MARIN COUNTY
COMMUNITY DEVELOPMENT AGENCY
BRIAN C. CRAWFORD, DIRECTOR

STAFF REPORT TO THE DEPUTY ZONING ADMINISTRATOR
Bolinas-Stinson Beach Resource Recovery Project
Mitigated Negative Declaration of Environmental Impact and
Coastal Permit, Use Permit and Design Review

Item No:	H3. A. and B.	Application Nos:	CP 04-18/UP 04-15/DR 04-36)
Applicant:	Bolinas Community Public Utility District, attn. Michael Aitken	Owners:	Bolinas Community Public Utility District
Property Address:	25 Olema-Bolinas Road, Bolinas	Assessor's Parcel:	193-030-38 (formerly 193-030-36 and -24)
Hearing Date:	October 28, 2010	Planner:	Johanna M. Patri, AICP

RECOMMENDATION:	**Grant a Mitigated Negative Declaration of Environmental Impact and Approve the Project with Conditions**
APPEAL PERIOD:	**5 working days to the Planning Commission**
LAST DATE FOR ACTION:	**60 Days from Adoption of the Mitigated Negative Declaration**

PROJECT DESCRIPTION SUMMARY

The proposed Bolinas-Stinson Beach Resource Recovery Project (BSRRP), a joint project of the Bolinas Community Public Utilities District (BCPUD), the Stinson Beach County Water District, the Bolinas Fire Protection District, and the Stinson Beach Fire Protection District, is a green materials composting operation that provides a facility for the Bolinas and Stinson Beach communities to collect wildland and urban fire fuels and landscape/gardening green waste and recycle these materials for re-use as a soil amendment for re-sale or give-away, primarily to the local members of the communities of West Marin. The goals of the year-round project are to: (a) reduce landfill input; (b) convert community resources originally deemed to be waste into usable materials; (c) provide local employment; and (d) provide a local, environmentally responsible alternative to illegal dumping as well as expensive, long-haul trips to east Marin land fill sites (a minimum 40-mile round trip).

The BSRRP is sited on an approximately 1.5-acre portion of a 95.38-acre parcel owned by the Bolinas Community Public Utility District, located on the west side of the Olema-Bolinas Road south of the Mesa Road intersection. The operation processes approximately 7,000 to 8,000 cubic yards of green waste material annually. Up to 800 cubic yards of feedstock materials are present on site at any given time, with a potential for 600 cubic yards of active compost, 400 cubic yards of curing compost and 400 cubic yards of finished compost, representing a maximum of approximately 2,200 cubic yards of material on site at any given time. (*Refer to the complete Project Description contained in Section II Conditions of Project Approval, Conditions 1 and 2 of the Conditional Approval Resolution, Attachment 2 of this Staff Report*.)

GENERAL INFORMATION

Countywide Plan Land Use Designation: C-AG2 (Coastal, Agriculture, 1 unit per 10 to 30 acres)
Zoning: C-ARP-10 (Coastal, Agriculture, Residential Planned District, maximum density of 1 unit per 10 acres)
Project Site: Project size is an approximately 1.5-acre portion of a 95.38-acre parcel
Adjacent Land Uses: Rural residential, small agricultural operations, waste water treatment plant for BCPUD
Vegetation: Primarily bay/eucalyptus woodland and native vegetation along the watercourse
Topography and Slope: Level to steeply sloping
Environmental Hazards: None identified

ENVIRONMENTAL REVIEW AND COMMENTS AND RESPONSES TO THE NEGATIVE DECLARATION

A draft Mitigated Negative Declaration of Environmental Impact (MNDEI) has been prepared for the proposed project to comply with the procedural requirements of the "California Environmental Quality Act (CEQA) Guidelines" and the "Marin County Environmental Impact Review Guidelines". The MNDEI was circulated with a duly-noticed 30-day public review and comment period ending October 13, 2010, pursuant to the requirements of CEQA. The MNDEI assesses all the potential environmental impacts resulting from the proposed project.

The Marin County Environmental Coordinator has recommended the grant of a Mitigated Negative Declaration of Environmental Impact and approval of the recommended CEQA Resolution (Attachment 1) of this staff report. The Environmental Coordinator determined that all project-related potentially significant, adverse effects have been discussed and mitigated to less than significant levels.

The following comment letters to the draft Negative Declaration of Environmental Impact have been received by the Community Development Agency.

Comment Letters of Support

Comment letters (*refer to Attachments 10 a. – c.)* to the draft Mitigated Negative Declaration of Environmental Impact (MNDEI) were received from the Bolinas Fire Protection District, the Stinson Beach County Water District, and Walter and Aggie Murch, Blackberry Farm in general support of the proposed project.

Comment Letter of Acknowledgement of Receipt and Distribution of the Draft Mitigated Negative Declaration of Environmental Impact

A closing letter (*refer to Attachment 10. f.*) was received from the State of California Governor's Office of Planning and Research, State Clearinghouse acknowledging compliance with the State Clearinghouse review requirement for draft environmental documents, pursuant to the California Environmental Quality Act.

Comment Letter Re: Corrections and Modifications to the Draft MNDEI

A comment letter (*refer to Attachment 10 d.)* was received from Jeffrey A. Creque, Ph.D., Technical Consultant to BSRPP, noting corrections to the draft MNDEI that should be made as follows:

Page 33, Paragraph 3, second sentence shall be corrected to read:

While the ephemeral watercourse is currently protected by a large berm (four feet high, 5 feet wide at the base), the berm is not currently vegetated, which could potentially result in attendant siltation into the watercourse due to surface water runoff on the site. Implementation of Mitigation Measure D.3-1 which includes erosion control and water quality protection measures during the operation of the facility will reduce potential siltation into the watercourse.

Page 46, Creek Protection, Item 4 shall be corrected to read:

4. The existing native vegetation must be kept in place and allowed to flourish along both creek banks. Native arroyo willow or other native vegetation should be planted where needed, recognizing that the applicant/operator does not have ownership of the south bank of the water course, as it is on neighboring property. The non-native ivy shall be removed and replaced with native vegetation. Non-native plants shall not be planted on site.

Page 46, Creek Protection, Item 6 shall be modified to read:

6. The finished product shall be restricted to the area labeled "Finished Product Area", as shown on the site plan ("Exhibit A") or an alternate site outside of the 100-foot Stream Conservation Area acceptable to DPW. The finished product shall not be stored at any other location, unless reviewed and approved by DPW.

Comment Letter Expressing Concerns Regarding Re-distribution of Noxious Seeds and Pesticides

A comment letter (*refer to Attachment 10. e.)* was received from Ms. Natalie B. Gates, Acting Superintendent, of the United States Department of the Interior, National Park Service expressing concerns regarding the following two items:

1. Re-distribution of seeds of invasive, noxious weeds in compost across the County

   Ms. Gates notes that Marin Countywide Plan (CWP) Policy BIO-1.7 calls for the prevention of "re-establishment (of invasive plants) in managed areas." She notes that during the composting process, high temperatures are required to kill invasive plant seeds and refers to a 2004 publication by Kris Zouhar, U.S. Department of Agriculture, and Forest Service indicating that composting temperatures in excess of 180 degrees F are required to kill invasive bindweed seed. Ms. Gates believes that inadvertent distribution of invasive seed within the composted material would be contrary to CWP Policy BIO-1.7 and recommends that additional measures be included to achieve the temperatures required to destroy the wide array of invasive, noxious species propagules likely to be present or, alternatively, recommends that a system be implemented to cull invasive plant materials from the composting feedstock altogether. If a system for culling invasive plants from the mixed green waste stream is infeasible, then a system that segregates invasive species for separate disposal should be developed.

2. Potential for pesticide and herbicide residue to linger in materials composted and to be re-distributed

   Ms. Gates states that green waste materials with herbicide content could undergo composting without herbicide breakdown, ultimately resulting in redistribution of the herbicides throughout the County. She states that aminopyralid and chorlpyralid are two such active ingredients that require sufficient oxygenation during the composting to avoid widespread distribution of contaminated compost.

Jeffrey A. Creque, Ph.D., CA State Board of Forestry License #M75, technical consultant to the BSRPP, acknowledges that Ms. Gates raises two issues commonly raised in discussions regarding the efficacy of composting: achieving mortality of weed propagules and the fate of herbicides, particularly clopyralid and aminopyralids, within the compost environment and responds to the issues as follows:

"With respect to Ms. Gate's specific concerns regarding field bindweed (Convolvulus arvensis), we feel very strongly that notwithstanding the possibility some seed of this species may be able to survive the composting process, the net benefit of eliminating the vast majority of weed propagules through composting far outweighs any such risk. We feel that when all risks and benefits are considered, composting far outweighs alternative available technologies for disposal of weed species. We also note that field bindweed, while possibly occasionally present among green waste materials delivered to the BSRRP site, constitutes at most a trace component of our annual green waste volume.

With respect to pesticides, most are effectively degraded in the composting process. The question of cloypyralid has plagued the compost industry for over a decade and aminopyralid has also recently appeared in some compost in California. The industry is working very hard to eliminate the use of these herbicides where that use could lead to contaminated materials showing up at composting facilities.

Clopyralid is used primarily for broadleaf control in lawns, particularly golf courses, and also for control of thistles on rangelands. Aminopyralid is used primarily for thistle control on rangelands and pastures, and has been found in livestock manures.

We believe the potential for these compounds to show up at Bolinas-Stinson Beach Resource Recovery Project is close to zero. Golf courses do not use the facility and lawns are a rather rare item in Bolinas and Stinson Beach. We do not receive materials from pastures or rangelands, nor do we receive livestock manure. Use of herbicides in our communities, while not zero, is extremely low.

One of the great values of a small community composting facility such as the BSRRP is that by processing materials locally and serving a local market for materials, we eliminate the risk of importing contaminants and weeds from outside our community. BSRRP has been accepting community greenwaste for composting for 13 years, and we have yet to see a problem with respect to the issues Ms. Gates raises in her letter.

Notwithstanding Ms. Gates concerns, we appreciate the supportive role the National Park Service has played in providing significant financial support at the start-up phase of the BSRRP, and note that support was provided in recognition of both the fuel reduction and weed propagule control benefits of the project."

CDA staff finds that temperatures in excess of 180 degrees F, as suggested by Ms. Gates, are considered a fire hazard as temperatures above 180 degrees F are prone to cause spontaneous combustion within the windrows. Culling of each green waste load is determined to be infeasible and impractical for this small composting operation. However, to provide consistency with CWP Policy BIO-1.7, the following mitigations shall be added to the Mitigated Negative Declaration of Environmental Impact (Mitigation Measure G.1.-1) and conditions of project approval to further strengthen the prevention of invasive plant seeds from remaining in the finished composting material.

1. The Bolinas-Stinson Beach Resource Recovery Project (BSRRP) shall develop a list of non-native, noxious plant species and a list of pesticide and herbicide content that it will not accept in the green-waste loads.

2. Should a load of green-waste be found to consist of extensively of noxious, invasive weeds (i.e. Scotch broom, field bindweed) and/or pesticides and herbicides it shall be rejected.

3. The BSRRP shall evaluate annually by a qualified consultant at least one composite sample of finished compost for bioassays (germination tests) to evaluate seed composition of noxious, invasive weeds within its finished compost and build a data set that will verify the finished compost product's elimination of noxious, invasive weeds. Records shall be sent to the Community Development Agency for review.

4. The BSRRP shall evaluate annually by a qualified laboratory at least one composite sample of finished compost for the presence of herbicide/pesticide content, particularly aminopyralid and chorlpyralid and build a data set to determine sufficient oxygenation during the composting, resulting in adequate herbicide/pesticide breakdown. Records shall be sent to Marin County Community Development Agency – Environmental Health Services/Marin County Solid Waste Local Enforcement Agency (LEA).

Comment Letter Regarding Solid Waste Facilities Permit (SWFP) Required If Operation Increases in Size and Corrections to Daily Traffic Volume

A comment letter (*refer to Attachment 10. g.*) was received from Diana Post, Integrated Waste Management Specialist, State Department of Resources Recycling and Recovery (CalRecycle) notifying the County of the requirement for a Solid Waste Facilities Permit (SWFP) should the green waste composting operation increase in size. Ms. Post states that the Mitigated Negative Declaration does not provide maximum daily tonnage, or maximum daily traffic volume to support the issuance of a full SWFP. Furthermore, Ms. Post states that if the operation is expanded, an updated Odor Impact Minimization Plan is required. CalRecycle required copies of, and consultation on, any subsequent or revised environmental documents, should the operation be expanded to require a SWFP. Currently, the BSRRP holds a Compostable Materials Handling Operation and Facility Permit as required by CalRecycle. A follow-up telephone call by CDA staff to Ms. Post confirmed that she found the draft Mitigated Negative Declaration of Environmental Review adequate for the proposed project, under the current proposal a SWFP is not required, and the agency is in support of the proposed project.

Ms. Post notes that corrections to the draft MNDEI should be made regarding describing "vehicles" in "vehicles per day" and not in vehicle "trips" as follows:

Page 6 Finished Compost Component

- Truck trips associated with removal of composted product average approximately one truck vehicle per day (two trips).

Page 7 Traffic Component

- Truck trips to and from the site associated with green waste drop-off range from 1 truck vehicle (2 trips) to 10 truck vehicles (20 trips) daily and average approximately 2 truck loads per day.

- Truck trips to and from the site associated with removal of the finished compost range from 1 truck vehicle (2 trips) to 5 truck vehicles (10 trips) daily and average approximately 1 truck loadper day.

Page 50 Limited Traffic

The Bay Area Air Quality Management District (BAAQMD) CEQA Guidelines identify projects likely to result in a significant air quality impact, for which an air quality impact analysis must be prepared. These projects are those that generate more than 2,000 vehicle trips per day. The green material composting operation does not meet or exceed this criterion as: (a) truck trips to and from the site associated with green waste drop-off range from 1 truck vehicle (2 trips) to 10 truck vehicles (20 trips)daily and average approximately 2 truck loads per day; (b) truck trips to and from the site associated with removal of the finished compost range from 1 truck vehicle (2 trips) to 5 truck vehicles (10 trips) daily and average approximately 1 truck load per day; therefore, such an analysis is not required.

Page 54 F. Transportation

The BSRRP entails the following vehicle trips:

- Truck trips to and from the site associated with green waste drop-off range from 1 truck vehicle to 10 truck vehicles daily and average approximately 2 truck loads per day.
- Truck trips to and from the site associated with removal of the finished compost range from 1 truck vehicle to 5 truck vehicles daily and average approximately 1 truck loadper day.

PUBLIC NOTICE

The Community Development Agency (CDA) has provided a public notice of the availability of the draft Mitigated Negative Declaration of Environmental Impact (MNDEI) identifying the applicant, describing the project and its location, and giving the earliest possible decision date in accord with California Government Code and CEQA requirements. This notice has been published in the Marin Independent Journal and mailed to all appropriate state, Federal and county public agencies, community groups, organizations, interested parties and to property owners within 600 feet of the subject property.

CONSISTENCY WITH COUNTYWIDE PLAN POLICIES

The proposed project is consistent with all pertinent Countywide Plan policies and will implement the 2007 Countywide Plan (CWP) policies promoting protection of the natural and built environments and encouraging the recycling of green waste material to a usable resource, while avoiding conflicts between land uses, preserving and enhancing the natural environment, protecting the visual characteristics of the environment. The proposed project is intended to provide a facility for primarily the Bolinas and Stinson Beach communities to collect wildland and urban fire fuels and landscape/gardening debris and locally recycle these materials for re-use, while protecting the natural, built, and agricultural environments. The project does not require modifications to the CWP land use designation or zoning for the project site. (*Refer to the CWP consistency findings contained in Section I Findings, Section IV of the approval Resolution of this Staff Report, Attachment 2*.)

CONSISTENCY WITH LOCAL COASTAL PROGRAM, UNIT I POLICIES

The proposed project is consistent with all pertinent Local Coastal Program (LCP), Unit policies and will implement the LCP policies that assure protection of coastal resources, public views, community character, and natural resources, including streams, habitat resources and water quality. (*Refer to the LCP consistency findings contained in Section I Findings, Sections V and VIII of the approval Resolution of this Staff Report, Attachment 2*.)

CONSISTENCY WITH THE BOLINAS COMMUNITY PLAN POLICIES

The proposed project is consistent with all pertinent policies of the Bolinas Community Plan (Plan) because the BSRRP operation does not affect or impact agricultural lands in the community and the composting material produced by the operation is used for and enhances agricultural, gardening, and landscaping activities in the local community. The BSRRP operation does not impact natural resources or wildlife habitat and protects the water quality of the watercourse that borders the project site. (*Refer to the LCP consistency findings contained in Section I Findings, Section VI of the approval Resolution of this Staff Report, Attachment 2*.)

CONSISTENCY WITH THE MARIN COUNTY ZONING CODE (INTERIM) AND ZONING DISTRICT

The subject property is governed by the C-ARP-10 (Coastal, Agricultural, Residential Planned District maximum density of 1 unit per 10 acres) zoning district. The principally permitted uses allowed in this district include agricultural production and associated activities and suitable residential development. There are no residential units on the subject property and none are proposed. The proposed project is a conditional use within the governing C-ARP zoning district and requires County Coastal Permit, Use Permit, and Design Review approvals. The construction and operation of a green-waste facility may be authorized by the County in the C-ARP-10 Zoning District through the Coastal Permit, Use Permit, and Design Review application process and approvals. (*Refer to the zoning consistency findings contained in Section I Findings, Section VII of the approval Resolution of this Staff Report, Attachment 2*.)

BACKGROUND AND REGULATORY OVERVIEW

The Bolinas-Stinson Beach Resource Recovery Project (BSRRP) is a joint project of the Bolinas Community Public Utilities District (BCPUD), the Stinson Beach County Water District, the Bolinas Fire Protection District, and the Stinson Beach Fire Protection District. The project was conceived in 1999 as an ecologically sound means of disposing of green waste materials originating in West Marin and to serve as a pilot project for all West Marin communities in response to the closing of the Point Reyes Landfill in 1997. The purpose of the project is to provide a facility for the Bolinas and Stinson Beach communities to collect wildland and urban fire fuels and landscape/gardening green waste and locally recycle these materials for re-use.

Tinder dry brush surrounding West Marin homes and buildings and within the public parks and road right-of-ways is a constant concern for local fire prevention districts. The BSRRP facilitates the removal of this fire fuel and recycles it for reuse. FireSafe Marin grant money has been used to do on-site chipping of brush and tree cuttings delivered by local residents. There has been a reduction in the fuel load in both Stinson Beach and Bolinas due to the operation of the BSRRP.

The BSRRP is defined as a Green Materials Composting Operation by the *California Code of Regulations for Compostable Materials Handling Operations and Facilities Regulatory Requirements (CCR)*) and is authorized by Title 14, Natural Resources, Division 7, Chapter 3.1, Article 2, Section 17857.1 of the CCR. The BSRRP (Green Materials Composting Operation) falls within the Enforcement Agency Notification regulatory tier. The BSRRP must comply with the regulations contained in Title 14, Division 7, Chapter 5.0, Article 3.0, of the CCR. The project sponsor has filed with the Marin County Community Development Agency – Environmental Health Services/Marin County Solid Waste Local Enforcement Agency (LEA), the required State of California Green Material Composting Operation Enforcement Agency Notification (form CIWMB 169 in accordance with the CCR, Title 14, Division 7, Chapter 5.0, Article 3.0, Section 18103.1). A copy of the Enforcement Agency Notification has been forwarded to the California Department of Resources, Recycling and Recovery. The BSRRP is classified as a Green Materials Composting Operation in accordance with provisions of the CCR, as the total volume of feedstock and compost on site at any one time does not exceed 12,500 cubic yards. As a Green Material Composting Operation, the BSRRP will be inspected quarterly by the LEA.

The Green Material Composting Operation must comply with the applicable sections of Title 14, Division 7, Chapter 3.1 of the CCR including Sections 17855.2, 17857.1, 17863.4, 17866, 17867, 17867.5, 17868.1, 17868.2, 17868.3, 17868.5, 17869, and 17870. (*Refer to additional discussion in Section I.F. Description of Project in the Initial Study/Mitigated Negative Declaration Bolinas-Stinson Beach Resource Recovery Project (BSRRP), September 2010, page 3.)*

SETTING AND SITE CONDITIONS

The project site is accessed from an approximately 180-foot long driveway (with entrance gate for security) off the west side of the Olema-Bolinas Road, just south of its intersection with Mesa Road. The Bolinas-Stinson Beach Resource Recovery Project (BSRRP) site is an approximately 1.5-acre portion of a 95.38-acre parcel owned by the Bolinas Community Public Utility District (BCPUD). An approximately 1.5-acre site is used for row-crop farming (formerly the Bolinas Community Garden), located east of the green waste receiving and composting areas, with frontage along Olema-Bolinas Road. (The farm is operated by an entity different than the BSRRP). A large portion of the property west of the project site is utilized by the BCPUD for waste water treatment facilities. Surrounding the project site on the north and west sides are steep slopes densely covered with eucalyptus.

The BSRRP site is a highly disturbed site ranging in elevations of approximately 25 feet at Olema-Bolinas Road to 30 feet at the composting areas. Along the northwestern side of the project site are southeastern facing slopes (approximately 20%). The site of the composting operation is a flat packed earth pad, over a layer of rock road base and is devoid of vegetation. The site is developed with an approximately 150 square foot office/tool storage building, parking for staff vehicles and equipment, the green-waste (feedstock) drop-off area, the windrows/compost processing area, and a finished compost area for pick-up.

The water source for the operation is from a 200-foot deep well, with a 20-foot seal, located within the row-crop farming area east of the project site utilizing a generator to pump-up the water to the project site. Hoses and sprinklers are used to water the windrows. The water well is used solely for irrigation and does not require a permit from Marin County Environmental Health Services. In an emergency, the Bolinas and/or Stinson Beach Fire Protection District are able to provide water via a tanker truck. Staff may use the bathroom facilities located on the property at the Bolinas Community Public Utility District's Waste Water Treatment Plant with access off Mesa Road. Currently, there is no electricity to the project site. Telephone service is by cell phones.

The project site is bordered on the southside by an unnamed ephemeral watercourse with limited vegetation. The watercourse runs west to east along the southern boundary of the property. It is not mapped as a blue line in the USGS hydrology data. Vegetation immediately along the watercourse consists primarily of thickets of California blackberry, poison oak and English ivy. The bed of the watercourse is shallow and not well defined. A 4-foot high by 5-foot deep berm has been formed between the watercourse and the green waste facility to protect the watercourse from water run-off from the green material composting operation. Water runoff flows easterly downslope (approximately 4%) towards the center of the site to the vegetated buffer area between the composting site and the row-crop farming area and away from the watercourse.

Wind velocity at the site ranges from 0-10 miles per hour. The most common seasonal variation (or storm event) is an increase in wind speed associated with winter storms, up to or above 40 miles per hour. Wind direction is typically from the southwest, occasionally from the northwest.

PROJECT DISCUSSION AND ANALYSIS

The following potential impacts were identified in the draft Mitigated Negative Declaration of Environmental Impact and have been mitigated by modifications to the project so that any potential

environmental adverse effects would be reduced to less than significant levels. All mitigation measures have been incorporated into the conditions of project approval.

Geophysical – Slope Instability

Potential Impact. The proposed project could result in potential slope instability impacts due to the un-retained 5-foot vertical cut into the hillside at the edge of the on-site parking and equipment storage areas at the northern slope of the property, unless mitigated.

To reduce potential slope instability impacts to a less than significant level, Mitigation Measure C.1-1 requires that prior to final inspection and vesting of the Use Permit, the applicant shall submit to the Department of Public Works (DPW) for review and acceptance a geotechnical evaluation, prepared by a licensed geotechnical or soils engineer, verifying the stability of the 5-foot vertical cut at the edge of the on-site parking and equipment storage areas at the northern slope of the property. The geotechnical evaluation must include any measures to ensure the stability of said cut. The applicant shall implement the recommended measures in the geotechnical evaluation.

Water – Discharge of Pollutant and Stream Protection

Potential Impact. The project site is a packed earth pad over rock road base that results in a decrease in the absorption rate of stormwater and surface water runoff and a potential increase in siltation and pollutants into surface and ground waters, including the adjacent ephemeral watercourse. While the ephemeral watercourse is currently protected by a large berm (4 feet high, 5 feet wide at the base), the berm is not currently vegetated and earth work occurs occasionally on the berm, which could potentially result in attendant siltation into the watercourse due to surface water runoff on the site unless mitigated.

To reduce potential siltation into the watercourse to a less than significant level, Mitigation Measure D.3-1 requires that prior to final inspection and vesting of the Use Permit, the applicant shall submit and implement a *Stormwater Pollution Prevention and Watercourse Protection Plan (SWPPP)* that addresses Best Management Practices (BMPs) to DPW for review and approval. The SWPPP should follow guidelines as established in "Start at the Source", published by the Bay Area Stormwater Management Agencies Association. The SWPPP shall be submitted on an annual basis for the review and approval by DPW. The SWPPP must include provisions for creek protection, siltation and water runoff management, and buffer re-vegetation.

Biological Resources – Protection of Special-Status Species

Potential Impact. While no special-status species were observed on the project site, habitats in the project area could support a variety of special-status plant and wildlife species. Without implementation of avoidance measures, the green waste composting project has the potential to result in impacts to special-status plant and animal species and their habitats in the project area.

To reduce potential impacts to special-status plant and animal species and their habitats in the area to less than significant level, Mitigation Measure G.1.-1 requires that prior to final inspection and vesting of the Use Permit, the applicant shall submit a Biological Site Management Plan (BSMP) to the Community Development Agency and Department of Public Works for review. The BSMP must include plant and wildlife protection measures, including: (a.) management and removal of any non-native, invasive plant species (e.g. poison hemlock, Himalaya blackberry, vinca, ivy) and re-vegetation with native species to improve native plant diversity and wildlife habitat, particularly along the watercourse; (b.) implementation of proper erosion control and other water quality Best Management Practices (BMPs) to avoid sedimentation into, and disturbance of, the watercourse and adjacent habitats on the upslope of the property; (c.) vegetation of exposed slopes with native plant species; and (d.) prohibition of fencing or barriers that would impede the migration, dispersal, or movement of animals through the project site without County approval.

Cultural Resources – Preservation of Archaeological or Historical Resources

Potential Impact. Review of the Marin County Archaeological Sensitivity Sites Inventory Maps indicates that the property is located in an area of high archaeological sensitivity and there are known mapped prehistoric deposits in the vicinity of the project site that contain various cultural artifacts that are representative of Indian settlement in the area. Although the project site is already a highly disturbed site and does not require extensive grading or earthmoving, there is always a potential that paleontological and archaeological resources and artifacts could be uncovered and impacted during operation of the green material composting facility.

To reduce significant potential impacts to paleontological and archaeological resources, if any are encountered during the operation of the project to a less than significant level, Mitigation Measure N.1-1 requires in the event that any human remains, artifacts, or other indicators of prehistoric or historic use of the parcel are encountered during operation of the green material composting facility on any part of the project site, all work at the vicinity of the discovered site shall stop immediately and the project sponsor shall contact the Marin County Environmental Coordinator immediately. If human remains are encountered, the County Coroner must also be contacted. A registered archaeologist, chosen by the County in consultation with the Federated Indians of Graton Rancheria and paid for by the project sponsor, shall assess the site and shall submit a written evaluation to the Agency Director advancing appropriate conditions to protect the site and the resources discovered, including monitoring of all subsequent site work by a Native American monitor from the Federated Indians of Graton Rancheria or other designated tribal representative. State law designates procedures should human remains be encountered. If the remains are deemed to be Native American and prehistoric, the Coroner must contact the Native American Heritage Commission so that a "Most Likely Descendant" can be designated. No work at the site may recommence without approval of the Agency Director. If it is determined that a prehistoric site exists the following shall be implemented:

(a) No future development activity shall take place at or in close proximity to the prehistoric site within the development area;

(b) The historical site(s) shall be filled to protect the resources there;

(c) No additional excavation shall occur at these locations other than to remove surface organic material; and

(d) The applicant may be required to submit a revised project to protect the resource(s). No further work at the site may recommence without approval of the CDA staff. All future development of the site must be consistent with findings and recommendations of the archaeological assessment, including Appendix A, Monitoring Procedures, of the May 2001, “Archaeological Evaluation”, prepared by Archaeological Resources Service, as approved by the CDA staff.

CONCLUSION

Staff finds that the proposed project as conditioned would comply with all pertinent County codes and policies and would adequately protect the surrounding community environment, including forested lands, the ephemeral watercourse, and biological resources. All mitigation measures have been incorporated into the conditions of project approval to assure that any potential environmental impact will be reduced to less than significant levels. The project has the support of the communities of West Marin and the local agencies and fire districts. The small-scale green material composting project, with limited trip traffic, would not generate potentially significant levels of air pollutants or greenhouse gas emissions. The BSRRP provides a local alternative for disposal of green waste materials for community members of Bolinas and Stinson Beach to long-haul trips to east Marin land fill sites (a

minimum 40-mile round trip to San Rafael and 70-mile round trip to Redwood Landfill), thereby potentially reducing greenhouse gas emissions as a result of reduced traffic.

RECOMMENDATION

Staff recommends that the Deputy Zoning Administrator review the proposed project, the administrative record, and the draft Mitigated Negative Declaration of Environmental Impact, including the corrections and modifications, and conduct a public hearing, and: (1) adopt the attached Resolution (Attachment 1) approving the Bolinas-Stinson Beach Resource Recovery Project Mitigated Negative Declaration of Environmental Impact; and (2) approve the attached Resolution (Attachment 2) approving the Bolinas-Stinson Beach Resource Recovery Project Coastal Permit, Use Permit and Design Review based on the findings and subject to the conditions contained therein.

ATTACHMENTS

1. Resolution Adopting the Bolinas-Stinson Beach Resource Recovery Project Mitigated Negative Declaration of Environmental Impact
2. Resolution conditionally approving the Bolinas-Stinson Beach Resource Recovery Project Coastal Permit, Use Permit and Design Review
3. Location Map – Bolinas USGS 7.5-Minute Quadrangle
4. Assessor's Parcel Map
5. Site Plan
6. Marin County Department of Public Works, Flood Control memoranda, dated May 24, 2004 and June 8, 2005
7. Marin County Department of Public Works memorandum, dated July 7, 2005
8. Bolinas Fire Protection District letter, dated June 3, 2005
9. Marin County Environmental Health Services letter, dated March 11, 2009
10. Comment Letters to the Draft Mitigated Negative Declaration of Environmental Impact
    a. Bolinas Fire Protection District letter, dated September 21, 2010
    b. Stinson Beach County Water District letter, dated September 29, 2010
    c. Walter and Aggie Murch, Blackberry Farm letter, dated September 22, 2010
    d. Jeffrey A. Creque, Ph.D. Technical Consultant to BSRPP letter, dated October 3, 2010
    e. United States Department of the Interior, National Park Service letter, dated October 8, 2010
    f. State of California Governor's Office of Planning and Research, State Clearinghouse letter, dated October 18, 2010
    g. State Department of Resources Recycling and Recovery letter, dated October 5, 2010

NOTE: The following attachment was provided to the Deputy Zoning Administrator only.

11. Initial Study/Mitigated Negative Declaration Bolinas-Stinson Beach Resource Recovery Project, September 2010

The draft Mitigated Negative Declaration of Environmental Impact document is available for public review at the Community Development Agency, Planning Division during regular business hours, Monday through Friday, 8:00 A.M. to 4:00 P.M.

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION_____

A RESOLUTION ADOPTING A MITIGATED NEGATIVE DECLARATION OF ENVIRONMENTAL IMPACT FOR THE BOLINAS-STINSON BEACH RESOURCE RECOVERY PROJECT COASTAL PERMIT (CP 04-18), USE PERMIT (UP 04-15) AND DESIGN REVIEW (04-36)

25 OLEMA-BOLINAS ROAD, BOLINAS ASSESSOR'S PARCEL 193-030-38 (formerly 193-030-24 and -36)

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SECTION I: FINDINGS

I. WHEREAS, the Bolinas-Stinson Beach Resource Recovery Project (BSRRP), a joint project of the Bolinas Community Public Utilities District (BCPUD), the Stinson Beach County Water District, the Bolinas Fire Protection District, and the Stinson Beach Fire Protection District, has proposed a green materials composting operation that provides a facility for the Bolinas and Stinson Beach communities to collect wildland and urban fire fuels and landscape/gardening green waste and recycle these materials for re-use as a soil amendment for re-sale or give-away, primarily to the local members of the communities of West Marin. The goals of the year-round project are to: (a) reduce landfill input; (b) convert community resources originally deemed to be waste into usable materials; (c) provide local employment; and (d) provide a local, environmentally responsible alternative to illegal dumping as well as expensive, long-haul trips to east Marin land fill sites (a minimum 40-mile round trip).

The BSRRP is sited on an approximately 1.5-acre portion of a 95.38-acre parcel owned by the BCPUD located on the west side of the Olema-Bolinas Road south of the Mesa Road intersection. The operation processes approximately 7,000 to 8,000 cubic yards of green waste material annually. Up to 800 cubic yards of feedstock materials are present on site at any given time, with a potential for 600 cubic yards of active compost, 400 cubic yards of curing compost and 400 cubic yards of finished compost, representing a maximum of approximately 2,200 cubic yards of material on site at any given time. (*Refer to the complete Project Description contained in Section II Conditions of Approval, Conditions 1 and 2 of the Conditional Approval Resolution*.)

The project site is located at 25 Olema-Bolinas Road, Bolinas, California, and is further identified as Assessor's Parcel 193-030-38.

II. WHEREAS, the Marin County Community Development Agency - Planning Division prepared an Initial Study/draft Mitigated Negative Declaration for the proposed project to comply with the procedural requirements of the "California Environmental Quality Act (CEQA) Guidelines" and the "Marin County Environmental Impact Review Guidelines".

III. WHEREAS, the Marin County Environmental Coordinator has recommended the grant of a Mitigated Negative Declaration of Environmental Impact, based on the analyses contained in the Initial Study pursuant to the California Environmental Quality Act (CEQA). The Environmental Coordinator determined that all project-related potentially significant, adverse effects of the project have been addressed and

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have been mitigated by modifications to the project so that any potential adverse effects are reduced to less than significant levels and all mitigation measures have been incorporated into conditions of project approval.

IV. WHEREAS, the Marin County Deputy Zoning Administrator finds on September 14, 2010, the Community Development Agency (CDA) distributed an Initial Study/draft Mitigated Negative Declaration of Environmental Impact to all pertinent agencies and interested parties to commence a 30-day public review period for review and comment on the draft Mitigated Negative Declaration. In addition, the CDA provided a Notice of the public review period and the Marin County Deputy Zoning Administrator hearing date to consider granting final approval of the Negative Declaration. This Notice was published in a general circulation newspaper pursuant to CEQA, noticing the availability of the draft Mitigated Negative Declaration of Environmental Impact (MNDEI), identifying the applicant, describing the project and its location, and giving the earliest possible decision date in accord with California Government Code and CEQA requirements. This Notice has been published in the Marin Independent Journal and mailed to all appropriate state, Federal and county public agencies, community groups, organizations, interested parties and to property owners within 600 feet of the subject property. CDA responses to public comments received on the MNDEI, contained in the staff report, are incorporated herein. Furthermore, additional conditions of approval determined to be appropriate in response to public comments have been incorporated into the conditional approval Resolution. The MNDEI was circulated with a duly-noticed 30-day public review and comment period ending October 13, 2010, pursuant to the requirements of CEQA. The MNDEI assesses the potential environmental impacts resulting from the proposed project.

V. WHEREAS, after the close of the 30-day public review period on October 13, 2010, the Marin County Deputy Zoning Administrator reviewed and considered the information contained in the Initial Study/draft Negative Declaration of Environmental Impact, the public comments received and the CDA responses.

VI. WHEREAS, the Marin County Deputy Zoning Administrator, after the close of the 30-day public review period, held a duly noticed public hearing on October 28, 2010, to consider the adequacy of the Initial Study/draft Negative Declaration of Environmental Impact (MNDEI), and hear testimony in favor of, and in opposition to, the MNDEI.

SECTION II: ACTION

NOW, THEREFORE, LET IT BE RESOLVED that the Marin County Deputy Zoning Administrator hereby makes the following findings:

1. Notice of the initial public review period and hearing on the Negative Declaration was given as required by law and said hearing was conducted pursuant to Sections 15073 and 15074 of the State CEQA Guidelines and the County CEQA process.

2. All individuals, groups and agencies desiring to comment on the Negative Declaration were given the opportunity to address the Marin County Deputy Zoning Administrator.

3. The Negative Declaration of Environmental Impact for the project consists of the Negative Declaration, Initial Study, responses to comments, and all supporting information incorporated by reference therein.

4. The Negative Declaration of Environmental Impact was completed in compliance with the intent and requirements of CEQA, the State CEQA Guidelines, and the County's CEQA process.

LET IT BE FURTHER RESOLVED that the Marin County Deputy Zoning Administrator hereby approves the Mitigated Negative Declaration of Environmental Impact for the Bolinas-Stinson Beach Resource Recovery Project Coastal Permit, Use Permit and Design Review applications as an adequate and complete environmental document for purposes of approving the project and declares that the Negative Declaration has been completed and considered in conjunction with the comments thereto, in compliance with CEQA, the State CEQA Guidelines, and the County's CEQA process.

SECTION III: DECISION

GRANTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 28th day of October 2010.

_____
JEREMY TEJIRIAN, AICP
DEPUTY ZONING ADMINISTRATOR

Attest:

_____
Joyce Evans
DZA Secretary

DZA ATTACHMENT 1

MARIN COUNTY DEPUTY ZONING ADMINISTRATOR

RESOLUTION ____

**A RESOLUTION APPROVING WITH CONDITIONS
THE BOLINAS-STINSON BEACH RESOURCE RECOVERY PROJECT
COASTAL PERMIT (CP 04-18), USE PERMIT (UP 04-15) AND DESIGN REVIEW (04-36)**

**25 OLEMA-BOLINAS ROAD, BOLINAS
ASSESSOR'S PARCEL 193-030-38
(formerly 193-030-24 and -36)**

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The BSRRP is sited on an approximately 1.5-acre portion of a 95.38-acre parcel owned by the BCPUD, located on the west side of the Olema-Bolinas Road south of the Mesa Road intersection. The operation processes approximately 7,000 to 8,000 cubic yards of green waste material annually. Up to 800 cubic yards of feedstock materials are present on site at any given time, with a potential for 600 cubic yards of active compost, 400 cubic yards of curing compost and 400 cubic yards of finished compost, representing a maximum of approximately 2,200 cubic yards of material on site at any given time. (*Refer to the complete Project Description contained in Section II Conditions of Approval, Conditions 1 and 2 of this Resolution*.)

The project site is located at 25 Olema-Bolinas Road, Bolinas, California, and is further identified as Assessor's Parcel 193-030-38.

II. WHEREAS, the Marin County Deputy Zoning Administrator held a duly noticed public hearing on October 28, 2010 and reviewed and considered testimony in favor of, and against, a proposed Mitigated Negative Declaration of Environmental Impact and determined, subject to the mitigation measures, all of which have been incorporated in the conditions of project approval contained herein, that this project will not result in any potentially significant environmental impacts, and granted a Mitigated Negative Declaration of Environmental Impact in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the County's CEQA process.

DZA ATTACHMENT 2

III. WHEREAS, the Marin County Deputy Zoning Administrator held a duly noticed public hearing on October 28, 2010, to consider the merits of the project, and hear testimony in favor of, and in opposition to, the project.

IV. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project as conditioned is consistent with the pertinent Marin Countywide Plan (CWP) policies for the following reasons:

A. *The subject property is located in the Coastal Corridor and is identified with a land use designation of C-AG2 (Coastal, Agricultural, 1 residential unit per 10 to 30 acres). The Coastal Corridor and C-AG2 land use designation emphasize the protection of coastal natural resources and agricultural lands.*

The proposed green materials composting operation is consistent with policies protecting natural resources and agricultural lands. The BSRRP project site has never been in agricultural production. The project does not involve any land use activities or development that would conflict with the C-AG2 land use designation. The proposed project would not require any land use designation amendments.

B. *The proposed project is consistent with CWP policies requiring protection of wetlands, habitat for special-status species, sensitive natural communities, and important wildlife nursery areas and movement corridors. (CWP Policies BIO-1.1, BIO-2.4, and BIO-3.1)*

The proposed project is consistent with CWP policies requiring protection of woodlands, forests, and tree resources, including healthy and safe eucalyptus groves that support colonies of monarch butterflies or known raptor sites. (CWP Policy BIO-1.3)

The proposed project is consistent with CWP policies requiring removal of invasive exotic plants to the extent feasible and the prevention of re-establishment (of invasive plants) in managed areas. *(CWP Policy BIO-1.7)*

The proposed project is consistent with CWP policies limiting proposed development in areas that contain essential habitat for special-status species, sensitive natural communities, wetlands, baylands and coastal habitat, and riparian habitats, as necessary to ensure the continued health and survival of these species and sensitive areas or adequately mitigating potential impacts. (CWP Policy BIO-2.2)

The proposed project is consistent with CWP policies established to protect and restrict land use in Stream Conservation Areas, requiring development to be set back to protect the stream and provide an upland buffer, which is important to protect significant resources that may be present and provides a transitional protection zone. Best management practices shall be adhered to in all designated SCAs. Best management practices are also strongly encouraged in ephemeral streams not defined as SCAs. (CWP Policy BIO-4.1)

The proposed project would be consistent with the above CWP Biological Resources Policies. The project has been assessed for potential impacts on native species and habitat diversity, particularly special-status species, sensitive natural communities, important wildlife nursery areas and movement corridors. The project would not affect any habitat for special-

status species, sensitive natural communities, or important wildlife nursery areas and movement corridors. The project limits development impacts and restricts the proposed operation to a highly disturbed area that does not contain essential habitat for special-status species, or coastal habitat and protects the riparian habitat along the ephemeral watercourse adjacent to the project site. No wetlands conservation areas will be affected by the project. The project does not consist of, and would not result in, the removal of native vegetation on the project site. The unnamed ephemeral watercourse with limited vegetation is not mapped as a blue line in the USGS hydrology data. While the buffer area from the outer edge of the riparian vegetation, including the berm area, to the site of the operation is only approximately 20 feet, a 4-foot high by 5-foot deep berm has been formed between the watercourse and the green waste facility to protect the watercourse from both stormwater runoff and water runoff from the green material composting operation. There is no vegetation between the berm and the green waste facility. The project does not entail the introduction of new species of plants or animals into the project area. The green material composting project would leave large areas of open space for the migration and dispersal of wildlife.

Implementation of Mitigation Measure G.1.-1 will ensure that no significant impacts to the ephemeral watercourse or conservation area would occur and will strengthen the prevention of invasive, noxious plant seeds from remaining in the finished composting material. Mitigation Measure G.1.-1 requires the applicant to submit a Biological Site Management Plan (BSMP) to the Community Development Agency for review. The BSMP must include plant and wildlife protection measures, including: (a.) management and removal of any non-native, invasive plant species (e.g. poison hemlock, Himalaya blackberry, vinca, ivy) and re-vegetation with native species to improve native plant diversity and wildlife habitat, particularly along the watercourse; (b.) implementation of proper erosion control and other water quality Best Management Practices (BMPs) to avoid sedimentation into, and disturbance of, the watercourse and adjacent habitats on the upslope of the property; (c.) vegetation of exposed slopes with native plant species; and (d.) prohibition of fencing or barriers that would impede the migration, dispersal, or movement of animals through the project site without County approval.

Implementation of Mitigation Measure D.1-1 will ensure that the existing native vegetation will be kept in place and allowed to flourish along both creek banks, non-native vegetation will be removed, and all green waste and composting materials will be kept at least 50 feet away from the watercourse.

C. *The proposed project is consistent with CWP water resources and erosion control policies that result in the enhancement of water infiltration throughout watersheds to decrease accelerated runoff rates and enhance groundwater recharge and the reduction of pathogen, sediment and nutrient levels. The project is consistent with CWP policies that require minimization of soil erosion and discharge of sediments into surface runoff, drainage systems, and water bodies. (CWP Policies WR-1.3, WR-2.2, and WR-2.3)*

The proposed project would be consistent with the above CWP Water Resources and Erosion Control Policies. The project would not impact water infiltration throughout the watershed and would not decrease runoff rates or impact groundwater recharge. To the greatest extent possible, the project would maintain the site's predevelopment infiltration rate. The project would minimize soil erosion and discharge of sediments into surface runoff,

drainage systems and water bodies and would not result in significant stormwater runoff to downstream creeks or soil erosion. The project would not result in any changes to watercourses that would increase flooding potential in the area.

The Department of Public Works staff reviewed the project, and determined that a *Stormwater Pollution Prevention and Watercourse Protection Plan (SWPPP)* that addresses Best Management Practices (BMPs) and other surface runoff management provisions is required. Mitigation Measure D.3-1 requires the applicant to submit and implement a *Stormwater Pollution Prevention and Watercourse Protection Plan (SWPPP)* that addresses BMPs to the satisfaction of DPW staff. The SWPPP should follow guidelines as established in "Start at the Source", published by the Bay Area Stormwater Management Agencies Association. The SWPPP shall be submitted on an annual basis for the review and approval by DPW. Implementation of Mitigation Measure D.3-1, including the SWPPP and other siltation and water runoff management measures, will assure that the project will result in minimal soil erosion and discharge of sediments into surface runoff, drainage systems, and water bodies and maximum filtering of runoff before it reaches the watercourse.

The project site is a packed earth pad over rock road base that results in a decrease in the absorption rate of stormwater and surface water runoff and a potential increase in siltation and pollutants into surface and ground waters, including the adjacent ephemeral watercourse. While the ephemeral watercourse is currently protected by a large berm (four feet high, 5 feet wide at the base), the berm is not currently vegetated and occasionally is shifted from location to location, which could potentially result in attendant siltation into the watercourse due to surface water runoff on the site. Implementation of Mitigation Measure D.3-1, which includes erosion control and water quality protection measures during the operation of the facility, will reduce potential siltation into the watercourse.

D. *The proposed project is consistent with CWP policies requiring development to avoid or minimize potential hazards from earthquakes and unstable ground conditions and limiting development in resource or hazard areas. (CWP Policies EH-2.1 and CD-2.8)*

The proposed project would not result in hazardous conditions related to geophysical issues because the project site area is not located in an area of geologic hazards, including a landslide hazard area, and there are no fault traces on or adjacent to the site. Implementation of Mitigation Measure C. 1-1 would ensure that no significant impacts as a result of slope instability or ground failure would occur.

E. *The proposed project is consistent with atmosphere and climate CWP policies requiring efforts to evaluate and reduce air quality impacts of proposed plans and development projects, meet air quality standards, mitigate air quality impacts, and reduce greenhouse gas emissions. (CWP Policies AIR-1.1*, *AIR-1.2, AIR-1.3, and AIR-4.1)*

The proposed project would not result in potentially significant impacts on air quality relating to greenhouse gas emissions because the small-scale green material composting project, with limited trip traffic, would not generate potentially significant levels of air pollutants or greenhouse gas emissions. The BSRRP provides a local alternative for disposal of green waste materials for community members of Bolinas and Stinson Beach to long-haul trips to east Marin land fill sites (a minimum 40-mile round trip to San Rafael and 70-mile round trip

to Redwood Landfill), thereby potentially reducing greenhouse gas emissions as a result of reduced traffic.

F. *The proposed project is consistent with aesthetics, visual and community design with CWP policies that protect rural character and preserve visual and scenic qualities. (CWP Policies DES-1.2 and DES-4.)*

The proposed project would ensure that the operation of the composting facility within the rural Bolinas community is consistent with local design and scale and does not detract from the rural character of the surrounding community or the natural landscape. The small scale of, and minimal traffic associated with, the proposed project ensures that the rural quality of the local community would be preserved and maintained. The project would not impact the visual and scenic quality or views of the natural environment or result in adverse impacts related to development. The small scale of the proposed project, situated in a flat area of a canyon, surrounded by woodlands, ensures that the visual quality of the site is preserved. Due to the large size of the property and substantial vegetation screening, the proposed project would not result in adverse affects to views enjoyed from adjacent properties.

G. *The proposed project is consistent with CWP noise policies requiring measures to minimize noise exposure to neighboring properties, open space, and wildlife habitat from construction-related activities, yard maintenance equipment, and other noise sources (CWP Policy NO-1.3)*

The small-scale project is not expected to result in potentially significant noise impacts to wildlife or the surrounding community. Operational noise from chippers and grinder is limited to daytime hours and occur on an occasional basis, which conforms to the standard construction hours allowed by the Noise Ordinance for development in the County.

H. *The proposed project is consistent with CWP policies requiring adequate fire protection, abatement of the buildup of vegetation around existing structures or on vacant property that could help fuel fires, and removal of hazardous vegetation. (CWP Policies EH-4.1, EH-4.2, and EH-4.3)*

The project design and improvements ensure adequate fire protection, removal of hazardous vegetation, water for fire suppression, a defensible space and compliance with Marin County fire safety standards, and clearance of vegetation around the project site. Standard conditions of project approval require approval and implementation of a Fuel Modification and Management Plan to the satisfaction of the Bolinas Fire Protection District.

V. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project as conditioned is consistent with the pertinent Local Coastal Program (LCP), Unit I policies for the following reasons:

A. The subject property is not located between the sea and the first public road or adjacent to a coastal area identified by the Local Coastal Program, Unit I, where public access is desirable or feasible. Staff found no evidence of historic public use on the property, and the property is not located near any coast lands subject to the public trust doctrine.

B. While the project site is bordered on the southside by an unnamed ephemeral watercourse with limited vegetation, it is not mapped as a blue line in the USGS hydrology data. Vegetation immediately along the watercourse consists primarily of thickets of California blackberry, poison oak, and English ivy. The bed of the watercourse is shallow and not well defined. While the buffer area from the outer edge of the riparian vegetation, including the berm area, to the site of the operation is only approximately 20 feet, a 4-foot high by 5-foot deep berm has been formed between the watercourse and the green material composting operation to protect the watercourse. Mitigation measures (D.3-1) are included to increase the buffer area to 50 feet and further ensure the protection of the watercourse from water run-off from the green material composting operation and to enhance the filter to protect water quality, should there be any water run-off. Water runoff flows downslope towards the center of the site to the vegetated buffer area and away from the watercourse.

C. The water source for the green material composting operation is from a 200-foot deep well, with a 20-foot seal, located within the row-crop garden area east of the project site. The well utilizes a generator to pump the water to the project site. Hoses and sprinklers are used to water the windrows. As the well is used only for irrigation of the windrows and is not used for domestic purposes, it is not subject to a permit from Marin County Environmental Health Services. In an emergency, the Bolinas and/or Stinson Beach Fire Protection District are able to provide water via a tanker truck. Drinking water is supplied by bottled water. The small amount of well water used for the composting operation will not result in depletion of ground water within the Bolinas watershed. No public water supply is required. Drinking water is supplied by bottled water brought to the site.

D. The project operational site is flat and very limited grading or excavation is required for the composting operation, thereby ensuring that the green-waste facility is designed to fit the site's topography, soils, geology, hydrology, and any other existing conditions and be oriented so that grading, cut and fill operations, and other site preparation are kept to an absolute minimum.

E. Review of the Marin County Archaeological Sensitivity Sites Inventory Maps indicates that the property is located in an area of high archaeological sensitivity and there are known mapped prehistoric deposits in the vicinity of the project site that contain various cultural artifacts that are representative of Indian settlement in the area. Although the project site is already a highly disturbed site, it is possible that during future operation activities of the green material composting operation, there may be undiscovered archeological resources buried on the site due to its location in a highly sensitive area. Mitigation measures (N.1-1) are included to ensure that the project site will be operated in a manner that would reduce to less than significant levels any potential impacts if archaeological resources are encountered at any time during the operation of the green material composting facility.

F. The Local Coastal Program, Unit I, Bolinas Area Natural Resource Map indicates that the disturbed site is not located in an area of sensitive wildlife resources and that the Monarch butterfly habitat area is northwest and outside of the project site. Only those eucalyptus trees that pose a fire or safety hazard on the upslopes surrounding the green waste composting project have been removed. To the north and northwest of the project site are heavily wooded open spaces that could potentially provide butterfly and/or other wildlife habitat. No fences, roads or structures have been constructed or are proposed that would inhibit wildlife movement.

G. The green material composting project does not consist of any component, including the office/tool storage building or the windrows that are over 25 feet in height or impair or obstruct views of public resources including the ocean, the Bolinas Lagoon, or national or State parklands. The windrows are generally not over 10 feet in height and do not impair or obstruct any views or vistas.

H. The project site is not located within a historic resource protection area nor is it defined as an "area characterized by particular cultural, historical, or architectural heritage that is distinctive in the coastal zone." The small-scale composting operation is consistent in scale with the surrounding small-town and rural character of the Bolinas community.

VI. WHEREAS, the Marin County Deputy Zoning Administrator finds that the proposed project as conditioned is consistent with the applicable Bolinas Community Plan policies for the following reasons:

A. The proposed project would not adversely affect the surrounding natural environment or resources relative to vegetation, species habitats, or on-site drainage and protects the water quality of the ephemeral watercourse that borders the project site.

B. The project would not adversely affect agricultural lands or agricultural activities. The BSRRP operation does not affect or impact agricultural lands in the community and the composting material produced by the operation is used for, and enhances, agricultural, gardening, and landscaping activities in the local community.

C. The proposed project would not adversely affect the surrounding built environment relative to views from adjacent properties, privacy for the subject and surrounding properties, or building design, mass, and bulk.

D. The subject property is not located within the Bluff Erosion Zone identified by the Bolinas Gridded Mesa Plan, which has limited opportunities for development.

VII. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project as conditioned is consistent with conditionally permitted uses and the zoning district development standards. The subject property is governed by the C-ARP-10 (Coastal, Agricultural, Residential Planned District 1 unit per 10 acres average density) zoning district. The principally permitted uses allowed in this district include agricultural production and associated activities and suitable residential development. There are no residential units on the subject property and none are proposed. The proposed project is a conditional use within the governing C-ARP zoning district and requires County Coastal Permit, Use Permit, and Design Review approvals. The construction and operation of a green-waste facility may be authorized by the County in the C-ARP-10 Zoning District through the Coastal Permit, Use Permit, and Design Review application process and approvals.

VIII. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project as conditioned is consistent with the mandatory findings to approve the Coastal Permit application (Section 22.56.130I of the Marin County Code) as specified below.

A. Water Supply

No on-site domestic water services will be required as part of the proposed project. Drinking water is provided by bottled water brought to the site. The Bolinas Community Public Utilities District (BCPUD) has reviewed project plans and indicated that the proposed use would not impact water service to the surrounding community.

The water source for the green-waste operation is from a 200-foot deep well, with a 20-foot seal, located within the row-crop farming area east of the project site utilizing a generator to pump-up the water to the project site. Hoses and sprinklers are used to water the windrows. The water well is used solely for irrigation and does not require a permit from Marin County Environmental Health Services. In an emergency, the Bolinas and/or Stinson Beach Fire Protection District are able to provide water via a tanker truck.

B. Septic System Standards

No on-site sanitation services will be required as part of the proposed project. Staff may use the bathroom facilities located on the property at the Bolinas Community Public Utility District's Waste Water Treatment Plant with access off Mesa Road.

C. Grading and Excavation

The proposed project does not require extensive grading or earthmoving. The project site is flat and the green-waste operation requires minimal scraping of the soil surface when creating and managing the windrows.

D. Archaeological Resources

A review of the Marin County Archaeological Sites Inventory Maps on file in the Planning Division indicates that the subject property is located in an area of high archaeological sensitivity. While it is unlikely that this project would adversely affect any archeological resources Mitigation Measure N.1-1 and project approval require that in the event any human remains, artifacts, or other indicators of prehistoric or historic use of the parcel are encountered during operation of the green material composting facility on any part of the project site, all work at the vicinity of the discovered site shall stop immediately and the project sponsor shall contact the Marin County Environmental Coordinator immediately. If human remains are encountered, the County Coroner must also be contacted. A registered archaeologist, chosen by the County in consultation with the Federated Indians of Graton Rancheria and paid for by the project sponsor, shall assess the site and shall submit a written evaluation to the Agency Director advancing appropriate conditions to protect the site and the resources discovered, including monitoring of all subsequent site work by a Native American monitor from the Federated Indians of Graton Rancheria or other designated tribal representative. State law designates procedures should human remains be encountered. If the remains are deemed to be Native American and prehistoric, the Coroner must contact the

Native American Heritage Commission so that a "Most Likely Descendant" can be designated. No work at the site may recommence without approval of the Agency Director. If it is determined that a prehistoric site exists the following shall be implemented:

(a) No future development activity shall take place at or in close proximity to the prehistoric site within the development area;

(b) The historical site(s) shall be filled to protect the resources there;

(c) No additional excavation shall occur at these locations other than to remove surface organic material; and

(d) The applicant may be required to submit a revised project to protect the resource(s). No further work at the site may recommence without approval of the CDA staff. All future development of the site must be consistent with findings and recommendations of the archaeological assessment, including Appendix A, Monitoring Procedures, of the May 2001, "Archaeological Evaluation", prepared by Archaeological Resources Service, as approved by the CDA staff.

E. Coastal Access

The subject property is not located between the sea and the first public road, or adjacent to a coastal area identified by the Local Coastal Program Unit 1, where public access is desirable or feasible. The site is not located near any tidelands or submerged lands subject to the public trust doctrine.

F. Housing

The proposed project will have no impact upon the availability of affordable housing stock within the Bolinas community.

G. Stream and Wetland Resource Protection

While the proposed project is not situated in an area subject to the Local Coastal Plan's streamside protection policies as identified on the Natural Resources Map for Unit 1 of the Local Coastal Program or near any designated blue-line stream on the USGS Quadrangle Maps for the project area, the design of the project and operation of the green-waste facility has made every effort to protect the ephemeral watercourse bordering the southside of the project side with a 50-foot wide buffer zone and a 4-foot high by 5-foot deep berm to protect the watercourse from water run-off from the green material composting operation. Water runoff flows easterly downslope towards the center of the site to the vegetated buffer area between the composting site and the row-crop farming area and away from the watercourse.

H. Dune Protection

The project site is not located near dunes or in a dune protection area of the Local Coastal Program.

I. Wildlife Habitat

The project entails a green-waste composting operation on a highly disturbed and developed site. No significant alteration of land or removal of vegetation identified for habitat protection in the Local Coastal Plan is proposed.

Based on CNDDB records and background literature and the suitability of habitat types within the project area and/or proximity of recorded sightings, the site was assessed for the following special-status animal species: monarch butterfly (*Danaus plexippus*), Ricksecker's water scavenger beetle (*Hydrochara rickseckere*), the California clapper rail (*Rallus longirostris obsoletus*), and the Western snowy plover (*Charodruis alerandrinus nivosus*). No evidence of the presence of these species was observed during a field survey by staff.

Given the disturbed nature of the site, it is unlikely that any special-status animal species would be found on the project site. The green material composting project has been sited so as to minimize disturbance to the natural environment. With proper avoidance measures, project impacts on these special-status animal species are unlikely.

To reduce potential impacts to special-status plant and animal species and their habitats in the area to less than significant levels, Mitigation Measure G.1.-1 and project approval require prior to final inspection and vesting of the Use Permit, the applicant shall submit a Biological Site Management Plan (BSMP) to the Community Development Agency for review. The BSMP must include plant and wildlife protection measures, including: (a.)management and removal of any non-native, invasive plant species (e.g. poison hemlock, Himalaya blackberry, vinca, ivy) and re-vegetation with native species to improve native plant diversity and wildlife habitat, particularly along the watercourse; (b.) implementation of proper erosion control and other water quality Best Management Practices (BMPs) to avoid sedimentation into, and disturbance of, the watercourse and adjacent habitats on the upslope of the property; (c.) vegetation of exposed slopes with native plant species; and (d.) prohibition of fencing or barriers that would impede the migration, dispersal, or movement of animals through the project site without County approval.

J. Protection of Native Plant Communities

A query of special-status in the California Natural Diversity Database (CNDDB) was performed to determine the potential for occurrence of special-status species within the project area based on a comparison of habitat requirements and site-specific habitat conditions and proximity to reported occurrences for the Bolinas 7.5' USGS quadrangle where the project site is located. In addition, the Local Coastal Program (LCP) – Unit I, Bolinas Area Natural Resource Map was reviewed.

Special-status Plant Species

The LCP Natural Resource Map maps the project site as consisting of "disturbed Coastal scrub". Three special-status plant species have recorded occurrences within close proximity (approximately 1.0 mile) of the project site. These include: coast yellow leptosiphon (*Leptosiphon croceus*), pale yellow hayfield tarplant (*Hemizonia congesta*), and Marin checker lily (*Fritillaria lanceolata*). Six species have recorded occurrences within approximately 2.0

miles of the property. These include: Point Reyes bird's-beak (*Cordylanthus maritimus*), blue coast gilia (*Gilia capitata*), showy Indian clover (*Trifolium amoenum*), Tiburon paintbrush (*Castilleja affinis*), coastal marsh milk-vest (*Astragalus pycnostachyus*), and Lyngbye's sedge (*Carex lyngbyei*).

Site observations were made during the species' blooming period. None of these species were observed on the project site. The site is disturbed and does not contain suitable habitat to support these species. These special-status species are unlikely to occur on the project site, but they could occur on the upland portion of the property. With implementation of Mitigation Measure G.1-1 referred to above, the project will avoid impacts to these special-status plant species.

K. Shoreline Protection

The proposed project is not located adjacent to the shoreline or within a bluff erosion zone.

L. Geologic Hazards

The project site is located within the delineated boundaries of the San Andreas Fault zone, as identified on the Alquist-Priolo Special Studies Zone Map. In 2002, the Work Group of California Earthquake Probabilities (WGCEP 2003) at the U. S. Geologic Survey predicted a 62 percent probability of an earthquake of a magnitude of 6.7 or greater occurring in the San Francisco Bay area by the year 2031. An issue affecting the BSRRP operation and facilities is that strong to very strong ground shaking is expected to occur resulting in ground failure, during a major earthquake. During Building Permit plan review for the office/storage building, the standards of the Uniform Building Code would be applied to the project to ensure that the construction conforms to California seismic safety standards. Furthermore, below the steep upsloping (approximately 20%) hillside, at the northern edge of the site above the parking areas, is an un-retained 5-foot vertical cut into the hillside that could result in slope instability.

The proposed project could result in potential slope instability impacts due to the un-retained 5-foot vertical cut into the hillside at the edge of the on-site parking and equipment storage areas at the northern slope of the property, unless mitigated. Implementation of Mitigation Measure C.1-1 will reduce slope instability to less than significant levels and provide geotechnical protection.

Mitigation Measure C.1-1 and project approval require the applicant to submit to the Department of Public Works for review and acceptance a geotechnical evaluation, prepared by a licensed geotechnical or soils engineer, verifying the stability of the 5-foot vertical cut at the edge of the on-site parking and equipment storage areas at the northern slope of the property. The geotechnical evaluation must include any measures to ensure the stability of said cut. The applicant shall implement the recommended measures in the geotechnical evaluation.

M. Public Works Projects

The operation and use of the green-waste facility will not affect any existing or proposed public works project in the area.

N. Land Division Standards

No land division or property line adjustment is proposed as part of this project.

O. Visual Resources

The green material composting project does not consist of any component, including the office/tool storage building or the windrows that are over 25 feet in height or impair or obstruct views of public resources including the ocean, the Bolinas Lagoon, or a National or State parklands. The project will not impair or obstruct coastal views from any public street or public viewing places.
The windrows are generally not over 10 feet in height and do not impair or obstruct any views or vistas.

P. Recreation/Visitor Facilities

The project would not have any impact upon recreation or visitor facilities.

Q. Historic Resource Preservation

The subject property is not located within the designated historic preservation boundaries as identified in the Marin County Historic Study for the Local Coastal Program, Unit 1.

IX. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project as conditioned is consistent with the mandatory Use Permit findings pursuant to Section 22.88.020I of the Marin County Code (Interim), as specified below.

Subject to the conditions of project approval, the establishment, maintenance, or conducting of the use for which this Use Permit is granted will not be detrimental to the health, safety, morals, comfort, convenience, or welfare of persons residing or working in the neighborhood of this use and will not be detrimental to the public welfare or injurious to property or improvements in the neighborhood for the reasons listed below:

A. The proposed project would be incidental to the primary use of the property consisting of a waste water treatment plant on owned and operated by the Bolinas Community Public Utility District. The proposed project would not interfere with public use of the public pedestrian/bicycle path at the northwest corner of the property.

B. The subject property is governed by the C-ARP-10 (Coastal, Agricultural, Residential Planned District 1 unit per 10 acres average density) zoning district. The principally permitted uses allowed in this district include agricultural production and associated activities and suitable residential development. There are no residential units on the subject property and none are proposed. The construction and operation of a green-waste facility may be authorized by the County in the C-ARP-10 Zoning District through the Coastal Permit, Use Permit, and Design Review application process and approvals.

C. The Deputy Zoning Administrator granted a Mitigated Negative Declaration of Environmental Impact and determined, subject to the mitigation measures, all of which have been incorporated in the conditions of project approval contained herein, that this project will not

result in any potentially significant environmental impacts, in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines, and the County's CEQA process.

D. The proposed project would not adversely affect the surrounding natural environment relative to vegetation, species habitats, and on-site or off-site drainage.

E. Since there is no plumbing associated with this project, there would be no impact on existing water or sewer to the subject or surrounding properties.

F. The design, location, size, and operating characteristics of the green materials composting facility are compatible with the existing and future land uses in the vicinity.

G. The proposed project would not result in potentially significant impacts on air quality relating to greenhouse gas emissions because the small-scale green material composting project, with limited trip traffic, would not generate potentially significant levels of air pollutants or greenhouse gas emissions. The Bolinas-Stinson Beach Resource Recovery Project (BSRRP) provides a local alternative for disposal of green waste materials for community members of Bolinas and Stinson Beach to long-haul trips to east Marin land fill sites (a minimum 40-mile round trip to San Rafael and 70-mile round trip to Redwood Landfill), thereby potentially reducing greenhouse gas emissions as a result of reduced traffic.

H. The project would ensure that the operation of the composting facility within the rural Bolinas community is consistent with local design and scale and does not detract from the rural character of the surrounding community or the natural landscape. The small scale of, and minimal traffic associated with, the proposed project ensures that the rural quality of the local community would be preserved and maintained. The project would not impact the visual and scenic quality or views of the natural environment or result in adverse impacts related to development. The small scale of the proposed project, situated in a flat area of a canyon and surrounded by woodlands, ensures that the visual quality of the site is preserved. Due to the large size of the property and substantial vegetation screening, the proposed project would not result in adverse affects to views enjoyed from adjacent properties.

I. The small-scale project is not expected to result in potentially significant noise impacts to wildlife or the surrounding community. Operational noise from chippers and grinder is limited to daytime hours and occur on an occasional basis, which conforms to the standard construction hours allowed by the Noise Ordinance for development in the County.

J. The project design and improvements ensure adequate fire protection, removal of hazardous vegetation, water for fire suppression, a defensible space and compliance with Marin County fire safety standards, and clearance of vegetation around the project site.

K. The proposed project would not result in significant adverse visual impacts because the design and height of the existing office structure will remain the same and the allowed height of the windrows associated with the green-waste facility will not impact views from off-site roads or properties.

L. The project would not result in any significant public health risks with respect to human exposure to pesticides or hazardous materials. The granting of the proposed Use Permit on the subject property would not be detrimental to the health, safety, comfort, or welfare of persons working or residing in the surrounding neighborhood.

M. The Marin County Planning Department provided public notice of the project to all properties within 600 feet of the subject property. No adverse comments were received about the design, scale, or operation of the facility from neighboring property owners or the community. The National Park Service in commenting on the draft Mitigated Negative Declaration of Environmental Impact expressed concerns regarding: (1) re-distribution of seeds of invasive, noxious weeds in compost across the County and (2) potential for pesticide residue to linger in materials composted and to be re-distributed. To address these two concerns the following mitigation measures as conditions of project approval have been added to the Mitigated Negative Declaration of Environmental Impact (Mitigation Measure G.1.-1) to further strengthen the prevention of invasive plant seeds and pesticide residue from remaining in the finished composting material:

   a. The Bolinas-Stinson Beach Resource Recovery Project (BSRRP) shall develop a list of non-native, invasive plant species that it will not accept in the green-waste loads.

   b. Should a load of green-waste be found to consist of noxious, invasive weeds i.e. Scotch broom, field bindweed, etc. it shall be rejected.

   c. At least one composite sample of finished compost shall be evaluated annually by a qualified consultant for bioassays (germination tests) to evaluate seed composition of noxious, invasive weeds within its finished compost and build a data set that will verify if the finished compost product is free of noxious, invasive weeds. Records shall be sent to the Community Development Agency for review.

   d. At least one composite sample of finished compost shall be evaluated annually by a qualified laboratory for the presence of herbicide content, particularly aminopyralid and chorlpyralid, to determine sufficient oxygenation during the composting, resulting in adequate herbicide breakdown. Records shall be sent to Marin County Community Development Agency – Environmental Health Services/Marin County Solid Waste Local Enforcement Agency (LEA).

X. WHEREAS the Marin County Deputy Zoning Administrator finds that the proposed project as conditioned would be consistent with the mandatory finding to approve a Design Review pursuant to Section 22.82.030I. of the Marin County Code (Interim) for the reasons listed below.

A. The proposed development provides architectural design, massing, materials, and scale appropriate to and compatible with the site surroundings and the community.

The small 150 square foot store/office building is designed to be in keeping with the rustic, rural character of the property and Bolinas community. The grounds of the green-waste operation facility are well-organized and maintained to be compatible with the rural character of the community and surrounding small agricultural operations. The facility is set back approximately 180 feet from the Olema-Bolinas Road and is well-screened from public view.

B. The proposed development results in site layout and design (including building arrangement, exterior appearance, heights, setbacks, drainage, fences and walls, grading, lighting, signs, etc.) that will not eliminate significant sun and light exposure, views, vistas, and privacy to adjacent properties; that will not result in light pollution, trespass, and glare; and that will not adversely affect rights-of-way or pathways for circulation.

The green-waste composting facility is located within a flat-pad area, well-screen from view. The facility does not negatively impact light exposure to other structures, circulation, or result in a significant increase in light pollution or glare. It does not impact views, vistas, or affect the privacy of adjacent properties. It's location and operation does not affect the public pedestrian/bicycle located on the northwest corner of the property. No rights-of-way are affected by the project.

C. The proposed development will provide appropriate separation between buildings and will be properly and adequately landscaped with maximum retention of trees, native plants, and other natural features consistent with fire safety requirements.

There is adequate landscaping surrounding the project area. Eucalyptus brush has been removed surrounding the project site for fire safety reasons. Standard conditions of project approval require approval and implementation of a Fuel Modification and Management to the satisfaction of the Bolinas Fire Protection District.

D. The proposed development will minimize cut and fill, the reforming of the natural terrain, and appurtenant structures (e.g. retaining walls and bulkheads).

The green-waste composting operation does not result in any cut and fill, or the need for appurtenant structures. However, potential slope instability impacts could result due to the un-retained 5-foot vertical cut into the hillside at the edge of the on-site parking and equipment storage areas at the northern slope of the property, unless mitigated. To reduce potential slope instability impacts to a less than significant level, Mitigation Measure C.1-1 and project approval require that prior to final inspection and vesting of the Use Permit, the applicant shall submit to the Department of Public Works (DPW) for review and acceptance a geotechnical evaluation, prepared by a licensed geotechnical or soils engineer, verifying the stability of the 5-foot vertical cut at the edge of the on-site parking and equipment storage areas at the northern slope of the property. The geotechnical evaluation must include any measures to ensure the stability of said cut, which the applicant must implement.

E. The proposed development complies with the Single-family Residential Design Guidelines and the design and locational characteristics listed in Chapter 22.16 (Planned District Development Standards).

There is no residential development associated with this project. The small commercial project is consistent with design and locational characteristics listed in Chapter 22.16 of the Marin County Code (Planned District Development Standards) as the project is not located on a visually prominent ridge, the small storage/office building is similar in design and size to other rural outbuildings in the Bolinas community, and the project does not result in development that is visually prominent to the public.

F. The project design includes features which foster energy and natural resource conservation while maintaining the character of the community.

The green-waste operation has a very small foot-print on the land and its goal is to: (a) reduce landfill input; (b) convert community resources originally deemed to be waste into usable materials; (c) provide local employment; and (d) provide a local, environmentally responsible alternative to illegal dumping as well as expensive, long-haul trips to east Marin land fill sites (a minimum 40-mile round trip). There is no electricity to the site.

G. The design, location, size, and operating characteristics of the proposed use are consistent with the Countywide Plan and applicable zoning district regulations and will not be detrimental to the public interest, health, safety, convenience, or welfare of the County.

As mitigated, the proposed project is consistent with all pertinent CWP policies and has been reviewed by Environmental Health Services, the Department of Public Works, the Bolinas Community Public Utility District and the Bolinas Fire Protection District to ensure consistency with applicable development regulations, and as conditioned, the project would comply with all applicable sections of the Marin County Code.

SECTION II: CONDITIONS OF PROJECT APPROVAL

NOW, THEREFORE, BE IT RESOLVED that pursuant to Marin County Code (Interim) Sections 22.56.130I (Coastal Permit), 22.88.020I (Use Permit) and 22.82.030I (Design Review), the Marin County Deputy Zoning Administrator hereby approves the Bolinas-Stinson Beach Resource Recovery Project (BSRRP) Coastal Permit (CP 04-18), Use Permit (UP 04-15) and Design Review (04-36) respectively subject to the conditions as specified below.

Marin County Community Development Agency - Planning Division

1. The Bolinas-Stinson Beach Resource Recovery Project (BSRRP), a joint project of the Bolinas Community Public Utilities District (BCPUD), the Stinson Beach County Water District, the Bolinas Fire Protection District, and the Stinson Beach Fire Protection District, is approved for a green materials composting operation that provides a facility for the Bolinas and Stinson Beach communities to collect wildland and urban fire fuels and landscape/gardening green waste and recycle these materials for re-use as a soil amendment for re-sale or give-away, primarily to the local members of the communities of West Marin. The operation is approved to be sited on an approximately 1.5-acre portion of a 95.38-acre parcel owned by the BCPUD, located on the west side of the Olema-Bolinas Road south of the Mesa Road intersection. The operation is approved to process approximately 7,000 to 8,000 cubic yards of green waste material annually. Up to 800 cubic yards of feedstock materials are approved to be present on site at any given time, with a potential for 600 cubic yards of active compost, 400 cubic yards of curing compost and 400 cubic yards of finished compost, representing a maximum of approximately 2,200 cubic yards of material on site at any given time. The project site is located at **25 Olema-Bolinas Road, Bolinas, California,** and is further identified as **Assessor's Parcel 193-030-38**.

2. The operation is approved with the following components:

Feedstock and Drop-off and Inspection Component

- Green feedstock consists of landscape debris, chipped woody debris, fire fuel materials and garden debris for composting. No animal or agricultural waste, lumber, construction or demolition debris, etc. shall be accepted. No non-compostable materials shall be accepted. No food waste, biosolids or mixed solid waste materials shall be accepted.
- Almost all green waste accepted at the site originates from the Bolinas or Stinson Beach communities. A small amount comes from other areas of West Marin.
- Approximately 7,000 to 8,000 cubic yards of green waste material are processed annually. A maximum of 800 cubic yards of green feedstock shall be maintained on site at any one time.
- All feedstock shall be delivered to the site by site users.
- Green materials are accepted year-round.
- Truck loads of green waste drop-off average approximately 4 loads per day.
- Materials are unloaded from drop-off vehicles manually by the customer with occasional assistance from the site attendant as needed.
- Contaminated loads shall not be accepted. Every drop-off load shall be inspected for contaminants by the site attendant prior to, and after, unloading. Any contaminants noted after unloading must immediately be removed by the delivering party. Occasional contaminants that may escape notice at the time of drop-off shall be separated from the green waste stockpile and transferred to an on-site dumpster located along the access driveway and picked-up on a weekly-basis for disposal at the Redwood Sanitary Landfill. Rigorous site drop-off inspection and monitoring results in physical contaminates in the green waste stream below 0.01%.
- All brush shall be stacked with butt ends aligned for easy chipping.
- While no weighing of materials occurs, annual tonnage of feedstock shall not exceed approximately 1,600 tons.
- Green waste material shall be stored in piles on site for up to 3 months.
- Dump fees are charged by the cubic yard.
- The Bolinas-Stinson Beach Resource Recovery Project (BSRRP) shall develop a list of non-native, invasive plant species and pesticide and herbicide contents that it will not accept in the green-waste loads. (**Mitigation Measure G.1.-1**)
- Should a load of green-waste be found to consist extensively of noxious, invasive weeds (i.e. Scotch broom, field bindweed) and/or pesticides and herbicides it shall be rejected. (**Mitigation Measure G.1.-1**)

Chipping and Grinding Component

- As green waste materials accumulate on site, materials are transferred from the green waste pile using a 3-cubic yard articulating loader and consolidated into windrows (long rows of cut materials) for composting and watering.
- Brushy material shall be separated and chipped using a manually loaded drum chipper as needed.
- Three to four times per year an 8-foot tub grinder can be brought on site for 2 to 3 days to grind all stockpiled feedstock to a maximum of 3-inch diameter in size.

- Some dust is created as part of the chipping and grinding operations. Material shall be maintained in a moist condition to reduce dust and a constant spray of water shall be maintained over the grindings pile as it exits the grinder. Equipment operators wear dust masks during grinding operations.
- Chipping and grinding operations are noisy. Location of the BSRRP facility – in a narrow canyon surrounded by woodlands and open space – maintains low off-site noise levels, even during grinding operations.

Composting and Curing Component

- No additives, amendments or supplemental materials shall be used, except for water, in the composting process.
- Water shall be supplied from a 200-foot deep well, with a 20-foot seal, located within the row-crop garden area east of the project site utilizing a generator to pump-up the water to the project site. Hoses and sprinklers are used to water the windrows. Composting occurs by natural, biological decomposition.
- Standard aerobic turned-windrow methods are employed, with turning done by a front loader to aerate piles.
- Windrows shall be turned at least 5 times during the composting process.
- Temperatures of the windrows shall be taken and logged daily during the 15-day (minimum) pathogen reduction period. Composting materials must reach pathogen reduction temperatures of a minimum of 131 degrees Fahrenheit. The windrows generally maintain a temperature between 140 to 150 degrees Fahrenheit with readings taken per 150-feet of windrow, or 200 cubic yards of active compost.
- Pathogens shall be controlled via standard thermophilic composting conditions.
- Windrows shall be managed in accordance with the U.S. Environmental Protection Agency (EPA) and U.S.D.A. National Organic Program (NOP) guidelines to reduce pathogen and weed viability to negligible levels.
- The composting process typically takes 3 months from grinding to maturity.
- A maximum of approximately 600 cubic yards of active compost and 400 cubic yards of curing compost shall be maintained on site at any one time.

Comment [RW1]: Provi description of windrows at mentioned in the IS (if not h

Finished Compost Component

- The finished composted material shall be disposed of via on-site sales (retail and wholesale) or given away to customers primarily within West Marin.
- All composted material shall be stored on site until sold.
- The finished composted material does not require screening.
- A maximum of approximately 400 cubic yards of finished compost shall be maintained on site at any one time.
- Final compost volume is approximately 60% of the total initial volume of raw green waste material.
- Approximately 4,800 cubic yards of finished organic compost material are sold or given away annually.
- At least one composite sample of finished compost shall be evaluated annually by a qualified laboratory for both pathogens and metal concentrations. Records shall be sent to Marin County Community Development Agency – Environmental Health Services/Marin County Solid Waste Local Enforcement Agency (LEA).

- At least one composite sample of finished compost shall be evaluated annually by a qualified laboratory for the presence of herbicide content, particularly aminopyralid and chorlpyralid, to determine sufficient oxygenation during the composting, resulting in adequate herbicide breakdown. Records shall be sent to Marin County Community Development Agency – Environmental Health Services/Marin County Solid Waste Local Enforcement Agency (LEA). (**Mitigation Measure G.1.-1**)
- At least one composite sample of finished compost shall be evaluated annually by a qualified consultant for bioassays (germination tests) to evaluate seed composition of noxious, invasive weeds within its finished compost and build a data set that will verify if the finished compost product is free of noxious, invasive weeds. Records shall be sent to the Community Development Agency for review. (**Mitigation Measure G.1.-1**)

Traffic Component

- Truck trips to and from the site associated with green waste drop-off range from 1 truck vehicle (2 trips) to 10 truck vehicles (20 trips) daily and average approximately 2 truck loads per day.
- Truck trips to and from the site associated with removal of the finished compost range from 1 truck vehicle to 5 vehicles (20 trips) daily and average approximately 2 truck 2 loads per day.
- Loaded vehicles must comply with California Department of Motor Vehicle load covering regulations.

Site Stewardship Component

Comment [RW2]: Mark off from the compost piles f long vegetated filter area in

- The ephemeral watercourse running west to east, along the southeastern side of the project site shall be protected by a large berm (four feet high, 5 feet wide at the base).
- Maintenance of the site shall be continuous and part of the daily operating procedures.
- Pathogens shall be controlled by standard thermophilic composting conditions.
- Equipment shall be maintained and serviced on site by a mobile repair service in the approved area as shown on the Site Plan.
- Water is applied via hoses and sprinklers to the composite piles with water run-off and leachates flowing to, and through, a 200-foot long vegetated filter area (located downslope and east of the green waste receiving area) and into the vegetable garden area located along Olema-Bolinas Road. Vegetable production does not occur during the rainy season as a cover crop shall be planted in the vegetable garden area. No run-off is allowed to enter the watercourse.

Odor Impact Minimization Plan (OIMP) Component

The Odor Impact Minimization Plan (OIMP) provides guidance to on-site personnel in the handling, storage, and removal of compostable materials, in accordance with Title 14, California Code of Regulations, Section 17863.4.

No more than a total of approximately 2,200 cubic yards of feedstock, compost, chipped and ground materials shall be on-site at any one time. The feedstock shall be processed

within 90 days of receipt, with the finished compost product removed from the site within approximately 90 days after processing.

Odor Monitoring Protocol

a. Proximity of Odor Receptors

The closest on-site receptors are site personnel, visiting public, and delivery customers. The closest off-site receptors are the nearest resident, approximately 1,000 feet south of the site, additional residences approximate 1,500 feet southwest of the site and the downtown community approximately 0.25 mile to the southwest.

b. Method for Assessing Odor Impacts

On a daily basis the operator shall evaluate the site for potential release of objectionable odors by olfactory evaluation. Pile temperature and moisture content shall be monitored daily during the pathogen reduction phase. If questionable or objectionable on-site odors are detected, operation personnel shall implement the following protocol:

1. Investigate and determine the likely source of the odor and if it went off-site report incident to manager and/or the BCPUD
2. Assess the effectiveness of available management practices to resolve the odor event and take immediate steps.
3. Maintain a 24-hour phone hotline for receipt of odor complaints and forward complaint to the LEA.
4. Maintain emergency procedures for the cease and desit of any operation(s) that are causing odors.
5. Determine if the odor is moving beyond the project site and if so contact the adjacent neighbors and the LEA.
6. Record the event for further operational review.

c.

Odor Sources/Location	Management Approach
Receiving feedstock	Add wood chips (or other carbon source) and start compost processing procedures
Aisles/access road	Absorb any ponded water with wood chips or other absorbent green material; improve grading and drainage control
Windrows	Add additional wood chips (or other carbon source); turn piles frequently; check temperatures, porosity and moisture content; add odor-absorbing amendments (wood chips, sawdust, wood ash)
Compost piles	Decrease pile size and increase windrow aeration

DZA ATTACHMENT 2

Additional Factors in Maintaining Minimal Odor Effects

- Aeration is via turning with a front end loader with a 3 cubic yard bucket
- The desired moisture content in the feedstock when forming windrows is approximately 50%-60%, depending on the season, with a drier starting moisture preferred going into the wet season, and a wetter mix going into the dry season.
- To minimize airborne emissions, non-ground feedstock is left undisturbed and immediately upon grinding, material is maintained at desired moisture levels and aerated as required.
- Dust shall be controlled by extremely limited vehicle access to the composting site and periodic moistening of piles.
- Cyclonic air movement off the coast prevents standing of stagnant air on the site.
- Incoming loads shall be typically odor free.

Fire Prevention Component

Temperatures of the windrows shall be monitored daily during the pathogen reduction phase and at least weekly during other periods. Moisture content of the windrows is maintained at 50%-60%. No extremely high temperatures of the windrows (>165 F.) have been recorded. The project site activity shall be monitored by the Bolinas Fire Protection District. Both the Bolinas and the Stinson Beach Fire Protection Districts shall provide fire protection.

Business/Management Plan

- The site is owned and operated by the Bolinas Community Public Utilities District.
- The operation is supervised by an advisory board consisting of members of the BCPUD, the Stinson Beach County Water District, the Bolinas Fire Protection District and the Stinson Beach Fire Protection District, as well as representatives of the community.
- Day-to-day management is done by a volunteer project manager.
- The BSRRP operation is especially used by community gardeners, landscapers, tree trimmers and arborists, and home owners.
- Hours of operation shall be limited to 9:00 a.m. to 5:00 p.m. Monday through Saturday. The facility shall be closed on Sundays, unless written notice is provided to the Community Development Agency Director and it is approved before commencing. There may be occasional closures due to inclement weather.
- The operation shall be staffed by two people (employees of BCPUD), with someone on site during operating hours. In addition, the operation relies significantly on volunteer help.
- Site operators are trained in load inspection and volume estimation, water system operation and maintenance, temperature and moisture monitoring and record keeping protocol. Formal training occurs at time of hiring.
- Records of drop-offs and compost sales and give-aways shall be maintained at the BSRRP office. All other records pertaining to the BSRRP shall be maintained at the BSRRP office.
- The BSRRP processes approximately 7,000 to 8,000 cubic yards of green waste material annually. Up to a maximum of 800 cubic yards of feedstock materials shall

be present on site at any given time, with a potential for 600 cubic yards of active compost, 400 cubic yards of curing compost and 400 cubic yards of finished compost, representing a maximum of approximately 2,200 cubic yards of material on site at any given time.

- Bottled water shall be brought in for drinking water.

Approved Site Improvements

1) Approximately 150 square foot office/tool storage building with porch
2) On-site parking spaces
1) Equipment storage parking area
1) Gate for security on access road off Olema-Bolinas Road
1) Identification sign 6 feet long by 21 inches high at entrance

Staff may use the bathrooms located on the property at the Bolinas Community Public Utility District's Waste Water Treatment Plant with access off Mesa Road.

Water source for the operation shall be from a 200-foot deep well, with a 20-foot seal, located within the row-crop farming area east of the project site utilizing a generator to pump-up the water to the project site. Hoses and sprinklers are used to water the windrows. The water well shall be used solely for irrigation and does not require a permit from Marin County Environmental Health Services. In an emergency, the Bolinas and/or Stinson Beach Fire Protection District are able to provide water via a tanker truck.

Drainage control consists of a perimeter diversion above and adjacent to the site with sheet flow run-off downslope (approximately 4%) to a permanent grassed filter strip west of the feedstock storage area.

Currently, there is no electricity to the project site. Telephone service is by cell phones.

Approved On-site Equipment

1) 3-cubic yard articulating front loader
1) Farm tractor
1) Small drum chipper
1) 8-foot diameter industrial tub grinder is rented approximately four times per year for grinding (approximately 2 to 3 days)

Permit and Inspection

The BSRRP operation was issued an Enforcement Agency Notification Permit by the Marin County Community Development Agency - Environmental Health Services Division/Solid Waste Local Enforcement Agency (LEA) in 2009 and shall be inspected quarterly by the LEA.

3. Development, use, and operation of the facility shall conform to the site plan identified as "Exhibit A," entitled, "Bolinas-Stinson Resource Recovery Center" consisting of 1 sheet prepared by the applicant, on file with the Marin County Community Development Agency, except as modified by the conditions listed herein. WITHIN 30 DAYS of project approval, the applicant shall submit a

complete set of updated and revised plans incorporating all site facilities and required modification and conditions herein for review and approval by the Community Development Agency and Department of Public Works staff. Once approved, these plans shall be incorporated into the approved project file as "**Exhibit B"** and shall supersede "**Exhibit A"**. The updated and revised plans shall include, but not necessarily be limited to: structures, access driveway, parking areas, circulation areas, depicted and labeled operation areas, storage areas, active, curing and compost processing and stockpiling areas, drainage improvements and flow, receiving, unloading and storage areas of green materials, windrows, water system(s), planting area, landscaping, buffer zones, and watercourse and banks.

4. The Community Development Agency shall be notified in writing of any change in ownership or operator of the Bolinas-Stinson Beach Resource Recovery Project within 30 days of said change.

5. WITHIN 15 DAYS OF PROJECT APPROVAL, the Community Development Agency shall record this Notice of Decision on the title of the subject property with the Marin County Recorder's Office to advise future property owners and operators of the conditions of project approval.

6. TO VEST THIS APPROVAL AND WITHIN 60 DAYS OF THE DATE OF APPROVAL, the owner/operator shall submit to the Community Development Agency – Building Inspection a complete set of plans and apply for a building permit for the storage/office building.

7. WITHIN 90 DAYS OF RECEIPT OF THE BUILDING PERMIT, the applicant shall correct and make improvements to the storage/office building as required and shall for a Final Inspection from the Community Development Agency – Building Inspection.

8. TO VEST THIS APPROVAL AND WITHIN 30 DAYS OF THE DATE OF APPROVAL, the owner/operator of the Bolinas-Stinson Beach Resource Recovery Project shall enter into a Decommissioning and Reclamation Plan and Agreement with the County, outlining the anticipated means and cost of removing the facility and operation and restoring the site to its pre-existing condition upon becoming a discontinued use, if it remains inoperable for a period of no more than one year. Should the operation cease for a period extending to one year, all equipment and structure(s) shall be removed and the site shall be returned to its pre-existing condition in accordance with the Decommissioning and Reclamation Plan and Agreement with the County,

9. TO VEST THIS APPROVAL AND WITHIN 30 DAYS OF THE DATE OF APPROVAL, the owner/operator shall submit a Biological Site Management Plan to the Community Development Agency that incorporates the following protection measures to be implemented at all times during the operation of the green waste composting facility:

    1. Any non-native, invasive plant species (e.g. poison hemlock, Himalaya blackberry, vinca, English ivy) should be managed and when removed, re-vegetation with native species should occur to improve native plant diversity and wildlife habitat, particularly along the watercourse.

    2. Hand labor should be used to control exotic and unwanted vegetation.

    3. The use of chemical agents, pesticides and herbicides shall be avoided.

4. Proper erosion control and other water quality Best Management Practices (BMPs) shall be implemented to avoid sedimentation into, and disturbance of the watercourse and adjacent habitats on the upslope of the property.

5. Exposed slopes shall be vegetated with native plant species.

6. No vegetation removal shall occur on the upslope areas beyond the project site within the critical bird breeding period (March 15 to August 15).

7. Only those eucalyptus trees that pose a fire or safety hazard as determined by the Bolinas Fire Protection District on the upslopes surrounding the green waste composting project site shall be removed.

8. No fencing or barriers that would impede the migration, dispersal, or movement of animals through the project site shall be constructed without County approval. (**Mitigation Measure G.1.-1)**

10. In the event that any human remains, artifacts, or other indicators of prehistoric or historic use of the parcel are encountered during operation of the green material composting facility on any part of the project site, all work at the vicinity of the discovered site shall stop immediately and the project sponsor shall contact the Marin County Environmental Coordinator immediately. If human remains are encountered, the County Coroner must also be contacted. A registered archaeologist, chosen by the County in consultation with the Federated Indians of Graton Rancheria and paid for by the project sponsor, shall assess the site and shall submit a written evaluation to the Agency Director advancing appropriate conditions to protect the site and the resources discovered, including monitoring of all subsequent site work by a Native American monitor from the Federated Indians of Graton Rancheria or other designated tribal representative. State law designates procedures should human remains be encountered. If the remains are deemed to be Native American and prehistoric, the Coroner must contact the Native American Heritage Commission so that a "Most Likely Descendant" can be designated. No work at the site may recommence without approval of the Agency Director. If it is determined that a prehistoric site exists the following shall be implemented:

    (a) No future development activity shall take place at or in close proximity to the prehistoric site within the development area;

    (b) The historical site(s) shall be filled to protect the resources there;

    (c) No additional excavation shall occur at these locations other than to remove surface organic material; and

    (e) The applicant may be required to submit a revised project to protect the resource(s). No further work at the site may recommence without approval of the CDA staff. All future development of the site must be consistent with findings and recommendations of the archaeological assessment, including Appendix A, Monitoring Procedures, of the May 2001, “Archaeological Evaluation”, prepared by Archaeological Resources Service, as approved by the CDA staff. (**Mitigation Measure N.1-1**)

Additionally, the identification and subsequent disturbance and excavation of an Indian midden require the issuance of an excavation permit from the Department of Public Works in compliance with Chapter 5.32 (Excavating Indian Middens) of the Marin County Code.

11. Any exterior lighting shall be permitted for safety purposes only and shall be low intensity, shielded, and directed downward to minimize visual effects and avoid illumination off-site.

12. The BSRRP shall evaluate annually by a qualified consultant at least one composite sample of finished compost for bioassays (germination tests) to evaluate seed composition of noxious, invasive weeds within its finished compost and build a data set that will verify the finished compost product's elimination of noxious, invasive weeds. Records shall be sent to the Community Development Agency for review. (**Mitigation Measure G.1-1**)

13. The BSRRP shall evaluate annually by a qualified laboratory at least one composite sample of finished compost for the presence of herbicide/pesticide content, particularly aminopyralid and chorlpyralid and build a data set to determine sufficient oxygenation during the composting, resulting in adequate herbicide/pesticide breakdown. Records shall be sent to Marin County Community Development Agency – Environmental Health Services/Marin County Solid Waste Local Enforcement Agency (LEA). (**Mitigation Measure G.1-1**)

14. Any utility extension or connections shall be installed underground.

15. Any changes or additions to the project shall be submitted to the Community Development Agency in writing for review and approval before the contemplated modifications may be initiated. Construction involving modifications that do not substantially comply with the approval, as determined by the Community Development Agency staff, may be required to be halted until proper authorization for the modifications are obtained by the applicant.

16. The applicant/owner/operator hereby agrees to defend, indemnify, and hold harmless the County of Marin and its agents, officers and employees from any claim, action, or proceeding, against the County or its agents, officers, or employees, to attack, set aside, void, or annul this approval by the County.

17. This Coastal Permit and Use Permit approval is subject to revocation procedures contained in Chapter 22.88I of the Marin County Code (Interim) in the event any of the terms of this approval are violated or if the use is conducted or carried out in a manner so as to adversely affect the public interest, health, safety, convenience, or welfare of the County.

<u>Department of Public Works, Land Use and Water Resources</u>

18. TO VEST THIS APPROVAL AND WITHIN 30 DAYS OF THE DATE OF APPROVAL, the applicant shall submit to the Department of Public Works for review and acceptance a geotechnical evaluation, prepared by a licensed geotechnical or soils engineer, verifying the stability of the 5-foot vertical cut at the edge of the on-site parking and equipment storage areas at the northern slope of the property. The geotechnical evaluation must include any measures to ensure the stability of said cut. The applicant shall implement the recommended measures in the geotechnical evaluation. (**Mitigation Measure C.1-1**)

Comment [RW3]: GLO
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DZA ATTACHMENT 2

19. TO VEST THIS APPROVAL AND WITHIN 30 DAYS OF THE DATE OF APPROVAL, the applicant shall submit and implement a *Stormwater Pollution Prevention and Watercourse Protection Plan (SWPPP)* that addresses Best Management Practices (BMPs) to DPW for review and approval. The SWPPP should follow guidelines as established in "Start at the Source", published by the Bay Area Stormwater Management Agencies Association. The SWPPP shall be submitted on an annual basis for the review and approval by DPW. The SWPPP shall include, but not necessarily be limited to, the following provisions:

    Creek Protection:

    1. The existing earth-berm that separates the work area and the watercourse must be kept in place. Said berm shall be a minimum of 5 feet wide at the base and 4 feet high. The berm shall be planted at all times with *Leymus triticoides*, a native rhizomatous grass, or an equivalent perennial native cover, subject to the approval of DPW.
    2. If feasible, a secondary, 2-foot high, earth-berm, extending along the entire work area should be maintained 10-feet back from the existing berm, to allow for regular maintenance without disturbing the existing earth berm or watercourse bank, and to insure that all water runoff is diverted into the vegetated buffer.
    3. The earth berm(s) shall be constantly maintained to insure that any solids, liquids, or rainfall runoff from the work and storage areas do not enter the watercourse at any time.
    4. The existing native vegetation must be kept in place and allowed to flourish along both creek banks. Native arroyo willow or other native vegetation should be planted where needed. The non-native English ivy shall be removed and replaced with native vegetation. Non-native plants shall not be planted on site.
    5. All green waste and composting materials must be kept at least 50 feet away from the watercourse.
    6. The finished product shall be restricted to the area labeled "Finished Product Area", as shown on the site plan or an alternate site acceptable to DPW. The finished product shall not be stored at any other location, unless reviewed and approved by DPW.
    7. Erosion control measures and Best Management Practices (BMPs) designed to minimize any impacts to creek vegetation and creek water quality shall be implemented throughout the operation of the facility.

    Siltation and Water Runoff Management

    1. All of the water runoff, created either by rainfall or on-site watering, must be routed to the vegetated buffer down-slope of the facility before entering any watercourse.
    2. All runoff routed to the vegetated buffer should be allowed to sheet-flow. No runoff shall be constricted so as to concentrate the water flow.
    3. No water shall be allowed to accumulate and/or pond onsite.
    4. Permanent BMPs may include, but are not limited to, grassed swales, filter strips, and site and landscaping management procedures.

    Vegetated Buffer

    1. Mulch in the vegetated buffer area should be tilled.
    2. The berm shall be densely planted with a native grass seed mix planted after tilling. It is recommended that the seed mix be broadcasted in the fall. Non-native plants shall not be planted on-site.

3. The vegetated buffer must be maintained and kept vegetated at all times.
4. Garden area planting conducted within the vegetated buffer area shall be configured to provide maximum infiltration of water run-off, e.g. planting rows parallel to contours.
5. Garden area shall be planted with a cover crop at the end of the season.
6. Site drainage flow into vegetative buffer area must be by sheet flow. (**Mitigation Measure D.3-1**)

20. TO VEST THIS APPROVAL AND WITHIN 30 DAYS OF THE DATE OF APPROVAL, the following conditions shall be implement:

    a. The first 30 feet of the driveway approach or to the edge of right-of-way, whichever is shorter, shall be paved.
    b. Plans shall be revised to provide an accessible parking space, that shall be a minimum 14 feet wide, striped with a 9-foot wide parking area and a 5-foot wide loading/unloading area with slopes not exceeding 2%. There is no requirement that this space be reserved or identified for exclusive use by persons with disabilities.
    c. The berm along the watercourse shall be planted with a native grassy seed mix. It is recommended that the seed mix be broadcasted in the fall. Non-native plants shall not be planted on site.
    d. Garden area plantings shall be configured to provide maximum infiltration of water run-off, e.g. planting rows parallel to contours. Garden area shall be planted with a cover crop at the end of the season.

Bolinas Fire Protection District

21. TO VEST THIS APPROVAL AND WITHIN 30 DAYS OF THE DATE OF APPROVAL, the following conditions shall be implemented and written documentation shall be provided to the Community Development Agency that these conditions have been satisfactorily met.

    a. The street address shall be posted where readily visible. Signs shall be of three-inch minimum letters with 3/8" stroke and with a background of contrasting color.

    b. Provide and implement a Fuel Modification and Management Plan. Schedule site meeting with fire district to discuss said plan.

SECTION III: VESTING, PERMIT DURATION, AND APPEAL RIGHTS

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant/owner/operator must vest this approval by substantially completing all conditions of approval within a maximum of 150 days from the date of approval (by **February 28, 2011),** and operating the Bolinas-Stinson Beach Resource Recovery Project in compliance with all conditions of approval or all rights granted in this approval shall lapse unless the applicant applies for an extension at least 10 days before the expiration date above and the Community Development Agency staff approves it for cause.

NOW, THEREFORE BE IT FURTHER RESOLVED that the applicant/owner/operator must obtain a Building Permit for the office and obtain a final inspection by the Building and Safety Division within the time limits specified in the conditions of approval. Requests for an extension to the time limits specified therein may be granted administratively by the Community Development Agency staff for good cause, such as delays beyond the applicant's control.

NOW, THEREFORE BE IT FURTHER RESOLVED that the Bolinas-Stinson Beach Resource Recovery Project Use Permit (UP 04-15) shall be valid indefinitely, so long as the current owner/operator or subsequent owner(s)/operator(s) of the subject property and facility comply with the conditions of project approval. In the event that the terms of the Bolinas-Stinson Beach Resource Recovery Project Use Permit (UP 04-15) are violated or that the approved use is carried on in such a manner as to adversely affect the health, welfare, or safety of persons residing in the neighborhood, the Bolinas-Stinson Beach Resource Recovery Project Use Permit (UP 04-15) could be revoked or suspended in accordance with the terms and provisions of the Marin County Code. Should the operation cease for a period extending to one year, all equipment and improvements shall be removed and the site shall be returned to its pre-existing condition in accordance with the conditions of approval.

NOW, THEREFORE BE IT FURTHER RESOLVED that this decision is final unless appealed to the Planning Commission. A Petition for Appeal and a $600.00 filing fee must be submitted in the Community Development Agency – Planning Division, Room 308, Civic Center, San Rafael, before **4:00 p.m.** on **November 4, 2010.**

SECTION IV: ACTION

PASSED AND ADOPTED at a regular meeting of the Deputy Zoning Administrator of the County of Marin, State of California, on the 28th day of October 2010.

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JEREMY TEJIRIAN, AICP
DEPUTY ZONING ADMINISTRATOR

Attest:

_____
Joyce Evans
Deputy Zoning Administrator Secretary

DZA ATTACHMENT 2