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Moraga Walks Away From \$50,000 in Mitigation Money

By *Sophie Braccini*

Ken Fisher, a Moraga resident involved in the origins of the Mulholland Ridge agreement, was very disappointed at the end of November 12th Town Council meeting. The Council refused to accept the money offered by the Wilder development to restore wet land on Mulholland Ridge.

It was not a flat refusal, but a refusal to accept the money earmarked for the building of a pond if another \$50,000 was not put in the bank to provide the revenue stream necessary to maintain the pond.

Nicole Kosicki, the Fish and Games Warden who had been working on the project for months, was not ready to see that kind of remediation money just put away in the bank so no deal was made.

The story started when the Orinda Wilder Development was fined \$100,000 by the Department of Fish and Games for environmental remediation. The simplest solution was to give that money to a Foundation that restores wild habitat. Wilder asked instead to work on a local project and they agreed with Kosicki to construct a pond on Mulholland Ridge, an open space that belongs to the Town of Moraga (west of Donald Dr), in an area where a pond once sat. The remaining \$50,000 was to be given to a Foundation to finance another project.

The money offered by Wilder was enough to create that pond and fund its maintenance for five years, a long enough period of time to establish a sustainable water feature. "A well constructed pond doesn't need much maintenance," stated Fisher, "the pond will attract wild life and be an asset for Moraga and it's easier to control mosquitoes in a pond than in the mud we are having now." The Council, presided over by Trotter, didn't agree; Council Member Ken Chew was the only one ready to accept the money. Mayor Lynda Deschambault recused herself from the discussion, due to the proximity of her residence to the Mulholland Ridge.

Starting with a staff report from Parks and Recreation Director Jay Ingram, the question of maintenance of the pond after the first five years took center stage. Residents favorable to the project came to explain how profitable the restoration of wet land would be for Moraga and vowed to volunteer hours to maintain the pond. When Karl Malamud-Roam, Environmental Project Manager for the Contra Costa Mosquito and Vector Control District, took the stand it didn't help their case.

"If the city accepts money to restore wet land, they should anticipate doing some maintenance," he said. The Town would become responsible for the body of water and as vegetation and silt accumulate over time Malamud-Roam believes that the pond could become a breeding ground for mosquitoes.

Kosicki explained that maintaining the pond would just be part of the normal maintenance of the Ridge. The problem is that when the town took ownership of the open space, no money was set aside to maintain it. "Public works does the maintenance," said Ingram, before confirming that to his knowledge no maintenance has been done this year, which raises the question of the condition of the two other ponds that already exist on the Ridge, and are shallower than the proposed pond. "We haven't inspected those two ponds recently," said Malamud-Roam, "I do not know in what condition they are, but Moraga is not a very hot climate and we do not see mosquitoes as a major problem here."

The lack of maintenance funds led Trotter to ask Kosicki to consider using the other half of Wilder's penalty to create an endowment fund that would generate a source of income for maintenance. "I think the endowment idea is a good one,"

said Malamud-Roam, "it would be great to see the Town and Fish and Game set a precedent and create a fund." He believes that everyone's budgetary constraints are such that nobody will want to take on a restoration project if a maintenance fund does not come with it.

In spite of Trotter's plea for a win-win solution, Kosicki maintained her position, "I want to see in-ground projects being established with this money," she said, "I do not want to see it sitting in a bank." At Trotter's insistence, Kosicki finally agreed to give the Town until February to find other restoration projects, in addition to maintenance, that could be conducted with the endowment funds.

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