

Friends Of Dunphy Park: A brief history

In 2001 Eben Gossage, the owner of Zack's Inc., submitted a proposal to construct 26,852 sq. ft. of new office buildings and a 232-berth marina on waterfront property adjacent to Dunphy Park.

Closed negotiations between Gossage and the City Council resulted in giving the City the opportunity to purchase at fair market value a portion of the peninsula, the railroad right of way in front of Dunphy Park, and open water property adjacent to Dunphy Park conditional on the City permitting Gossage to build a 195-berth marina.

Public concern resulted in the formation of Friends of Dunphy Park which advocates expansion of Dunphy Park and preservation of the remaining open water in the Central Waterfront. The Friends circulated a petition signed by over 1000 Sausalito residents which supports the purchasing (at fair market value) of some or all of the Zakessian/Gossage waterfront property and underwater lots.

The Planning Commission heard extensive public testimony, much of which had been carefully prepared by the Friends, and considered the project's impact on marine habitat, parking, traffic, open water views, water hydrology, release of toxic wastes left from previous marine industrial uses, and appropriate use of public lands under the public trust doctrine and asked for an Environmental Impact Report (E.I.R.) before taking further action on the Gossage proposal.

The resulting E.I.R. found significant spawning areas in the area that would be degraded or destroyed by the proposed marina. Although Gossage reconfigured the proposed marina in an attempt to mitigate effects on the spawning areas, the Planning Commission held a Public Forum in April, 2004 to review the revised E.I.R. and found it to be grossly inadequate.

The City of Sausalito acquired approximately 1.33 acres of land funded by the Coastal Conservancy. In addition, Gossage sold a half acre of peninsula property between Bridgeway and Humboldt. His remaining property consists of six approximately 2.2 acre lots, all of which are under water with the exception of .85 acres of waterfront peninsula land adjacent to Dunphy Park and .44 acres in the parcel that contains the current marina and Sausalito Marine Building.

Friends of Dunphy Park, with prior approval of the City, engaged Clem Shute of Shute Mihaly and Weinberger to prepare an opinion regarding the public trust doctrine as it relates to the Gossage proposal. Shute found that the City may refuse development of tidelands and submerged lands if it determines that the public interest is better served by retaining the property in its natural condition.

Concern remains over the fate of the water lots and their strategic importance as a marine habitat sanctuary. In May, 2008 Marin Bay Advocates commissioned Merkel & Associates to do an assessment of the eelgrass resources within the open water portion of the property and potential for increasing the resource. The conclusion was that extensive eelgrass resources still remain which are important on a regional scale and that potential for increased resource is excellent.

Future marina proposals will have to provide all required parking on the remaining .85 acres of peninsula property adjacent to Dunphy Park. It would appear to be virtually impossible to provide the required parking for a 195-boat marina on this small piece of highly exposed waterfront property in a manner appropriate to this site.

In January of 2005 Gossage sent a letter to the City Attorney asking for a continuance of the Permit process. He attached to the letter a new proposal for a very different project, which includes radical changes such as a two-story parking structure on the peninsula property and a dependence on retractable docks across City owned under water streets. As far as we know, the review period for his Proposal has lapsed and there is no Proposal currently under review.

Friends of Dunphy Park has an active Board of 12 people, about 40 people who have given financial support, and maintains an extensive contact list based on the 1000 plus resident signatures it

obtained on the original petition cited above. The Board remains in contact with the City Council, Audubon Society, and the Marin Bay Advocates in a continuing effort to preserve the important marine habitat and waterfront property adjacent to Dunphy Park. The Friends also hope eventually to be able to help the City to develop a master plan for an enlarged Dunphy Park.