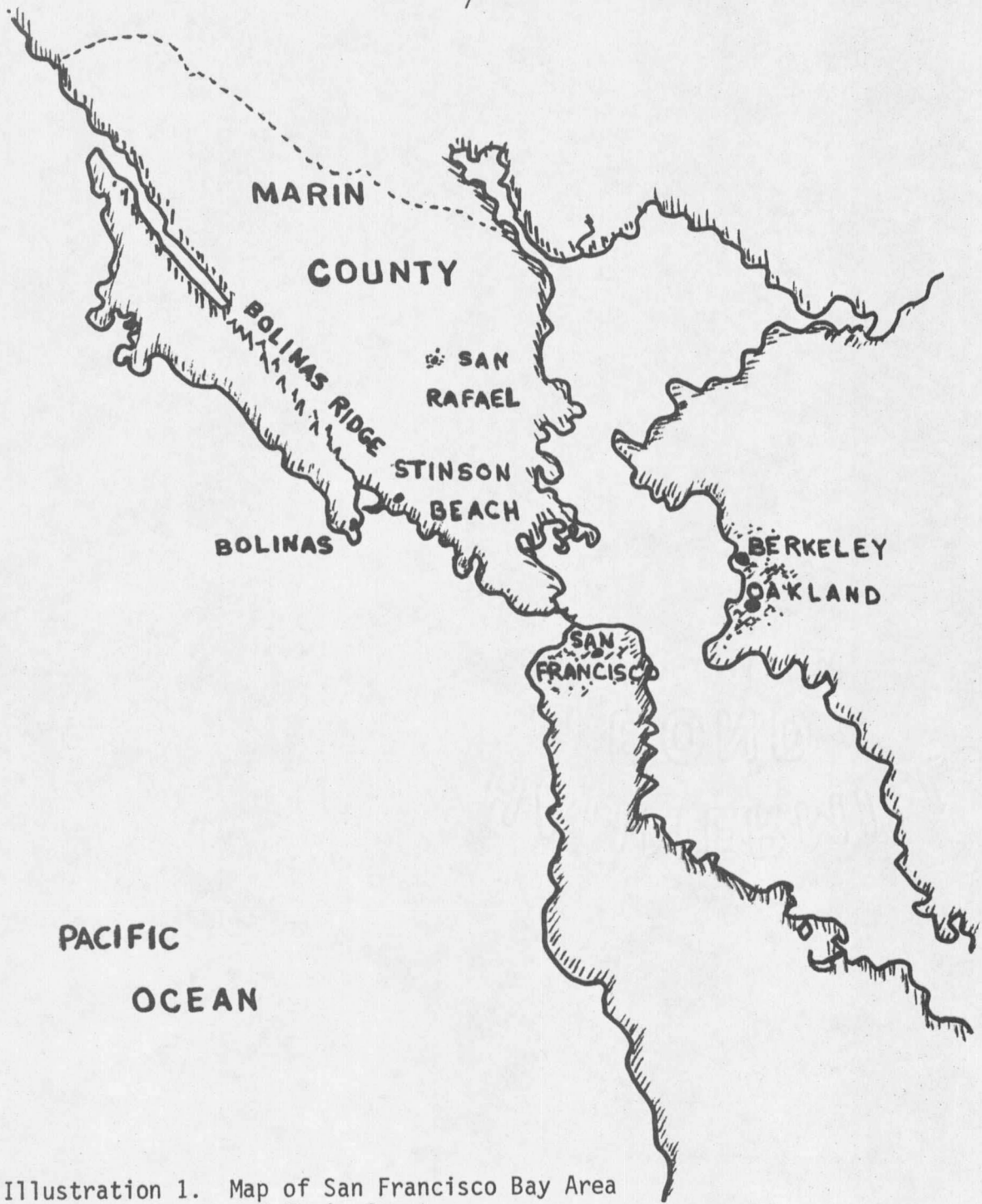


Illustration 1. Map of San Francisco Bay Area and Marin County



Illustration 2. Map of Bolinas Watershed.

II. HISTORICAL BACKGROUND

After millions of years of violent natural history, of risings and fallings of the water and the land, of earthquakes and seaquakes and lava flows, and, after more millions of years of cooling, the Bolinas area finally presented itself as habitable. And from that time on those who inhabited the area have in turn been either displaced by or obliged to adjust to those who followed.

The place that is now called Bolinas had among its natural features a bay bordered by hills on the east and north, the Pacific Ocean on the west and south, and a mesa of high grasses between the beach and the forest from which the first inhabitants could see sunrises through the giant redwoods and sunsets on the ocean. Fish, seals, mountain lion, elk, deer, bear, and even grizzlies accommodated the Indian who took from the sea and the forest, left mounds of his refuse, and moved up and down the coast. He was gone when the first Spanish settlers came.

In 1834 or 1835, after the confrontations between the newcomers and the old had already taken place in the missions and the forts on the other side of the coastal mountains, Rafael Garcia came to Bolinas. A Mexican land grant gave him title to two square leagues of land between the mountains and the ocean, where the towns of Bolinas and Stinson Beach are located today. He called his grant

Rancho Baulenes and ran cattle on it. Within a few years Garcia's sister, Ramona, and her husband, Gregorio Briones, joined him. The displacement that then occurred, according to local historian, Jack Mason, "puzzles historians to this day. Garcia with no clearance from any official quarter moved his entourage northward into the Olema Valley, . . . turning his Bolinas holdings over to Briones including his settlement west of the Bolinas Lagoon."¹

Gregorio Briones who had been an alcalde at the Presidio in San Francisco was of sufficient means to establish himself, and his wife, and five children in a large adobe house with his servants and Indian workers. His cattle, several thousand head, ranged the Bolinas mesa. Although wars and skirmishes with other colonials and Indians took place elsewhere in California, the hacienda life² of the Briones continued on in Bolinas. The inaccessibility of Bolinas isolated it from much of the outside world.

The Briones were the established family but there were others who, without family or title to the land, also attached themselves to this area of the coast. Munro-Fraser, in his History of Marin County, California describes one such beachcomber:

¹Jack Mason, Last Stage for Bolinas (Inverness, California: North Shore Books, 1976), p. 4.

²For a description of Spanish and Mexican-American life of this period see Hubert H. Bancroft's California Pastorate (San Francisco: The History Company, 1888).

Among the many men whom chance circumstances had stranded upon the Pacific coast in that early day, long before immigration set in in this direction, was a man known only by the cognomen of "the old Blacksmith"; whence he came or what had been his past life, no one every knew, for those were subjects on which he was very reticent. . . In 1849, Captain J. A. Morgan had occasion to go to Bolinas Bay, to wreck a vessel which had been stranded on the beach. Upon going ashore he was met by a very peculiar looking individual who seemed to be a fixture in that vicinity. Upon entering into conversation with him, he found that the man was living near by in a deep ravine, and he invited the captain up to his residence for an inspection of his premises. When he arrived at "the house", what was his surprise, to find it to be simply a cask picked up from the beach, with the open end against a rock which served as a door. In the hogshead there was a lot of leaves, and a few rags which served as a bed. . . The Blacksmith was eccentric, erratic, cunning, bold and mischievous, and many used to think somewhat of a lunatic. . . He had two companions, a cat and a pig. . . The affection which existed between them was something remarkable, and would more than emulate Robinson Crusoe and his pets. He always went barefoot, and half naked. . . His food consisted of clams, fish and game.¹

Captain Morgan may not have wished to share the old Blacksmith's lifestyle; he did however, find the area agreeable enough to acquire some beach front acreage from Briones and build a home near that of the beachcomber.²

Briones made another deal about this time which was to have more important consequences for Bolinas. On October 12, 1849, he

¹J. P. Munro-Fraser, *History of Marin County, California* (San Francisco: Alley Bowen, 1880), p. 265-266. Mason dismisses Munro-Fraser's full account of the "Old Blacksmith" calling it preposterous and attributing it to the imagination of Captain Morgan, op. cit., p. 99.

²Munro-Fraser, op. cit., p. 26.

and his brother-in-law, Rafael Garcia, signed an agreement with a San Francisco company to have timber on the Bolinas ridge logged. San Francisco was experiencing its population explosion of the late 1840's and wood was needed for wharves, pilings, and houses. Although the twelve mile sea passage to Bolinas was a treacherous one, the Bolinas ridge provided an ample and accessible supply of lumber for San Francisco.¹

"Clear-cutting" was not mentioned in the contract Briones made with the lumber merchants, (it came into our lexicon much later) but what followed was clear-cutting with a vengeance. By the time of Briones' death in 1863, fifteen million board feet of lumber had been taken from the Bolinas forests. In 1880, after the loggers had left and the sawmills had closed down, Munro-Fraser, in his nineteenth century prose, lamented:

There was a time when the timber of this township was bountiful, and its forests, grand and extensive. . . In the days of pristine glory of this forest primeval it was no uncommon thing to find trees fifty foot in circumference, . . . judging from the stumps which still remain. . . the major portion has long since been chopped out, and the places which knew them shall know them no more forever; nor will others spring up to take their places. . . All is gone and nought of it will ever return.²

¹Munro-Fraser, op. cit., p. 264-70.

²Munro-Fraser, op. cit., p. 263.

The direct effect of such extensive clear-cutting on the Bolinas watershed was silting of the bay. By 1853, ocean-going vessels could no longer come in close by the sawmills, and lumber had to be lightered over the shallow water to Bolinas Point where it was loaded into schooners. With the forest gone, and the state offering a bounty for their "scalp with the ears," the wildlife was in jeopardy. The bears and the mountain lions disappeared with the redwoods by about 1860.¹

The logging boom and its related industries of sawmills and ship building brought to Rancho Baulenes a store, as many churches as saloons, and settlers who spoke only English. These newcomers acquired their land first from Briones and then from each other. Near the docks, the area where the saloons were located, was called Jugville; farther to the north where the churches lined the lagoon, Gospel Flats. Rancho Baulenes had become an American town; its inhabitants citizens of the United States. The change was peaceful. The battles and diplomacy that decide such matters as sovereignty took place on the other side of the mountains. San Rafael, the county seat, was thirty tortuous miles by wagon train. San Francisco was twelve miles away by sea, but it was a rough trip. Bolinas was, and is, one of the more inaccessible communities in Marin County.

¹Munro-Fraser, op. cit., p. 270-273.

When the sawmills closed in the late 1860's, ship building dwindled. The last ship was built in Bolinas in 1870. About the same time a copper mine which had been in operation for seven years was abandoned. Cattle (the industry of the Mexican settlers), dairy farming, the cutting of firewood, and a few hardy sportsmen and tourists sustained the economic life of Bolinas.¹

The intemperate saloons of the lumbering days were replaced and refitted to accommodate vacationers who came to boat, fish, bathe, hunt, and escape the summer heat of the inland valleys. Jugville was renamed Bolinas. A new road for horse and buggy over the coastal mountains was built in 1870. There was talk that the railroad, which ended just over the mountains, would be extended to the sea.²

Some tourists came to stay. Frank Waterhouse, a banker from Sacramento, came to Bolinas looking for a place to get away from the heat. Unable to buy the summer place he was seeking, he bought, instead, a one hundred thirty-one acre farm next to the ocean and subdivided it into fifty foot lots.³

¹Mason, op. cit., p. 67-f.

²Mason, op. cit., p. 68-69.

³Mason, op. cit., p. 71f.

This subdivision, made in 1880, had many attributes of its modern counterparts. Bisecting the plat was a sixty foot roadway to the beach. Along this road, called Brighton Avenue, Waterhouse dedicated an acre of land for a park. He put in bulkheads to protect the lots on the bluff and built flumes to carry off drain water.

After Waterhouse established his own residence in Bolinas he became "convinced [that] picnickers and sightseers were nothing but troublemakers." The lumber from the flumes and other improvements Waterhouse had provided for his subdivision ended up in picnic fires. He must have felt the area should be closed to the casual tourist and Sunday picknicker for he installed a gate to keep them out.¹

Whether discouraged by Mr. Waterhouse's locked gate or the difficult route, tourists did stay away. By 1906, business was not sufficiently profitable to warrant rebuilding or reopening the Bolinas hotels destroyed by the San Francisco earthquake.² Buying their lots from Waterhouse, summer and year round residents continued to build in Bolinas.

In the first years of the twentieth century the Bolinas population consisted of about one hundred and fifty full time residents and less than one hundred summer people. The Bolinas Improvement

¹Mason, op. cit., p. 73-74.

²Mason, op. cit., p. 70.

Club was organized in February, 1905. In April, the town voted to replace their outhouses with sewers. The vote for the \$2,200 for sewer bonds was unanimous and the citizens held what they called a "jollification meeting" to celebrate. County, state, and national politicians considered the event important enough to make the rough journey to Bolinas to join in the speechmaking. In Last Stage For Bolinas, Jack Mason, a local historian, described the "Sewer" of 1905:

The bonds were sold and the contractor. . . was given 60 days to build the plant. Simple! Merely channel the sewage from Bolinas' houses into a central outflow pipe with a flap valve, thence into the lagoon, where the ebb tide would sweep it out to sea. . .

But Bolinas' sewage refused to go away. It was soon apparent that the basin was too shallow and the tides too sluggish to do their part. What the town had done was to turn the lagoon into a sludge basin and put its future further in hock.¹

The Bolinas Improvement Club had sponsored an exchange of insanitary outhouses for an insanitary lagoon. Another subdivision, Bolinas Highlands, was established in 1913 and added another fifty-eight lots on the hill above the town. Sewage from these homes would go into the lagoon, compounding the problem.²

By 1918, the residents of Bolinas also had a water problem. The increase in population, the neglect of the system by the water

¹Mason, op. cit., p. 82.

²Mason, op. cit., p. 85.

company, and the lack of winter rainfall resulted in a threatened water shortage for the summer of 1918. David S. Edwards, Sr., who took an active part in trying to solve the water supply problems left the following summary:

Early in May, 1918, it became apparent that the water supply. . . would prove inadequate during the [summer] months ahead. The Water Co. having this threatened shortage called to its attention caused notices to be posted throughout the town. . . [This] caused sufficient water to carry the supply until the middle of July at which time the service ceased completely. The storage tanks were empty and no water was being delivered. . . from the so called "dam." . .¹

Realizing that the "out-of-town" water company which was "supposed to be serving" Bolinas was without local representative or proper responsibility, Edwards and "a few [other] public spirited citizens formed into a committee to try to relieve the situation." The committee, volunteering their labor and contributing their money (they expected the water company to repay them) installed an emergency pump on Pine Gulch Creek and the water crisis was relieved somewhat.²

The crisis, however, had stimulated action among Bolinas residents to obtain more control over their water supply. Edward's notes continue:

¹David S. Edwards, Sr., unpublished manuscript notes.

²Ibid.

Subsequently, in July--a mass meeting of Bolinas citizens and property owners was held at the Bolinas Clubhouse, when the water situation was discussed ad lib and a committee appointed from amongst those present by unanimous approval to be known as the Bolinas Citizens Water Committee--This committee was instructed by the meeting to look into the question of the formation of a Municipal Water District, for the purpose of forming such a district under the state laws, if said laws applied for the Bolinas district and to do necessary looking to a final solution of the Bolinas water situation.¹

The citizens' committee investigated a delivery system that would bring water by gravity from Arroyo Hondo but found that the six hundred dollars they had collected would not cover the cost. They, therefore, settled on a water connection to Pine Gulch Creek on the Bolinas Lagoon--near Briones' original homestead. The committee also investigated the possibility of forming their own water district but learned that only established municipalities could form a Municipal Water District according to state law at that time (1918).²

Three years later the California legislature passed the Public Utilities Act (1921) which made possible the formation of a publicly owned and operated utilities district in rural areas such as Bolinas. The "public spirited citizens" of the Bolinas Citizens Water Committee were ready. They formed the Bolinas Public Utilities District

¹Ibid.

²Ibid.

(BPUD). With tax revenues and more volunteer labor the BPUD was able to install a water system using gravity flow from Arroyo Hondo thereby eliminating the costs of pumping. With improved pipes and added storage, this source proved adequate for many years.¹

In the spring of 1927, a three hundred acre dairy ranch on the Bolinas Mesa was subdivided into 5,336 twenty by one hundred foot lots to be known as the Smadbeck Subdivision. Its New York promoters used a variety of sales tactics. Lots were offered for \$69.50 (\$9.50 down and \$3 a month) to anyone who would subscribe to the San Francisco Bulletin. Excursions with picnics and "sea bathing" were organized so that prospective buyers could view the lots in congenial circumstances. Free membership in a newly built clubhouse and a "beautiful shorefront park" were a few of the enticements. Covenants of the subdivisions's sales agreement prohibited slaughterhouses, nail factories, glue plants, insane asylums, and acquisition of the lots by Orientals, Negroes, and Indians.²

The new subdivision residents began organizing their social and political affairs using the mesa clubhouse as a center. Evening socials and dances were held and an organization formed called the

¹Ibid.

²Mason, op. cit., p. 87-88.

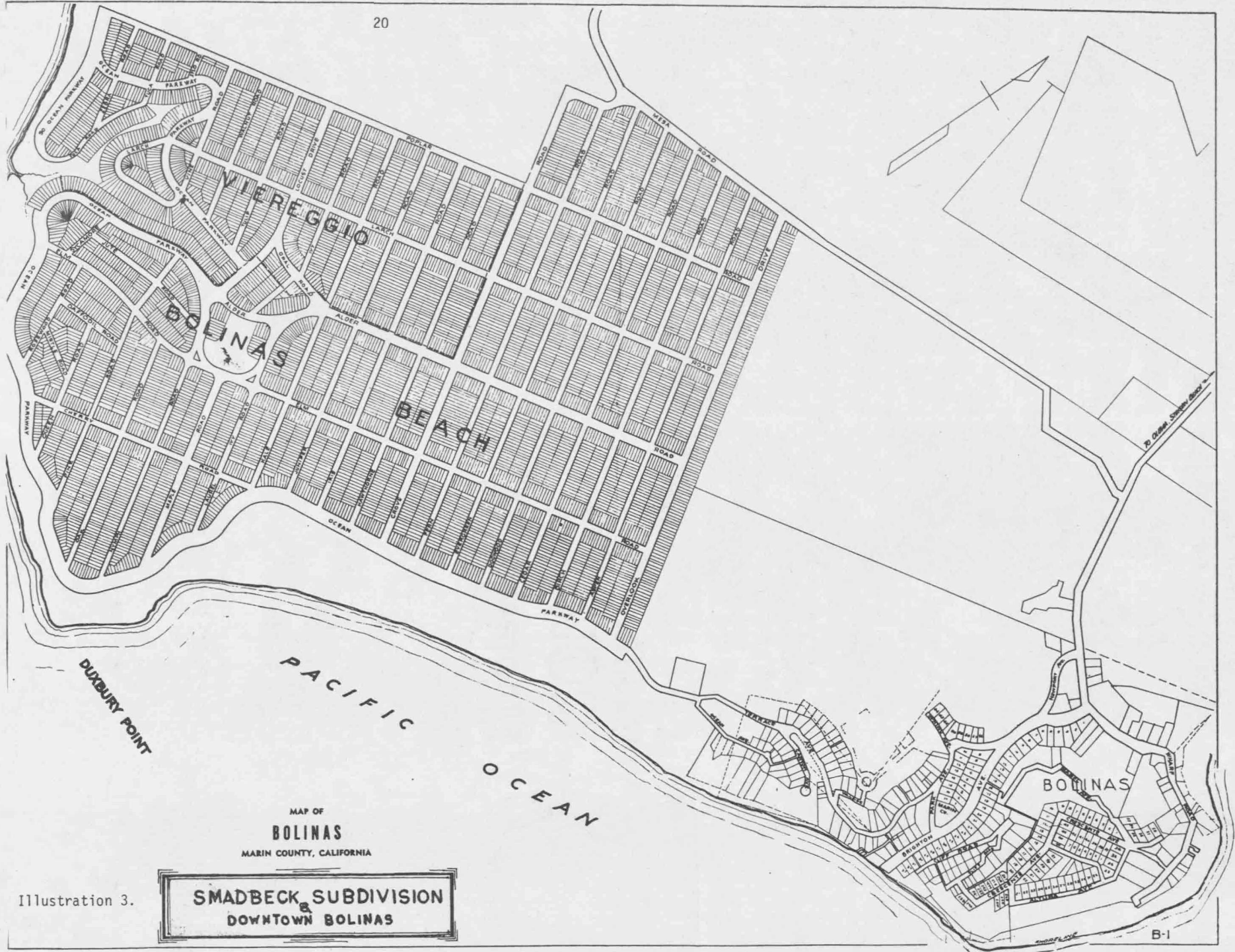


Illustration 3.

**SMADBECK SUBDIVISION
&
DOWNTOWN BOLINAS**

B-1

Bolinas Beach Improvement Club--counterpart to the "downtown" Bolinas Improvement Club. Arrangements were made with the Bolinas Public Utility District to buy water.¹

Among the residents of "downtown" Bolinas there was opposition to the mesa subdivision, and animosity developed between the two sections of the community. Residents of the mesa were considered inferior by the downtown residents. "There was bad feeling," one long time resident remembers, "and it didn't take much to set it off." One day at the downtown butcher shop, a man named Lowenthal who was in charge of sales and other management affairs for the Smadbeck interests got into an argument with the butcher and threw hamburger into the butcher's face. That was the end of the water arrangement.

Claiming an emergency, the BPUD announced it would no longer supply water to the mesa; mesa residents then formed their own district, the Bolinas Beach Public Utilities District (BBPUD) and put in a water delivery system which partly paralleled the downtown district's system. The BBPUD, however, pumped water from a lower elevation on Arroyo Hondo. A successful bond issue vote in 1930 of \$16,000 provided the mesa with water tanks--tanks with a storage capacity of a month and a half reserve water supply.

¹Interview with Clarence Feusier, September 18, 1976. Feusier is the source for the following paragraphs in this chapter.

In 1956, a winter storm severely damaged the water system of both districts. The pumping installations for the mesa district were completely washed out, leaving only the pipes intact. The downtown district lost their pipes and their displacement dam on the Arroyo. The Mesa district, by quickly building a new dam higher up on the Arroyo, was able to improve its system (taking advantage of gravity flow and dispensing with costs of pumping) and to provide the downtown with water.

In their considerations for rebuilding the damaged water systems, community residents urged that the two districts join. Since their pipes ran the same downhill course from adjacent dams, it seemed reasonable to effect a merger, but the two sections--mesa and downtown--remained apart. Ten years passed before the two districts were joined. By that time new residents had arrived in Bolinas who were unaware of the old animosities and made no distinction, other than location, between mesa and downtown.

Except for the lumbering boom of the 1850's, Bolinas residents had not experienced a period of rapid population growth. Long after the Depression of the Thirties most of the mesa lots still were undeveloped. Many were listed on the delinquent tax roll. A railroad which would have connected Bolinas to the populated areas to the east and to San Francisco was never built. The war, although

it brought Coast Guard personnel and a radio communications center, did not effect the growth increase many other California towns experienced. Nightly blackouts prohibited night time driving, and gas rationing further discouraged visitors' driving in from the neighboring metropolitan area. Bolinas was still an out of the way place along the coast in spite of the Golden Gate Bridge, finished just before the war. In 1947, there were only about forty homes on the mesa, many of them one room vacation cottages. The bath-houses on the cliffs above the sea were gone, and the roads were overgrown with brush. In 1954, potential buyers discovered that the taxes for homeowners were among the highest in California: \$5.98 per hundred assessed valuation--the 1930 bond issue had anticipated a more rapid development--most of the original subdivision still remained unimproved. The tax base remained low. In the late fifties, several carpenters and carpenter-contractors successfully began to build houses on speculation, but these few houses and their occupants hardly changed the rural character of the Bolinas landscape.

III. ENVIRONMENTAL CONCERNS AND POLITICAL RESPONSES 1960--1971

After nearly a century, the silt that Munro-Fraser predicted would one day turn the Lagoon into a barley patch¹ had almost sealed the mouth of the Bolinas Lagoon. At low tide the channel was eighteen inches deep.² Since authority over coastal waters rested with the state, a group of citizens from Bolinas successfully petitioned the California State Legislature in 1957 to create a local agency with jurisdiction over the Lagoon. The Bolinas Harbor District was formed with a mandate to improve the harbor, or have a plan to do so within ten years after the first trustees took office. Five trustees from the area were elected in 1961. One of the trustees was a grandson of Frank Waterhouse and owner of the local grocery store; another was a businessman; and a third was an electrical contractor. All were interested in boats--for pleasure and for fishing.³

To remove one hundred years of accumulated mud from the Lagoon was a demanding task, but the trustees' approach was commensurate with the challenge. By declaring the Bolinas Lagoon a "harbor of refuge," which small pleasure, fishing and Coast Guard craft could

¹Munro-Fraser, op. cit., p. 261.

²Mason, op. cit., p. 137.

³Mason, op. cit., p. 138f.

use during storms, the Harbor Board enabled the District's projects to receive federal funds. The Army Corps of Engineers was consulted. Dye studies of tidal action undertaken by the Army Engineers revealed that the problem could not simply be solved by dredging. To prevent further filling and to assist in cleaning out the mud, the flow of ocean currents at the mouth of the Lagoon had to be modified. The cost of building the necessary jetties and breakwaters was estimated at about eleven million dollars.

Raising eleven million dollars from fewer than seven hundred taxpayers was out of the question. The alternative was to have the harbor pay for itself. The Harbor Board hired architect Normal Gilroy to design a plan for the Lagoon. Incorporating the Army Corps of Engineers' jetties and breakwaters, Gilroy's plan added docking facilities for 1,600 pleasure and 100 fishing craft, motels, a shopping center and a heliport. Revenues from the commercialized harbor were to pay for the project.

Members of the California Harbors and Watercraft Commission found the plan "fantastic and exciting,"¹ but when the architectural renderings and exhibits were displayed to the local citizens, there was a different reaction.

¹Mason, op. cit., p. 138.

From the time of the Bolinas Harbor Board's formation in 1961 to the public presentation of the Lagoon plan in 1966, people had been moving into the area at an ever increasing rate. The California population boom had finally reached Bolinas. In 1963, for example, the minister of the Presbyterian Church invited all the new families of Bolinas to a welcome supper at the Manse; there were five families. The next year there were twice as many and the Manse could not accommodate them all. A large portion of the population was comprised of artists, craftsmen, and others who did not depend on the local economy for their income. Relatively few commuted to daily employment "over the hill." Newly divorced women with small children found the sandy beach and small village a good place to begin reshaping their lives. Retired people continued to move into the area as they had since the 1880's. These people enjoyed walks along the beach, watching the shore birds--sea gulls and herons and a few rare snowy egrets. Some were members of the Marin conservation League and the Marin County Audubon Society--organizations which protested commercial development of the Bolinas Lagoon.¹

People with images of sea gulls being caught in the rotors of helicopters and boat oil fouling the snowy egrets' feeding ground opposed persons motivated by an image of a bustling harbor, a seaside

¹Author's recollection.

resort--a commercial venture of benefit to residents and visitors alike. The conservationists won. On March 11, 1969, with 86% of the eligible voters participating, the Bolinas Harbor Board was voted out of existence--313 to 266. The Lagoon reverted to the State which passed it back to Marin County to develop as a park. The County administrator echoed the conservationists' vote; "No boating. No commercial exploitation."¹

Commercialization had been prevented but the gradual inexorable filling of the Lagoon had not. In September 1969 Director Robert Walker of the Resources Agency of California wrote:

While Bolinas Lagoon continues to be studied to death, it is rapidly being destroyed by nature for all the aesthetic and useful purposes we seek to preserve. Cows now graze a portion of it and in a few short years it will be entirely irreversibly modified into a beautiful flat meadow.²

The State Fish and Game Commission issued a report in January 1970 which echoed Munro-Fraser of 1880. Munro-Fraser had written:

In days gone by this [bay], doubtless afforded a very ample anchorage, but the soil from the hillsides on one hand and the sands of the sea on the other, have conspired to fill the entire bay, almost. The entrance to it is now nearly closed by an extensive sand-beach, there being only a narrow channel open through it. The greater portion of the bay is a great sand-bed which is bare at every low tide, and, which affords a breeding ground for countless gigantic clams. It has, of course, required ages to affect these changes, for the attrition of the soil and the accretion

¹Mason, op. cit., p. 141.

²Mason, op. cit., p. 140.

of the sand, must necessarily have been very slow. When the country began to settle up, this filling of the harbor progressed much faster; for the soil, being loosened by the plowshares, was the more easily washed into the bay by the Winter rains. When vessels first began to sail into the port, a schooner drawing ten feet of water could pass over the bar with ease at any stage of the tide, while now, the same draught of vessel can barely pass at the highest stage. . . . Old sailors are free to assert that the day is not far distant, at the present rate of filling in, when the entrance to the bay will be entirely closed, and the body of it will be mere tide and overflowed land open to reclamation and cultivation.¹

The State Fish and Game report issued January 1970 read:

It [The Bolinas Lagoon] is visibly yielding to the fate of all estuaries and coastal lagoons--their deaths begin at birth. The evolutionary process of gradual filling by sediment, a transitional conversion from water to mudflats to marshlands, and the final development of uplands is already apparent in the formation of Kent Island, the adjacent salt marsh and the delta of Pine Gulch Creek.²

Although the death of the Lagoon had been predicted and the National Conservation Foundation advised against any disturbance of the wildfowl feeding ground, the County Parks and Recreation Department went ahead with plans complete with nature centers, picnic tables, and parking areas and boardwalks and bike trails edging the area.³ The plan was presented and approved but before Bolinas

¹Munro-Fraser, op. cit., p. 261.

²Mason, op. cit., p. 140.

³Mason, op. cit., p. 141. The Lagoon area remains undeveloped (August 1977).

residents could object an intrusion more dramatic than sedimentation and more imminent than commercializing menaced the environment of the Bolinas Lagoon.

When the people of Bolinas awakened on the morning of January 18, 1971 they were greeted by the pervasive and unsea-like stench of crude oil. During the night, two Standard Oil tankers had collided beneath the Golden Gate Bridge and 800,000 gallons of oil had spilled into the tidal currents of the Straits of San Francisco. Within hours the oil was in Bolinas Bay and was headed for the Bolinas Lagoon. Standard Oil and Coast Guard cutters spread straw over the oil. A barrier of straw filled bags was stretched across the mouth of the Lagoon. The oil stayed away from the feeding ground of the herons, cormorants, plovers, geese and ducks, but the birds themselves did not escape. A magazine correspondent who witnessed their off-shore struggle wrote:

Half way in they hesitated. . .and were engulfed. They dived and I watched anxiously for them to reappear. After the first two waves they took longer and longer to surface. Finally they were headless blobs floating on the water. Gone were the proud curving necks and perky heads. Gone was any sign of life. They had drowned.¹

People waded out to gather up the birds and brought them to the small Marine Biology Laboratory in Bolinas where volunteers

¹Mason, op. cit., p. 140, quoting George Silk, Life Magazine, 5 February 1971, p. 93.

bathed and cleaned the oil soaked creatures. In a few days thousands of people had come to Bolinas, many of them young people who brought sleeping bags and camped in any available shelter. Standard Oil provided food for the volunteer workers and materials and tools for a log boom to replace the straw bag barrier at the mouth of the Lagoon. For weeks after the last bird had been carted away to a treatment center, the clean-up work went on. Oil soaked straw was loaded onto dump trucks; tidepools were painstakingly cleaned of oil with cotton rags. Orville Schell, a Bolinas resident and writer, described the effect of the oil spill on the people of Bolinas:

. . .it brought people together. Until the oil hit the beaches, many people in town looked upon themselves as escape artists. . . and, I think, many of us began to sense the vulnerability of our escapes as we wrestled those hundred pound blobs of oil and seaweed up onto dump trucks.¹

The oil spill dramatically altered the character of the community. Many of the volunteers who came to Bolinas, especially the younger ones, chose to remain and brought with them new political and social attitudes. All who had lived through the oil spill, the new as well as the old, had indeed been sensitized by the experience. It was these people who now responded to an environmental

¹Orville Schell, The Town That Fought to Save Itself (New York: Random House, 1976), p. 3.

situation that had taken years to develop and although less obvious than the oil spill, nevertheless, would have more profound and far-reaching effects on the community.

When downtown Bolinas exchanged outhouses for a sewerage system that dumped raw sewage into the Lagoon, it had, according to Jack Mason, put, "its future. . . in hock."¹ By 1960, the future had arrived. In that year the downtown utilities district (BPUD) was advised by the California Water Quality Control Board (CWQCB) that the pollution of the Bolinas Lagoon must stop. This was the first of a series of increasingly more strident messages received by the BPUD urging compliance with state and federal water control acts.²

The BPUD Directors met with officials, listened to engineers, read reports and studies, and deliberated over possible treatment systems which would satisfy legal water quality standards. Faced with the same financial reality that the Trustees of the Harbor Board encountered--costs too high for so few taxpayers--the BPUD Board moved to join with the mesa utilities district (BBPUD). The merger of the two Bolinas districts was officially accomplished during the summer of 1966.³

¹See page 16, Historical Background.

²Correspondence between BCPUD and CWQCB, files of BCPUD, Bolinas, California.

³Minutes of Joint Bolinas Community and Bolinas Beach PUD July 14, 1966.

The directors of the newly formed Bolinas Community Public Utilities District (BPUD) still did not find a ready solution to their pollution problem. Even with the increased tax base, the cost of sewage treatment seemed too high, the financing unwieldy. Each year the BCPUD Board postponed solving the problem and each year the costs increased and pressure from the state intensified. Finally, a court order to "cease and desist pollution of the Bolinas Lagoon" coupled with the threat of enforcing a \$6,000 per day fine prompted the Board to act.¹

In July 1967 the BCPUD adopted a plan designed to comply with state and federal water quality and pollution abatement orders. Following guidelines which encouraged regional solutions to pollution problems,² Kennedy Engineers, the San Francisco firm employed by the District, designed a plan which included not only the Bolinas mesa but also the neighboring community of Stinson Beach. Known as the Kennedy Plan, it provided for the collection and treatment of sewage

¹Author's recollection and BCPUD's records.

²General Accounting Office, Examination into the Effectiveness of the Construction Grant Program for Abating, Controlling and Preventing Water Pollution: Report to Congress (November 3, 1968). See page 7 of GAO report for a review of legislation of water pollution control. The 1965 act provided grants and enforcement provision applicable to Bolinas/Stinson Beach through the state agencies.

for a population of 75,000; its initial cost estimate was \$8,100,000. All of Bolinas and Stinson Beach (including the sparsely populated area between the communities) was to be serviced by the proposed system and was to share its cost; federal grant funding was available for up to 80% on some construction and design costs; operation and maintenance were a local responsibility.¹

Although household waste from Stinson Beach and the Bolinas mesa was treated by individual septic tanks and did not specifically come under the abatement order, the Regional (San Francisco Bay Area) Water Quality Control Board (RWQCB) considered the septic tanks potential sources of pollution especially after a certain density was reached. The Smadbeck Subdivision of the Bolinas mesa (with its over 5,000 twenty by hundred foot lots) and all of Stinson Beach were, in the RWQCB's view, potential polluters of the Bolinas Bay and Lagoon, coastal waters which the RWQCB was empowered to protect from pollution. Since the Kennedy Plan met the requirements of the regional, state and federal agencies for "drinking water standards of discharge into adjacent waterways" it was certified to receive federal funds by the California Water Quality Control Board in November 1970.²

¹BCPUD files--Kennedy Engineers.

²Ibid.

Residents of Bolinas reacted negatively to the Kennedy Plan. Homeowners on the Bolinas mesa were informed by BCPUD letter in March 1971 that in order to pay for the collection pipes (not covered by federal grant) their properties would be subject to an assessment tax of several thousand dollars--a tax which could be levied without voter approval. Furthermore, for those houses which would be changing from septic tank to sewage treatment plant, a several hundred dollar hook-up charge was announced. Mesa residents with well-functioning septic tanks objected. Some members of the community were alarmed at the population increase for which the plant provided. They were affronted by the prospect of a huge sewage main being placed across the Lagoon directly over the San Andreas earthquake fault and by the huge amounts of chlorinated water which would "pollute" the ocean.¹

Although some of the people of Bolinas were resigned to the changes implicit in the regional sewerage system, others were not. Those who had participated in the defeat of the Harbor Board joined those who liked the town just the way it was. Newcomers who had come to save the birds stayed on to "save the town." "The Town's chemistry began to change,"² wrote Orville Schell who was part of

¹Author's recollection.

²Schell, op. cit., p. 3.

that chemistry. "We fanned out, banged on doors, passed out leaflets, started having meetings. . .By the time we got done, I doubt if there were more than ten people in town who didn't know about the Kennedy Plan."¹ According to Schell the proposed Plan "was obviously too expensive, too big, and would have opened the whole peninsula to possibilities of runaway development. . .The farther we got into the Kennedy Plan, the clearer it became that the whole project was a dinosaur which almost no one would support once it was understood." Schell believed "it was the development threat" more than anything else which upset the people.² A few of the more active opponents established an office in a downtown apartment. Called the Future Studies Center it attracted a group of resourceful and well educated young people whom Jack Mason characterized as "anti-establishment."³ Nevertheless, this group of young activists rallied the older, more established residents and led the opposition to the Kennedy Plan, attacking its supporters on both the local and state levels.⁴

¹Ibid.

²Ibid.

³Mason, op. cit., p. 90.

⁴A similar coalition opposed Stripmining in Montana in 1971. See New Republic "Defending the Land," November 20, 1976, p. 10-12.

On the state level, primarily as a result of communications from the Future Studies Center, the Environmental Protection Agency (EPA) was alerted to the impact of the proposed sewerage system on the Bolinas environment. The EPA whose approval was essential for construction of this size and type apparently had given only cursory attention to the Environmental Impact Report contained in the grant proposal. It now gave the matter more careful review. It dispatched two of its members to Bolinas where they were given a personalized inspection tour of the area by members of the Future Studies group. EPA representatives rewrote their report questioning (a) the ocean's ability to assimilate such huge amounts of chlorinated water, (b) the ability of the Stinson Beach-Bolinas area to absorb the projected rapid rise in population, and (c) the dangers inherent in such a system in the event of an earthquake. The EPA found that the Kennedy Plan's proposed sewerage system would indeed be a threat to the environment--that its disadvantages outweighed its advantages. In September 1971 the EPA submitted its findings to the CWQCB: the Kennedy plan was decertified.¹

¹BCPUD file--EPA correspondence. See also Schell, op. cit., p. 4.

IV. THE RADICAL PROTECTIONISTS

Most people in Bolinas agreed with the Environmental Protection Agency that the sewerage system designed to solve the pollution problem would itself raise new environmental problems. Indeed, enough energy and enthusiasm had been generated in the community to transform opposition to the Kennedy Plan into action which had far-reaching political consequences. Even before the Plan had been decertified at the state level, community opposition had evolved into political response at the local level.

Prior to the EPA's report to the CWQCB, members of the Future Studies Center had already taken steps to gain control of the BCPUD, the local agency responsible for decisions concerning sewage and water. The prospect of a scheduled election afforded the opportunity. Two seats of the BCPUD were up for election; two more required a recall procedure. (One seat had just been filled by appointment and was not subject to recall.) By winning two seats in the regular election and two on the recall ballot the Future Studies group hoped to gain control of local public utilities decisions.

By August 20, 1971, the deadline for filing, three young men from the Future Studies Center and one woman had presented themselves to the voters to replace the incumbent directors. They were Greg Hewlett, Bill Niman, Orville Schell, and Marguerite Harris.

While none of the four had any experience in public office, they promised to bring to the small community the experience of having lived elsewhere much of their lives--mostly eastern United States--and an impressive intellectual training from some of the country's more prestigious universities. In various ways they had been political activists. Schell, scion of a wealthy east coast family (his father served on the Board of Directors of the New York Stock Exchange), had received private schooling and a Harvard undergraduate education. At the University of California he publicly burned his draft card in protest against the Vietnam War and acquired a Ph.D. in Asian studies. He was an author of several books and worked as a free lance journalist. Niman, the youngest of the four, had worked on Wall Street and studied law before coming West. He had been a teacher in Bolinas and was associated with the Future Studies Center. Hewlett and Harris, coincidentally, had both lived and worked in Newark, New Jersey before coming to Bolinas. They experienced first hand the polluted and despoiled northern New Jersey coast, the crowding and tensions of an east coast urban center. Harris, a member of the Marin County Audubon Society, had actively opposed commercial development of Bolinas Lagoon. Hewlett had graduated from Middlebury College and Rutgers. He was program director for a settlement house in Newark and a leader

of the Students for a Democratic Society. He was also the charismatic leader of the Future Studies Center and of young people who had flocked to Bolinas. Some residents saw him as "revolutionary"; Hewlett described himself as a "volunteer worker for Bolinas" and sometimes, with a grin, as a "terrorist."

These four candidates together with their supporters waged an energetic and relatively sophisticated campaign to unseat the incumbent Board. Weekenders and other part-time resident property owners were urged to register and vote in order to preserve the rural, uncommercialized, uncrowded character of their seaside retreat. Personal contact, small social gatherings at which the candidates spoke, active voter registration, and well-written flyers were among the campaign tactics. The office seekers promised to be more fiscally responsible, more sensitive to the environment and to the interests of the community than the incumbent directors. In their appeals to the voters nothing harsh was said concerning the incumbents, older and established residents of Bolinas. The stance towards them was that--it was unfortunate to be opposing such good citizens. . . as Directors they had meant well. . .had been misguided. . .hadn't been strong or protective enough to stand up to the county, state, and federal agencies which were trying to "rip off" Bolinas.

Many of the newly registered voters, especially the younger ones, believed the Bolinas environment was threatened but was as

yet unspoiled. They were eager to support a local movement which promised to give them a voice in its affairs. Support for the opposition candidates also came from the older residents who objected to the rise in taxes and the increased development and attendant population which they believed would result from the actions of the current Board. As one old timer put it: "Many of the oldtimers, while they did not approve of the appearance, language, morals, and general revolutionary politics of [the candidates] and their followers, were convinced that they were do-gooders and were trying to make Bolinas go."¹

This coalition of anti-establishment, activist newcomers and older established residents proved to be a winning one; Harris, Hewlett, Niman, and Schell were elected to the BCPUD with a two to one majority.²

The abrupt change in Bolinas leadership occasioned by the recall election brought into a position of power new approaches to community concerns, new ideas, new ways of thinking, new people--in short, a new movement. While the ideology underlying this new movement was never formally articulated, it can be inferred from the

¹Letter from Clarence Feusier to Dorothy Paul, August 17, 1976, unpublished.

²Marin County, California, Book of Elections for November 2, 1972 Precinct #4207.

rhetoric of its spokesmen and from the statements of its supporters. Besides the young people, whose assertion of free expression was obvious in their dress and speech, there were many artists and poets who had found Bolinas a quiet and beautiful place to work and who wanted to continue there undisturbed. To the extent that they were opposed to the Vietnam War and the death penalty and in favor of legalized marijuana their opinions did run counter to the culture¹-- and at least to that extent justified Mason's label of "anti-establishment." Their aspirations for Bolinas, however, were more than merely a negative reaction to the establishment. In common with many of their generation, they sought the personal freedom to conduct their lives unfettered by the dictates of state and federal restrictions. They flouted the draft laws. They chafed at county building codes and rules against nude bathing.² Their notion of the "good life" included besides an insistence on individual freedom, a demand for local personal control over their community and a nostalgic yearning for community self-sufficiency--labor intensive cottage industry and subsistence farming, and local sources for energy and food. To many the urban environment was repellent and they were

¹Bolinas Community Plan Table III. Bolinas voters favored legalization of marijuana and abolishment of death penalty five to one in November 1972.

²San Francisco Chronicle, June 30, 1975, p. 4.

determined to protect Bolinas against threats and intrusions from that quarter. In much of their rhetoric there was an idealization of Nature and Nature's laws. Peter Warshall, a Future Studies activist and later a BCPUD Director, appealed to voters in a newspaper message by calling them "creatures of the Sun."¹ In the same document Warshall suggested that a kind of tribal consensus replace voting, and that confrontation would replace rules and regulations.² A passionate concern for the preservation of the environment permeated their ideology. Lewis MacAdams, a poet and Future Studies spokesman, also later a BCPUD Director, wrote, "Our vision is of a Bolinas, self-sufficient, in harmony with the planet, thus free."³

Another aspect of this ideology was its concept of community. For Warshall the community's vision was forged at its meetings and get-togethers. "Bolinas grows muscle from all its gatherings."⁴ Schell found this sense of community almost palpable: "I think I can still feel the pulse of the town."⁵ For him the community

¹Peter Warshall, undated broadsheet. Warshall, Ph.D. Harvard, a student of Levi-Straus at the Sorbonne, was from New York City.

²Ibid.

³Louis MacAdams, Districts' in THE PAPER issue #6 October 26, 1971.

⁴Warshall, broadsheet.

⁵Schell, op. cit., p. 129f.

implied, "a group of people who are not so large that they are unable to share concerns."¹ Participation in the community affairs afforded its citizens a chance for something akin to moral rebirth:

. . . in this era of presidential criminality, cynicism, lies, pay-offs, and political brutality. . . regeneration will come from somewhere. And I have a feeling that it will come from the bottom; from those small groups of people who are still in touch, intact and cohesive enough to trust each other and act.²

According to this point of view, satisfaction, fulfillment, even redemption were to be found in the small community. The "over-the-hill" urban centers and seats of government were spoiled and corrupt and irredeemable. Redemption for the people of Bolinas would be realized through an unalienated community which the new Directors and their supporters sought to secure.

The base for carrying out their program of radical reform was the local utilities district; they were intrigued with the powers granted the district under the California Public Utilities District Act:

A district may acquire, construct, own, operate, control or use works for supplying its inhabitants with light, power, water, heat, transportation, telephone service or other means of communications, or means for the disposal of garbage, sewage, or refuse matter.

¹Ibid.

²Schell, op. cit., p. 131.

A district may acquire, construct, own, complete, use, and operate a fire department, street lighting system, public parks, playgrounds, recreation buildings, buildings to be used for public purposes; and work to provide for the drainage of roads, streets, and public places including but not limited to curbs, gutters, sidewalks, and pavement of streets.¹

The California statute seemed to them to give broad powers to the District--powers they could use to control important aspects of their environment. Their foreground decisions regarding water and sewage, drainage and town planning would be informed and directed by the background ideology derived from their notions of the "good life" and "community." To protect the environment from unwanted population increases and commercialized development, and to preserve the natural environment the new leaders believed it was necessary to assert local control over all decisions affecting the community even to the arrogating of power traditionally held by the county and state. Equipped with youthful energy, excellent educations, and a heady sense of mission, the new Directors applied themselves to the shaping of the Bolinas Community Utilities District into an institution for the social, economic, and environmental control of the community--that is, an institution through which they could put their ideas into practice.

¹California Public Utilities District Act, Sections 16461 and 16463. See also Schell, op. cit., p. 4.

V. . . . AND WHAT THEY DID

In the intervening weeks between their election on November 2, 1971 and taking office on November 26, the newly elected Directors acquainted themselves with the District's water system. Together they inspected the filter system and the main storage tanks. Walking uphill into the wooded area northwest of Bolinas they could see the duplicate pipelines which the rival utilities districts (mesa and downtown) had installed in the 1930's. They followed the pipelines which ran above ground along a dirt road in Arroyo Hondo. There under the live oaks, surrounded by ferns and underbrush, they stood on the embankment of the two small ponds which were the water source for Bolinas.¹

The earth displacement dams which the mesa and downtown utilities district had built thirty years before looked more like playful swimming holes made by children than a water source for people. The cast iron pipes which carried the water down the Arroyo were rusty and pockmarked with patches. The maintenance man, in an effort to demonstrate what he had to contend with, displayed sections of the cast iron pipe which had been destroyed by electrolysis. Even to the

¹Author's recollection.

untrained eyes of the new Directors the system appeared woefully inadequate for a community the size of Bolinas.¹

The recent acceleration of building in Bolinas also concerned the Directors. Almost everywhere on the gridded mesa new houses were being built; the empty spaces of the Smadbeck Subdivision were being filled in. If new homes were to be constructed on all the buildable lots of the Smadbeck Subdivision and if the several large tracts within the district were to be developed, unwanted population increase would continue regardless of the respite afforded by the defeat of the Kennedy Plan. Although not an explicit issue in the recent campaign election, the Directors were confident that a majority of Bolinas voters objected to an increase in population for Bolinas and would favor efforts to stop further growth.

Permission to build was not, however, a local prerogative. Applications for building construction were reviewed and granted by several County Departments located in San Rafael. The Department of Health required assurance of the availability of water and electricity. Water was a local responsibility of the BCPUD. Under the Public Utilities District Act--the code which established the BCPUD--the local district was given control over water supply. A precedent for interpreting control to include denial of new water

¹See Appendix.

hook-ups was almost non-existent. The new Directors decided to take advantage of this hiatus in the law. Extracting key phrases from relevant Appellate Court Decisions, and adding a good dose of environmental protectionist language, one of the Directors (Harris) drafted a resolution denying water to any new consumers.

Minutes after taking their seats as Directors they passed the water moratorium. Their action was swift, bold, unannounced and unprecedented.

The legal basis of the moratorium rested on a layperson's reading of the findings of the California Appellate Courts¹ which allowed local public utilities districts, charged with the responsibility of delivering water to consumers, to withhold water service (to new consumers) in cases of emergency. In such findings only an emergency water situation justified denying further extension of service; the argument was that further extension would be an excessive burden on the District's resources which might jeopardize the system. The Bolinas resolution explicitly stated that an emergency existed and further expansion of service would not only be a burden, but would also endanger the District.

¹California Appellate Court Decisions, California Water and Telephone Company vs. Public Utilities Commission, 51 Czd 478 and 334 Pzd 887 (1959), County of Butte vs. P.U.C. 537 (1964), San Gabriel Valley Company vs. P.U.C. 65 653 (1966).

The language of the moratorium was dictated by the need for legal formality, but for Schell and other supporters of the moratorium the real substantive purpose was to prevent an increase in the number of people living in Bolinas. In Schell's view the moratorium was, "the only legal means available to stop runaway growth."¹ Therefore, having postulated an emergency the logic of sustaining the moratorium required the existence--or at least the semblance--of a constant water crisis in Bolinas.

A week after passing the water moratorium, the Directors, at their second public board meeting, faced a large gathering of supporters as well as an irate crowd of local realtors, contractors, carpenters and landowners who viewed the moratorium as a threat to their own interests. In an attempt to alleviate the tension, the Directors modified their position by permitting water service to be extended to those who had made application for one of the several requisite building permits--water, sewage, electricity or building.² To the man who did not hold the necessary documents but argued that he had blueprints and lumber purchased for his house, the Board said, "no." In spite of the strong, and sometimes angry arguments that the moratorium was unfair, unconstitutional and amounted to

¹Schell, op. cit., p. 11.

²Guidelines for Resolution #93 BCPUD files.

expropriation of property, the Board refused to repeal the moratorium. In their first two meetings the Board, ringing a change on the radical phrase of the New Left, "Power to the People," asserted: "Power to the People Who Got Here First."

The Directors followed up their bold and unprecedented water moratorium with further plans and actions aimed at their environmental goals. Although new to water and sewage management they were not deterred by their inexperience; they seemed to tackle everything at once. Hewlett assumed chairmanship of the sewer committee charged with finding an acceptable system--an alternative to the downtown's sewage discharge into the Lagoon. He was joined by Wade, the appointee of the previous Board. Schell, the writer and journalist, took on the task of producing a newsletter for the District. Niman had the responsibility of overseeing the maintenance of the District's water system and together with Wade studied the finances of the District. Harris, who had received the largest number of votes was, according to custom, elected President of the Board. She presided at meetings, directed the secretary, planned agendas and kept track of administrative details.¹

The deliberations and discussions of the various committees were not of a formal nature. The District office or wherever the

¹Author's recollection and Minutes of BCPUD meetings, December 1971.

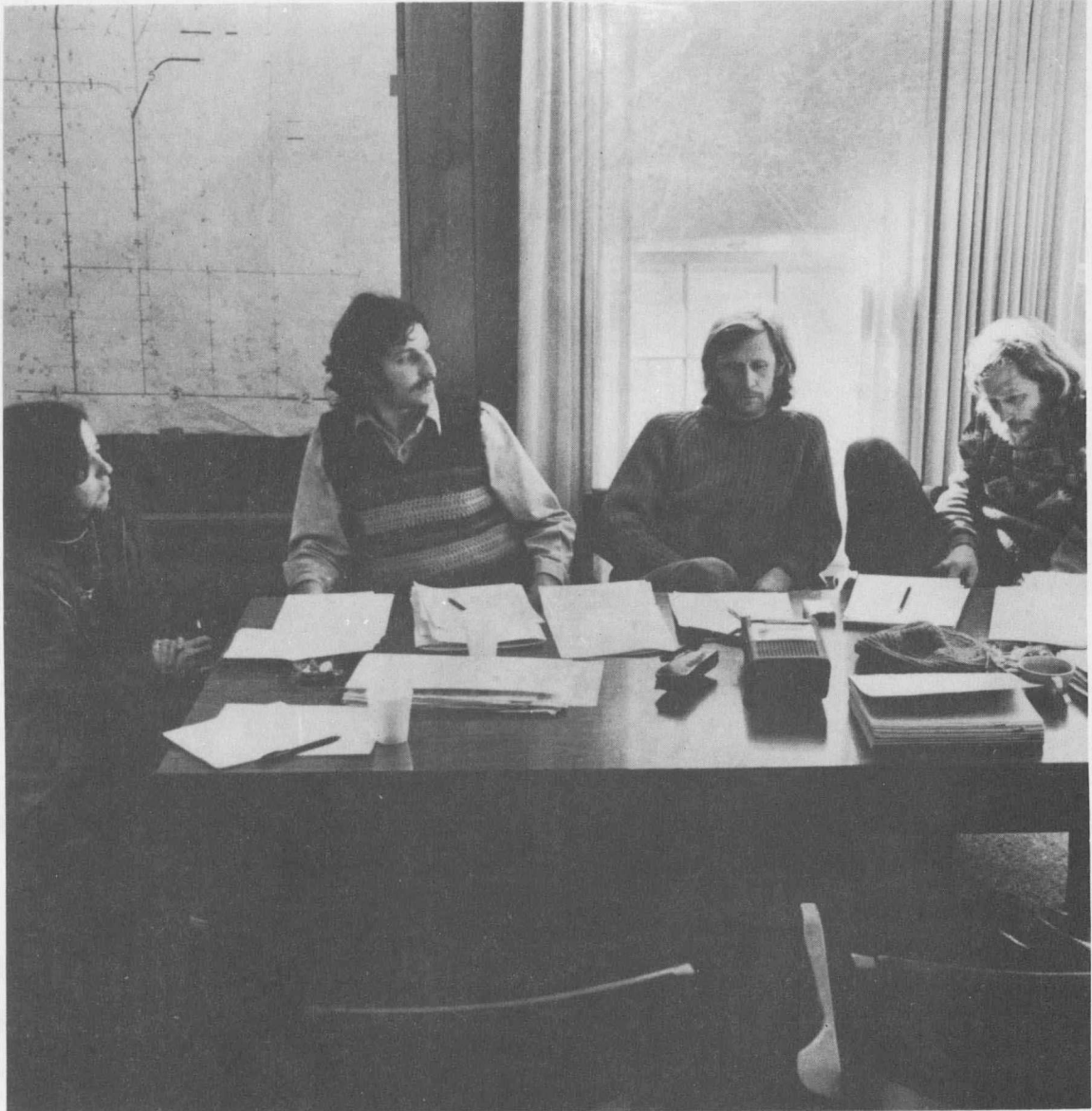


Illustration 4. Photograph: (left to right) Harris, Niman, Schell and Hewlett.

Directors and their friends met became meeting places where what to do and how to do it were discussed and decided. This informality was a continuation of the way these same people had acted during the oil spill and the election campaign. Hewlett, Schell, and Niman with their friends and advisors, merely moved their base of operations from the Future Studies Center to the District's Office in the Mesa Clubhouse. Since most of this group were not regularly employed (only Harris had a full-time job), they were able to devote almost all their time to the District. Regular public meetings tended to be free-wheeling affairs and to last until one or two in the morning. One of the effects of this way of conducting the affairs of the District was to preclude participation by daily workers.

One of the main tasks facing the Board was to find a solution to the persistent problem of the polluted Lagoon. Most residents were offended by the visible signs--the "turds" and the toilet paper floating by on the tides, and, even without prodding from the Regional Water Quality Control Board, would have sought to clean up the Lagoon. Since fiscal responsibility and economical solutions had been campaign promises, Hewlett and his committee at first concentrated on a small mechanical-chemical treatment system. Their research into various possibilities soon directed them to a treatment concept which gave more promise of incorporating their

vision of environmental protection and preservation of resources and securing land for open space which would otherwise be subject to development. Instead of discharging the treated effluent into the ocean the sewer committee's imagination was caught by a system which would recycle the water and the sludge back onto the land.

A prototype of such a system was developed at Pennsylvania State University in the early 1960's in which chlorine treated waste water was used to irrigate and fertilize forage crops and forests.¹ Leon Oswald of the University of California had further enhanced the "organic" nature of a recycled waste system by adding a series of treatment ponds, substituting anaerobic and aerobic action for chemical treatment.

By February 1972 the Board had contracted with Dr. Oswald and the engineering firm with which he was associated, to assist it in demonstrating to the several regulatory agencies that such a scheme was feasible for Bolinas. Oswald testified in a Court hearing and the Board was given time to proceed with the plan.² Schell's newsletter described the organic and natural features of the system:

The Board has been moving steadily toward a solution to the problem of the downtown outfall into the Lagoon. . . At this stage plans look something like this:

¹Ridgeway, op. cit., p. 81f.

²BCPUD Newsletter, February 1972.

First, the raw sewage from downtown is sent into a comminator, the only piece of machinery in the system. The comminator grinds the sewage and pumps it into the first anaerobic pond. Here the solids settle to the bottom; some of the effluent is absorbed into the earth, and the rest of it moves onto the next pond. The other ponds, using aerobic or oxygenic processes further purify the liquid.

By the time the liquid is ready to leave the final pond, it is to all intents and purposes fresh reusable drinking water. State law prohibits its reuse as drinking water.

Some suggestions for the use of this treated water are:

1. Percolate it into the soil.
2. Pump it into the Lagoon.
3. Use it for irrigation.
4. Create fish ponds with it.
5. Use it for recreational purposes.

The pond system can be designed as a part of the natural environment as landscape or sculptural elements. It can make use of natural resources such as earth, water and trees.¹

The Oswald ponding system had a number of attributes which rendered it attractive to environmental protectionists. It could be landscaped as a park; its water could be recycled for agricultural use; and the acreage it occupied would be saved from development.

One drawback to the plan was that "outside" expertise was necessary to carry out its design and development. Supporters of community self-sufficiency wanted to retain federal funding monies within the community. It was a disappointment that outside talent had to be employed to design the project.

¹Ibid.

The outside design firm, with Oswald as consultant, designed a system for Bolinas requiring 95 acres most of which could be used for a public park or for agriculture. In November 1972 the Bolinas voters overwhelmingly endorsed the project by voting the necessary bonds.¹

Before certification for federal funding, the Oswald ponding system also had to have the approval of the RWQCB. These assiduous guardians of clean water standards were reluctant to give the necessary approval until their requirements were met.

It was the contention of the RWQCB that given the density of septic tanks on the Bolinas mesa, and the high level of ground water during the rainy season, septic tanks would not leach or drain properly. The result could be an insanitary condition and source of pollution.² Although it wasn't their prerogative to specify what type of sewerage system Bolinas had to build, they continued to press for a system which would sewer the mesa. To the BCPUD Directors sewerage of the mesa meant a larger treatment plant. A larger treatment plant would provide for a larger population; it was therefore important to keep the septic tanks.

¹Marin County Book of Elections Precinct #4207 November 1972.

²Author's recollection of conversations with representatives of RWQCB.

The RWQCB waited until after the November bond issue to communicate their stipulations in writing.¹ These were (1) that the ponding area for the sewer be designed to capacity sufficient to sewer the entire Bolinas area, (2) that in order not to sewer the entire area immediately, proof would have to be submitted which would show that immediate sewerage was not necessary. If the District could show that septic tanks were not a source of pollution and, furthermore, that the District could assure proper maintenance of septic tanks, then the RWQCB would drop its demands that the entire District be sewered.

To defend the feasibility of septic tanks the Board hired people from the community, a move consistent with the Board's desire to provide local employment. Two men, Peter Warshall and Philo Farnsworth (both associated with the Future Studies group), were hired as a consulting team by the Board to conduct a survey of the District's septic tanks and report their findings and recommendations.² The Board voted \$20,000 for the survey without putting the contract out to bid--a required procedure for expenditures of this size. The consultants, friends of Hewlett, Niman, and Schell and strong advocates of the Board's no-growth policy, established an office in the clubhouse

¹BCPUD correspondence--RWQCB.

²BCPUD minutes December 13, 20, 1973.

adjacent to the District office. This close association between consultants and the Board obscured somewhat the traditional boundaries between consultants and policy makers. "All the same crowd," said a critic.¹ "Working together," wrote Schell.²

By the spring of 1973 the septic tank survey was completed. Based on data collected from a house-to-house inspection of almost all the septic tanks in Bolinas and an impressive analysis of drainage patterns and soils of the area, the survey found, to no one's surprise, that septic tanks were indeed a feasible method of sewage treatment for the Bolinas mesa.³ The RWQCB then permitted the Oswald system design to proceed to completion. Actual construction began in June 1974. Contrary to the wishes of the Board, the contractors, backed by Union demands, did not hire local labor for the project; over-the-hill union members were employed.

The Warshall-Farnsworth report recommended that the Board adopt a septic tank and drainage ordinance which would effectively transfer authority over these matters from the county to the local utilities agency. The ordinance, drafted by Paul Kayfetz, a local attorney, gave the BCPUD regulatory power over almost every type of construction

¹Letter from Clarence Feusier to Dorothy Paul, August 17, 1976, unpublished.

²Schell, op. cit., p. 131.

³BCPUD files--Septic Tank Survey.

and earth moving projects that might be undertaken within and without the District which would affect drainage patterns. To protect the District's water works and septic tanks the Ordinance extended the District's control over "any excavations, grading, filling, building of dams, off-road vehicle traffic, dredging, surfacing, logging, traffic car exhaust, removal of vegetation, including the building of houses and roads." Permits would be required for cutting any tree over 30 feet, the surfacing of any area over 100 square feet, and the placement of any structure upon the ground. The provisions of the Ordinance were more stringent and more regulatory than existing county regulations.¹

This stringency was intended to give the District greater control over its environment than the county, since the California Attorney General's opinion was that, "In case of conflict between . . . a district regulation and a county ordinance on exactly the same subject, where the district regulation is more stringent it will prevail within the district."² The Ordinance was conceived not only as a back-up to the moratorium but also as a means to arrogate County authority over the Bolinas environment.

¹Ibid.

²Ibid.

County officials were reluctant to relinquish their authority and sought the State Attorney General's opinion. A formal opinion was never given but informally the Board learned that in a contest the state would side with the county. In view of this the Board did not institute the Ordinance. The intention of the Board was to extend the BCPUD's power. The majority of the Board agreed to impose strict regulations in order to get that power. In so doing they demonstrated a willingness to curtail individual freedom in the interests of environmental control, a characteristic of environmental legislation. To change practices thought to be environmentally detrimental, regulations are introduced which encroach upon the individual's right to act freely. In this case, since the Board did not enforce the Ordinance the dilemma of individual freedom versus social control of the environment did not receive a public airing.

Since the Septic Tank and Drainage Ordinance was not enforced community residents could not respond to its somewhat burdensome permit regulations, but when the Board tried to insinuate its vision into the District's water rates the public was more responsive. After discussing the matter during its first few meetings the Board passed an "increasing" rate schedule which "penalized" large users--reversing a "declining" rate schedule which was customary for utilities' rates.¹

¹BCPUD minutes January 22, 1972.

Several of the District's large users responded with a lawsuit against the Board charging discrimination. Hewlett reacted to this opposition with tactics of his own; he got drunk one night with several of his Future Studies associates and broke the office windows and slashed the tires of one of the plaintiffs. This caper resulted in a misdemeanor conviction, a fine, and a jail sentence for Hewlett. Since the conviction was for a misdemeanor and not a felony, his position on the BCPUD Board was not jeopardized, much to the delight of his constituents and the disgust of some of the community's more conservative citizens. Although Hewlett's action was a rather extreme example, the event illustrated the free wheeling libertine tendencies of the new leadership.¹

For many months "water rates" appeared on the agenda of the BCPUD meetings. The Directors found it difficult to agree or even settle in their own minds what was the right way to charge for water. Income for District operations was derived from charges for water and from property taxes collected by the county. There was general agreement on the formula of having water revenues offset the costs of regular water service expenditures, and for having capital outlays paid for with tax receipts. The Directors' plans for extending the Districts' functions into recreation, community planning, etc., and

¹Author's recollection. See also Schell, op. cit., p. 18-19.

their voting themselves salaries,¹ further complicated their budget. Their campaign statements had promised better service for less cost; the increased costs of their reform were not anticipated--at least, not expressed. From the point of view of water conservation, charging higher rates as the amount of water consumed increased, made sense; but the local enterprises which were affected, the laundromat, the plant nursery, and restaurants, were important in the local economy--enterprises to be encouraged as part of community self-sufficiency. By law the same rate had to be charged to all users. The Board debated and finally settled on a compromise, a flat rate for water consumed over a basic minimum charge. The lawsuit was dropped.

The Board also had to contend with the weather. Bolinas generally enjoys the mild marine climate of the Pacific Northwest with several months of heavy rainfall during December through March and the rest of the year without rainfall but with fog and cool temperatures. During the winter months Bolinas receives most of its annual precipitation which is retained as groundwater. The water is slowly released through springs and ground flow into the Ponds in Arroyo Hondo and into Pine Gulch Creek. In January 1973 winter storms severely damaged the already fragile water works in

¹Traditionally Directors had worked without pay as a community service. See footnote 1, page 71.

Arroyo Hondo,¹ as it had in 1956. Storm damage again disrupted the flow of water from Arroyo Hondo. Emergency pumping from Pine Gulch Creek was instituted, the same remedy used by Edwards and his volunteer water committee in 1918 when Arroyo Hondo had failed as a water source. After 1973, however, emergency pumping from Pine Gulch Creek became an almost permanent operation for the District. Whether from leaky pipes, increased consumption, lack of adequate storage, increase in summer temperatures, or decreases in winter rainfall, or a combination of these causes, Arroyo Hondo could not be depended on as the only water source for Bolinas. Year round pumping added to the cost of the District's water operations. The water emergency became constant.

Although this emergency situation was useful in providing a rationale for continuing the ban on new water hook-ups, the Board moved to improve its water system. In March 1972 they hired an engineer.² Since none of the Directors had the necessary training (and no one qualified applied from the community), an engineer from outside Bolinas was chosen. This move was intended to put the water distribution system on a more efficient and business-like basis.

¹BCPUD newsletter BeePud Pipeline, Vol. II, No. 1, February 1973.

²Maurice Monson, BCPUD minutes, February 19 and March 1, 1972.

The engineer drew up a plan for the replacement and installation of pipes to replace the worn-out and inadequate system. He also investigated possibilities for enlarging the storage capacity of the District. The plan to improve the water delivery system was phased according to priorities and developed in conjunction with a budget. The Board approved the plan and approved funds which would finance the improvements. But between the plan and its execution other considerations intruded. Rather than seeking to repair the decrepit water system the Board directed its efforts to broader social and environmental objectives. Improving the water system received low priority in the operations of the Board. A few of the more serious defects were repaired due mainly to the quiet prodding of the Fire Chief and the noisy complaints of a few neighbors who found that no more than one of them could shower at a time. Several storage tanks, by misadventure or neglect, fell apart and were not replaced. The water storage capacity fell from 800,000 gallons (7 days supply) in 1971 to 600,000 gallons (4 - 5 days supply) in 1976.¹ On February 28, 1973 the majority of the Board voted to terminate the services of the District engineer.²

¹ Interview with J. Silva, Bolinas Fire Chief, and R. Robinson, District Secretary.

² BCPUD minutes, February 24, 1973.

The neglect of the water system, the firing of the engineer, the water, septic tanks and drainage resolutions all prompted by policy of no-growth for Bolinas, were actions which rested on local BCPUD authority. Marin County authority over zoning decisions significantly modified the Board's control over growth. Zoning authority, the traditional and more widely used method of density and growth control, was vested with the Marin County Planning Board (MCPB). The MCPB in revising the 1961 County-wide master plan called upon localities in the county to participate in the revision process. Bolinas leaders responded with a community planning group.

Initiated in rudimentary form in late 1971, the Bolinas Planning Group (BPG) became the official representative to the Marin County Planning Board in early 1972. During the next year, the BPG, led by a trained town planner,¹ wrote a plan for Bolinas which embodied many of the environmental and political concepts which guided the decisions of the BCPUD. Several BCPUD Directors were active members and helped draft the plan. The BPG was financed in part through District funds and occupied space adjacent to the District office in

¹Steve Matson. See Schell, op. cit., p. 180, 32, 33. Copies of the Bolinas Community Plan are very rare. A somewhat revised one is in the Marin County Planning Department, Civic Center, Marin County, California. The revisions were made by the county. The original submitted draft is the one I have referred to here.

the mesa clubhouse. It was the "planning arm" of the utilities District, part of its effort to assume control over community affairs.

At first varying points of view concerning community aspirations were encouraged and participation in the planning meetings reflected different community goals. Eventually, however, the no-growth activists dominated. Contributions from deviant volunteer workers were omitted from the final plan. Several of the original group of Bolinas planners became disenchanted, withdrew their support, and therefore, were not represented. The resultant document, the Bolinas Community Plan (BCP) was largely a statement of the prevailing environmental and political ideology of the Bolinas community.

The BCP was not simply a no-growth plan for Bolinas; it was a comprehensive description of the support mechanisms and institutions that its designers considered essential to foster their idea of a "whole and healthy" community. Protection of the natural environment from the intrusion of harmful outside influences was one of its main themes. Nature and the idealization of nature played a large role in the Plan. In conjunction with its themes of nature and self-sufficiency, the BCP encouraged agriculture as "a source

of food, income, and a way of life."¹ Although in the past the land and climate had not proven congenial to farming (other than dairy farming and cattle) and no studies were cited to support its feasibility, agricultural zoning was recommended for all of the open space surrounding the mesa subdivision and downtown. Gardening, pigs, and chickens were suggested as a means for the small lot owner to get "acquainted with the land and the seasons." "Flies," the Plan promised, "would not be a bother" because of the cool weather.² There was in the BCP a sense of nostalgia for a rural life style which its writers hoped to encourage in Bolinas. Another romantic and nostalgic notion recommended by the plan was the revival of cottage industry to include crafts, jellymaking, musical instruments, shoe repair, etc., as a basis for community self-sufficiency. The type of cottage industry permitted would be under the purview of a locally elected citizens council.³

This council which the BCP envisaged would administer the implementation of the Plan and to represent Bolinas and its interests at the county and state levels. It would replace the county agencies

¹BCP p. 1. See also Schell, op. cit., p. 180.

²BCP p. 35.

³BCP p. 3, 32. Jane Jacobs in The Death and Life of Great American Cities (New York: Random House, 1961) writes a critical review of the assumptions and influences underlying this type of planning. See p. 17 and 374, op. cit.

in charge of zoning and building permits and could conceivably be expanded into a local governing body. Funding for the Community Council, however, was to be derived from county-wide tax revenues--outside money.¹

The BCP contained strong objections to "speculation" and "the encouragement of tourism." "Speculation," its authors announced, "will not find encouragement in this plan."² For the tourists the Plan offered little, flatly stating: "hotel-motel or resort condominium type development has no place in Bolinas and would receive no support whatever." The Plan interpreted the majority of residents as wishing Bolinas to remain "off the beaten track" and not become "another tourist trap"; "this plan. . .has proposed that consumer tourism be discouraged."³ Bolinas residents might offer "bed and breakfast" as a variety of cottage industry but they were under no obligation to do so; "it is not the proper business, nor is it the duty of Bolinas to provide overnight facilities for tourists just because we are here."⁴

¹PCP p. 3, 6.

²op. cit., p. 7.

³op. cit., p. 73.

⁴op. cit., p. 64.

According to the Bolinas Planners, local control over local land was essential to environmental protection. In extending the concept of control to include ownership they proposed more radical reform:

A new value system is clearly emerging around the notion of what it means to be a land owner. The Bolinas Community overwhelmingly rejects speculation and profit taking from rapidly inflating land prices and real estate values. Ways must be found to break the pattern of taxes and land sales based on "the best and highest use." Land is a resource, not a form of currency.¹

Landlords, profit-taking ones, were considered an alienating community influence by the BCP: "the landlords. . .interested in making payments, taxes and insurance plus profit definitely work against a strong Bolinas."²

One Bolinas citizen, a "regular" at BCPUD meetings and a member of the BPG found the final result "unrealistic" and asked to be disassociated from the BCP. In a public letter he denounced the "population control measures" of the BCP comparing them to the Oriental Exclusion Act of 1882 and the immigration laws of 1921 and 1924. He reminded the promoters of community self-sufficiency of the absurdity of their goal with a list of items, e.g., tea, wine, bananas, books and "95% of the ideas we have," which were not locally

¹op. cit., p. 76.

²op. cit., p. 91.

produced. "Nationalism writ small is not a very inspiring concept," he observed. Nor was he inspired by the agrarian romanticism: "most of the peasants would reject it." Most people in Bolinas wanted less government, he thought, not more. "The nostalgia fad may be amusing, but let's not congeal it into law," he pleaded. He chided the Plan for its populist rhetoric against profit taking, speculation, absentee developers, and landlordism.¹

In addition to the rhetoric the BCP contains other parallels to American populism of the nineteenth century.² The land, including all the natural resources of wealth, argued the Populists, is the natural heritage of the people and should not be subject to speculation. The Populists, like their Bolinas counterparts, objected to "alien ownership of the land." To this the BPG added alien landlordism. "Overcrowding" and "overdevelopment" by "outsiders" motivated the farmers' revolt; the same conditions were considered a threat by the Bolinas activists and their followers.

If existing laws were not adequate for their purpose, the Populists proposed reform legislation. One of their measures, the recall, was used in the 1971 BCPUD election. Both movements sought to expand the scope of local agencies to achieve greater local

¹Schell, op. cit., p. 190, quoting Randy Johnson.

²My source for this interpretation of populism is from John Hicks The Populists Revolt (Lincoln: University of Nebraska, 1961).

autonomy and to utilize town meetings and advisory polls to enhance citizen representation in government. The Populists couched their struggle in terms of protecting the "quality of their lives." So did the Bolinas protectionists.

In Bolinas, as in the Midwest of the late 19th century, people turned to the mechanisms of law and government seeking, when expedient, to reshape and reform them in order to "redress their grievances" and to actualize their vision. Both groups looked to the federal government for financial support for their projects.

Another parallel between the Populists' revolt and the events in Bolinas was the provocation. In both there was a sense of "there is no where else to go. . .no moving on."¹ John D. Hicks, in the *Populists Revolt*, pinpointed the moment of the Populist rebellion:

In an earlier age, the hard-pressed farmer and laborer might have fled to the free farms in the seemingly unlimited lands of the West, but not the era of free land had passed.²

When the number of unspoiled towns appeared to them to be running out and the sanctuary to which they had escaped was threatened, the people of Bolinas reacted also.

The ideology which guided the Bolinas movement rejected certain economic trends also opposed by Populists: land speculation,

¹Schell, *op. cit.*, p. 130f.

²Hicks, *op. cit.*, p. 404.

increased commercialization and centralization. The BCP flatly stated that such trends were alien to the interests of the Bolinas community and the activists set out to reverse these trends. They were, as the Populists had been, "progressive thinkers who opposed progress."¹

By 1973 a few changes had taken place on the BCPUD Board. Hewlett had resigned; his seat taken by another Future Studies associate, Lewis MacAdams. The hold-over seat from the previous Board was now held by Paul Kayfetz, the activist environmental lawyer who had already assisted the Board in writing the septic tank Ordinance, in Court appearances on the "cease and desist" order, and in negotiating on the water rate suit. In November three seats (Niman's, Kayfetz' and MacAdams') were up for election. Promising a continuation of the Bolinas environment (and political) "VISION," they won easily. "Keep the moratorium" was the winning slogan.²

In two years the Board had undertaken a variety of projects, strategies, and activities related to its goals, expanding its functions from the simple water district operation of the previous Board. One action which caused some grumbling among the older residents was the Director's decision to pay themselves a salary

¹Ibid.

²Author's recollection.

for the time spent on their projects.¹ Besides the new sewage treatment plant and the septic tank survey the BCPUD Directors had been active in protesting county efforts to widen the highway leading to Bolinas and other attempts to develop the area. During the Arab Oil embargo the BCPUD sponsored an Energy Commission to investigate local and alternative sources of energy. There was much enthusiastic talk about using federal grants to fund local energy sources and cutting into the Pacific Gas and Electric Company's monopoly on electricity. When the owner of a large parcel of land, located outside the District, planned twelve houses for his acres, the Board invited him to discuss his plans at a BCPUD meeting. Community members responded to the call to a town meeting "to stop development" and expressed in loud and unrelenting tones their vehement disapproval of any building at all. Similar scenes occurred when the county attempted to widen the highway leading to Bolinas and when the local bar owner requested permission to expand into a small restaurant. The rude denunciations voiced by Bolinas activists seemed orchestrated; the weight of "public opinion" was carried by the loudest and sometimes most obnoxious voice.²

¹See The New Republic, 17 July 1976, p. 11 for parallel action on part of Austin (Texas) City Council.

²Ibid.

"Public opinion" also found expression in the local newspaper. Originally it was called just "THE PAPER, not to be sold outside Bolinas," later named "The Hearsay News"; it was a lively potpourri of town gossip, local news announcements, and visionary rhetoric. A New York Times correspondent found the "Hearsay" want ads expressive of a unique community personality:

Bolinas, I love you. You are my home, my resurrection, my light. If it be your grace, give me a house to rent that I may return your love. Carl Risingstar.

Psychic haircuts--precision style or trim. Isis.

Lost--one silver flute, while hitching from Olema to Bolinas in a white Toyota pickup.

Holistic Healing--add a lot of love to that beautiful temple that is your body.¹

Observers noted that an aspect of this community personality was to keep Bolinas separate from "over-the-hill" society, "to keep itself to itself."² Symbolic of the isolationist temper of a part of the community was the recurrent disappearances of the road signs erected along Highway 1. In spite of the attempts to separate itself from the "over-the-hill" world beyond the coastal mountains, Bolinas

¹New York Times, July 7, 1976, magazine section p. 6.

²Susan Crowley, "Can Bolinas Get It Together?" California Living magazine, San Francisco Sunday Examiner, February 18, 1973. Also New York Times magazine section cited footnote 1 above.

had achieved a certain recognition, even notoriety, as a counter culture enclave.

People came to Bolinas who were attracted by the community's scenery and spirit. Not hindered by the fact that they couldn't get a building permit, many lived in buses and vans, some moved into garages and renovated chicken houses. A number of the more adventurous found the climate agreeable enough to live in the bushes beside the beach in a style reminiscent of Munro-Fraser's "Old Blacksmith." In 1975 there were fifty Robinson Crusoe-like dwellings in the bushes along the beach, their inhabitants even more exclusive than some of the rest of the community. An early morning jogger passing their territory was apt to be accosted with, "Are you a 'narc'?" The BCPUD took no action against the illegal structures nor did they call upon the county to enforce its building codes. These newcomers registered to vote and became part of the community support of the BCPUD and its goals. Their political allegiance was derived from their commitment to a life style and their identity with the Bolinas community.

The strength of this support was reaffirmed in the November 1975 BCPUD election. Proud of the "environment-conscious" sewage treatment plant with its open space and spray irrigation, the water moratorium and their community spirit, the voters elected

representatives who would continue with the environmental protectionist policies of the 1971 BCPUD Directors.

VI. CONCLUSION

The Bolinas water moratorium, the main weapon in the fight for a no-growth policy in Bolinas, was still in effect five years after its passage. During that time, while the number of metered dwellings had only increased from 527 to 615,¹ the population had more than doubled. The population of Bolinas, according to the 1970 Census Tract was 699. In 1976 the Marin County Planning Department estimated a net increase of 613 persons. This estimate of an 87% increase is based on the number of housing permits processed by the county from 1970 to 1976 and does not take in account the permitless, but lived-in, structures which had proliferated since the moratorium was instituted. More accurate estimates of the Bolinas growth rate during this period may be derived from other sources, such as voter registration and U.S. Post Office data. These data indicate that a 100% population increase estimate is conservative. In spite of the BCPUD directors' intent to halt growth, they had not moved forcefully or radically enough to stop this encroachment of their no-growth policy by enforcing the existing regulations prohibiting illegal dwellings.

The steadily decreasing supply (in relation to demand) of houses in Bolinas resulted in a dramatic rise in real estate

¹See Appendix.

values--values which have risen significantly more than values in comparable coastal communities without a moratorium and certainly more than the inflationary rate of the general economy.¹

Local real estate agents agree that in the five years from 1971 to 1976 real estate values rose by approximately 50%. During this time, they note, vacation houses supplied the demand for full-time residences. The saturation point was reached in 1976. Since then real estate has risen another 50%. The following figures refer to actual sales of three different types of houses in Bolinas:²

	<u>July 1971</u>	<u>1976</u>	<u>1977</u>
House A.	\$37,000	\$52,000	\$65,000
House B.	\$41,000	\$67,000	\$76,000
House C.	\$29,000	\$70,000	\$81,000

Real estate taxes based on assessed valuations derived from sale prices have risen accordingly. Owning a house in Bolinas has become the privilege of the more affluent.

As real estate prices rose and people improved and extended their houses and fixed their lots, houses previously rarely visited

¹Interview with Cecil Asman, North Marin real estate agent, Inverness, California. Asman estimates an overall rise in coastal Marin real estate of about 25% from 1971 to 1976. Nearer the coast the rate of increase is somewhat more.

²Interview with Louise Peeper and Peter Harris, local real estate agents, Bolinas, California.

or used only as vacation houses were sold, low income residents were forced to move out of Bolinas altogether. Thus the recent trend of Bolinas population towards higher income residents has been strengthened.

The logic of the moratorium dictated that the District make no real attempt to build or even maintain reservoirs for the more than adequate winter rainfall. Storage capacity had dropped to less than five days' supply in 1976. The leaky pipes, the winter washouts, the pumping emergencies, instead of prompting the District directors to remedy the system, were exploited by them to justify the continuance of the water moratorium.

The failure of the District to sufficiently improve the water system and storage capacity had a harmful effect on fire protection for Bolinas. A one-house fire takes approximately 75,000 to 100,000 gallons; a wind-spread fire could easily exhaust the community's water supply.¹ This deterioration in the fire-fighting ability of the local fire department was a direct danger to Bolinas residents and their homes. Measures designed to protect the environment served to lower the quality of life in the community. Nevertheless, community spokesmen still advocated these measures which supported the moratorium's continuance.

¹Interview with Joe Silva, Fire Chief, Bolinas Volunteer Fire Department.

In October 1975, the Marin County Plan for Bolinas was adopted which allowed growth to continue at his historical rate of 14 homes a year; Warshall and Kayfetz, BCPUD directors, were quick to inform their constituents they could still thwart the menace of population growth if voters would only continue to vote down bond issues that would create more water storage.¹

Nature, with whom the Bolinas planners desired to live in harmonious co-existence, responded with a drought. The prolonged period of low rainfall and high temperatures during the winter and summer of 1976 resulted in a severe water crisis and fire danger. Basic and vital needs of the community were in jeopardy. Community leaders responded with a road block to keep visitors out of Bolinas.² By this time contributors to the Hearsay News were becoming aware of the discrepancies. In an article entitled, "The Town That Saved Itself to Death," a Bolinas citizen wrote:

We're so hip, free and groovy we kill ourselves. We have this neat little sleepy town and we want to keep it that way, Right? So we put on this moratorium to keep people out, but we soon end up with 70 or 80 illegal units. We want to have a free nude beach, Right? So last summer people find out about it and come out in droves and we end up in the press and on television. . .

¹Point Reyes Light (Point Reyes Station, California) 30 October 1975, p. 11. In the spring of 1977 Bolinas passed a bond issue that provided water storage for fire protection only.

²Independent Journal (San Rafael, California), 7 July 1976, p. 1.

Meanwhile back at the ranch, our water storage system is falling apart and we have the worst dry season in 100 years. We lose 4 tanks in one year, But that's O.K. 'cause we don't want to jeopardize our moratorium. Right? Pretty soon we're into a big water issue. More Bolinas theater. We decide to close the town down over the Fourth to keep people out. The press finds out about us. National television finds out about us and come to our meetings and interview our Directors.

Pretty soon everyone finds out what a neat little sleepy hip, free, and groovy town we are.¹

Despite the effort to halt the "chaotic influx" of people, the goal of the Bolinas activists was not appreciably achieved in Bolinas in the five years from 1971 to 1976. The sewage treatment plant, the ponds with their naturally landscaped open space, and the waste water recycled as spray irrigation, was perhaps the single most apparent success of the Bolinas environmentalists in realizing their goals of protecting and preserving the environment. Other measures adopted to achieve these ends resulted in contradictions not anticipated and reveal some of the social costs inherent in attempts to protect the environment. The desire to establish local control (as against county control) and to mold a politically united community necessitated measures which tended to proscribe customary freedom of action, more reminiscent of a social dictatorship than a "do your own thing" liberalized humanism.

The frequent meetings, the community fairs, the informal get-togethers, the local newspaper and newsletters, not only were

¹Hearsay News (Bolinas, California) 7 July 1976, no page.

useful in forging public opinion, they were also a means of establishing community identity. The energetic young of the previous generation preferred to escape from the community and to win their individual freedom. For many residents of Bolinas, belonging-- participation in community life--was the prevailing social and psychological value. Frustrated and dissatisfied, alienated by events such as the Vietnam War, the oil spill, Watergate, family break-ups, ugly cities and spoiled countrysides, many of the community sought satisfaction and fulfillment in Bolinas community life. For them, as Carl Risingstar's advertisement typifies,¹ the Bolinas community became a family. Their escape routes cut off, these heirs of America's truncated frontier myth invested themselves in belonging.

Historically, involved citizenry is not, unfortunately, a guarantee of socially valuable results. Community participation has resulted in such collective activities as lynching, witchburning, and violent strikebreaking. Sociological studies reveal that the small community is effective in producing behavior compliant with its accepted norms.² If Bolinas was successful in fostering a sense of community belonging, may it not also be expected to insist

¹See page 72 above.

²The two I am thinking of are Lynd and Wylie.

that its members not deviate from the prevailing ideology of that community? For many of the Bolinas citizens the community has become the replacement for the family, so that its psycho-social force was even more persuasive. Since the individual's sense of worth and importance is bound up with community life, he or she is unlikely to risk ostracism in pursuit of unacceptable deviant goals. "It is hard to be a pariah in Bolinas," wrote Schell.¹ One can, of course, remain silent and maintain one's acceptability (if not one's identity) but in a participatory democracy keeping quiet is tantamount to disenfranchising oneself. The exercise of political power and the realization of personality spring from the same source. Even if tolerance instead of intolerance becomes the prevailing mode, one is still bound by it. Schell, often a spokesman for the prevailing values of the Bolinas community, describes the action and attitude toward the BCPUD's engineer in the following revealing passage:

The PUD engineer is a soft-spoken retiring man. He arrives at work on time every day after a two-and-a-half-hour commute from a suburban apartment. He works in isolation above the PUD kitchen. His former employer was a high international engineering firm.

The office in which he works is plain and uninviting. Although free to do so, he has never made it either comfortable or pleasant. No potted plants, no posters or pictures. The slide rules, blueprints, and his talk

¹Schell, op. cit., p. 45.

of feeding our town's statistics into a computer to figure out needed pipe sizes and pressures seem comically professional in the context.

"What do you work for?" I asked him one day, curiously.

"To be a good engineer," he replied, smiling with amazement that I should ask.

He is unmoved by our obsession with growth.

A gentle, good person. An engineer with no third eye. Not all the words and explanations could bridge the gap between our world and his.¹

Today the PUD fired him.

The contradictions between "obsession with growth," i.e., no-growth, for Bolinas and the needs of the wider community are the most difficult to reconcile. Power to the people--people who can afford the increased costs of housing--in effect serves to exclude the poor. Development of any type, including standard low-cost housing, was discouraged by Bolinas environmental protectionists. The unconstitutional exclusionary clause of the 1928 Smadbeck subdivision covenant agreements had a de facto existence in moratorium Bolinas of the 1970's. Aileen Hernandez, an urban consultant, recently appointed California Appeals Court judge, alludes to the exclusionary implications of no-growth policies in Bolinas as well as other communities:

In all our discussion concerning environment and social housing, the equality issue is most clearly seen in those areas where there is already housing and where some people want to expand while others do not. People

¹Schell, op. cit., p. 91.

talk about keeping Marin County green for those already living in Marin County. But what happens to other people trapped in the city. We all know of communities which already do not want blacks and low-income people but who let the environmentalists carry the argument against more housing because it is more palatable. That doesn't make the environmentalists bigots, but it does make them tools of the bigots.¹

The recent history of Bolinas demonstrates the costs and contradictions related to a community's attempts to protect its environment. Although its leaders were successful in taking advantage of the existing political system and were able to manipulate the legal, bureaucratic and, to some extent, the social arrangements to effect a radical reform for local environmental control, they did not exercise that control in the prevention of actual growth increase, e.g., occupancy of permitless structures. To the extent that they did succeed in protecting the environment they have preserved it for the fortunate few who can afford to live there. Their expedient tactics used in the management of the community's resources, accompanied by the trendy language of the New Left, with the announced intention of protecting the environment, resulted in the deterioration of the quality of life for the people of Bolinas and the wider community of which it is a part.

¹Aileen Hernandez, "Where Shall We Live," The Center Magazine, Vol. IX, No. 2, March/April 1976, p. 76.

APPENDIX

APPENDIX

Estimates of the Bolinas population figures may be derived from several sources. Indeed, several sources are necessary since the generally reliable census figures can be shown to be inaccurate insofar as they are based on the number of occupied dwellings having Marin County building permits. Ray Ahern, statistician for the Marin County Planning Department, relies on the 1970 U. S. Census for the following statistics for Bolinas:

	1970	1976	Increase Number	1970-1976 %
Housing Units	527	615	88	16%
Est. Population	699	1,312	613	87%

In 1970 many houses in Bolinas were weekend or vacation homes. In 1976 nearly all were occupied as year-round residences. This is one reason why the population increased much more than the housing. By Ahern's own admission permitless structures are occupied in Bolinas and their occupants are not included in the preceding figures. Most of these structures have been built or, as in the case of former garages and chicken houses, have become occupied since 1970. The actual percent of increases, therefore, is probably substantially greater than 87%.

To justify my estimate of a 100% increase in Bolinas population for the five years from 1971 to 1976, I have relied mainly on voter

registration and mail delivery figures. Registered voters for Bolinas, according to the Marin County Book of Voter Registration, are as follows (for January of each year);

<u>Year</u>	<u>Number of Registrants</u>
1970	474
1971	565
1973	801
1974	936
1976	969

Thus, there was a net gain from 1970 to 1976 of 495 voters, or a 100% increase.

The number of people to whom the mail is delivered generally does not correlate to actual population count since much mail may be delivered to commercial addresses. However, since Bolinas is almost entirely a residential area, persons receiving mail are assumed to be residents. Moreover, because of its remote location, it is unlikely to be used as a convenience mailing address by non residents. In the case of Bolinas increase in postal delivery is probably proportional to actual population increase. The Bolinas Postmaster has provided the following figures:

<u>Year</u>	<u>Number of Addresses</u>
1971	1,400
1973	1,700
1976	3,000

The number of persons receiving mail in Bolinas in the five years from 1971 to 1976 achieved a net gain of 1,600 or an increase of 115%. The absolute number of addresses exceeds the other population estimates given above because the postal delivery area extends somewhat beyond Bolinas.

School attendance figures show the same magnitude of increase, although attendance figures are a less reliable indicator of total population than the types of statistics already cited. The following data is from the Bolinas School records:

Average Daily Attendance (A.D.A.) Bolinas School

<u>School Year</u>	<u>A.D.A.</u>
63/64	100
66/67	135
68/69	143
70/71	157
73/74	230
75/76	250
76/77	262

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