

BPUD PIPELINE



Winter 2009—2010

270 Elm Road, P.O. Box 390, Bolinas, CA 94924 (415) 868-1224

In Brief...

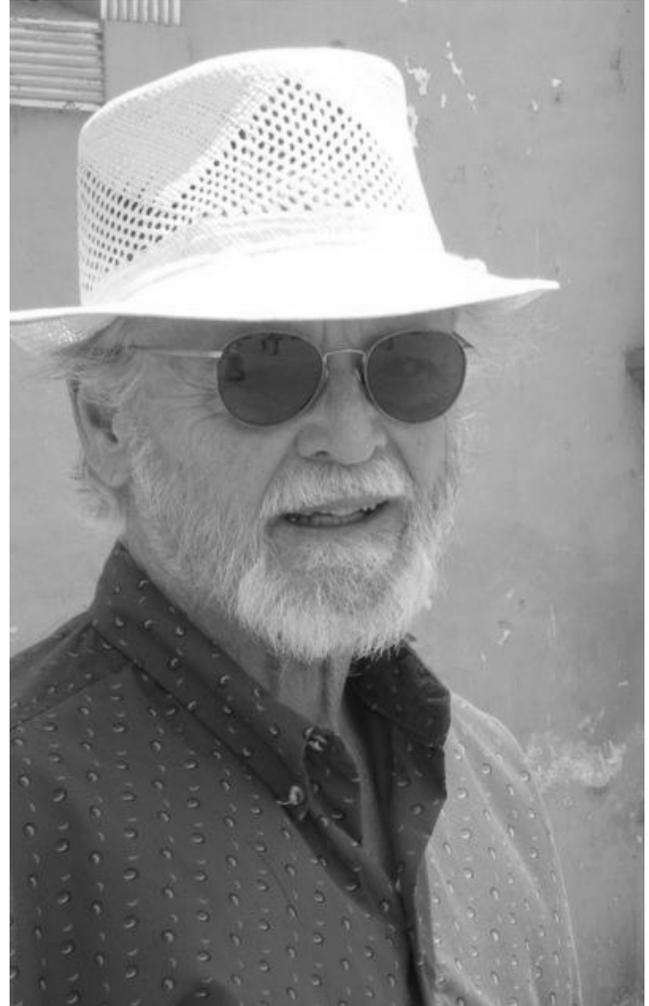
Winter Storms are Here! Don't Forget that Drainage Services are Available from the BCPUD.

The recent inclement weather reminds us that it DOES rain in Bolinas from time to time. Untended ditches and culverts can fill with debris during the long dry months and result in clogged drainways and minor flooding if left untended. In addition, there are areas of our community in need of the installation of ditches and culverts to ensure proper drainage. The BCPUD is committed to helping residents maintain and install proper drainage facilities to avoid flooded condition and saturated soils. Drainage Manager Lewie Likover and other BCPUD staff are available for advice and assistance. Please contact the BCPUD office if you would like to take advantage of this resource.

**Water or Sewer-Related emergency?
Call 868-1224
(24 hours)**

BCPUD Director Jack McClellan Retires After 28 Years of Service to the Bolinas Community

Jack McClellan and his partner Nina Bellak moved to Bolinas in 1972 from Fairfax, where they had been sleeping in a treehouse. They bought a vacant lot and then bought a water meter a week before the water moratorium took effect. They obtained a permit to live in a trailer hooked up to an installed septic system while they built their house. However, the tiny trailer was full-up with the legally required flush toilet and kitchen (with hot and cold running water), so they pitched a 20-foot teepee to use as a bedroom-living room. Not too long after they moved onto their lot, the County did one of its periodic crack-downs on illegal living situations in Bolinas and cited them for sleeping in the teepee. They decided to appeal to the Planning Commission, which gave them permission to do so. However, the County Building Department appealed the decision to the Board of Supervisors, which ruled against the Planning Commission and told Jack and Nina they could not sleep in the teepee on their property. By this time, Jack says, he had built up a personal relationship with the building inspector who told him to write a letter to the County stating that they no longer were sleeping in the teepee. Then, the inspector said, finish your house! Jack did both, and he and Nina have lived there since.



One might think that this initial tangle with County bureaucracy likely planted the seed in Jack's mind to run for the BCPUD Board, but Jack says it was another ten years before he decided to run. By this time, in 1981, he and Nina owned a cow for which they grew hay on the BCPUD sewer pond property to supplement its grazing on neighboring vacant lots; they sold the raw milk to their friends and neighbors. One morning when Jack

was out tending to the cow, he looked around and realized how much he depended upon the open space of West Marin and how much he wanted to preserve it so that his low-impact lifestyle could continue. He figured he might as well run for the BCPUD Board, but claims it was a selfish decision (and not an altruistic one) to do so.

1981 was a “watershed” election year in Bolinas: the central issue was the propriety of the water emergency declaration that established the moratorium on new hookups. Jack ran for the Board on a slate of like-minded individuals that included Paul Kayfetz and Dottie Lemieux, who believed that the water moratorium was appropriately instituted in light of the available water supply; they ran against a slate of three other candidates desirous of lifting the moratorium. Jack’s slate of candidates carried the election and he served continuous terms on the Board until December 2009, when his retirement became effective.

Jack’s initial years as a BCPUD director were dominated by two big events: the El Nino storms of 1982 that washed out much of the district’s water supply infrastructure and the lawsuit filed by the Pacific Legal Foundation challenging the district’s water supply emergency declaration. He recalls that the directors were all sued individually and collectively for claimed damages of more than \$30 million. “We were wild-eyed, fire-breathing progressives with no desire to compromise with the fascist developers,” he recalls. Jack notes that Orville Schell — a former BCPUD director during the 1980’s (and current head of the Center on US-China Relations in New York City) — used to keep “Mao’s little red book” on the Board table during monthly meetings; he acknowledges that the town culture has moderated considerably since then. During his initial decade on the Board, Jack also maintained a solo law practice in San Rafael, consisting of “just about any case that walked in the door” and specializing in criminal defense. He said he ultimately decided to give it up when it “got to be no fun anymore”; to be truly successful as an attorney, Jack says, “your law practice has to be your only priority.” Jack says that there were too many other things in life that he wanted to do, so he closed up his office and retired from the practice of law.

When asked to name the three biggest milestone developments that occurred during his tenure on the Board, Jack lists the end of the moratorium lawsuit, the development of the Todd Drainage Plan and the fight over the Questa community septic plan for the Bolinas Mesa. As Bolinas residents are well aware, the district ultimately prevailed in the moratorium lawsuit after years of litigation due to the findings of a court-appointed Special Master affirming that there is a chronic and real water supply shortage in the district. As for the Todd Drainage Plan, Jack feels this is a major asset for the Mesa because he is convinced that only way to truly improve the conditions for septic system operation on the Mesa is to lower the groundwater table during the winter. [Note: in January 2009, the district was approved for an award of grant funds under Proposition 84 to further develop the Todd Drainage Plan and implement specific drainage projects on the Mesa, but these funds were then frozen by the Governor due to the state’s fiscal crisis.] The fight over the Questa community septic plan for the Mesa was “ugly,” says Jack. Jack said he was in favor of the project at the time because he felt that the Regional Water Quality Control Board ultimately would force property owners in Bolinas to upgrade their septic systems and the property owners each would be stuck with the cost. Since the Questa plan was going to be almost entirely financed by the state (with individual property owners paying only 3%), Jack felt it was a good deal for the town. However, strong opposition to the plan grew in the community and the plan ultimately was rejected. Jack notes that the Regional Board and County have since forced septic upgrades on individual homeowners at great (and increasing) expense to those homeowners, with no financial assistance from the state.

Looking to the future, Jack believes that the district’s priorities should include improvements to the sewer system and continued implementation of the Todd Drainage Plan on the Mesa. Asked about his proudest achievement as a BCPUD director, Jack cites the development and enactment of Ordinance 30, commonly known as the district’s “Roads Ordinance”. For this and so much more, the Bolinas community and BCPUD directors and staff heartily thank Jack McClellan for his many years of honorable public service.