



Overview of the Proposed Stream Conservation Area (SCA) Ordinance for the San Geronimo Valley

Marin County Planning Commission Workshop

November 8, 2021

AGENDA

Workshop Objectives:

- Review project schedule
- Provide background and history
- Provide overview of the proposed SCA Ordinance
- Answer clarifying questions
- Receive feedback and comments

Project Schedule

Date	Action
July – Aug 2021	Focus Group Engagement
July 2021 – March 2022	Public Review and Comment Period
Sept 17, 2021	Release Public Review Draft
Oct 31, 2021	Release Revised Public Review Draft
Nov 8, 2021	Combined Planning Commission & Community Workshop
Dec 13, 2021	Planning Commission Hearing
Dec 2021 – Feb 2022	Review of Public Feedback and Consideration of Revisions
Feb/March 2022 (tbd)	Planning Commission Recommended Draft of SCAO to Board of Supervisors
March 2022	Board of Supervisors hearing to Consider Action on Draft SCAO



Background and History

WHY IS THIS IMPORTANT?

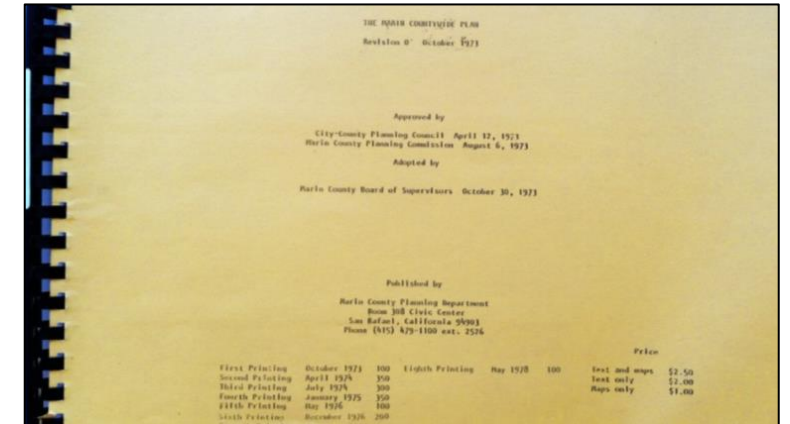


Stream buffer requirements have been a feature of the Marin Countywide Plan (CWP) since the early 1970's

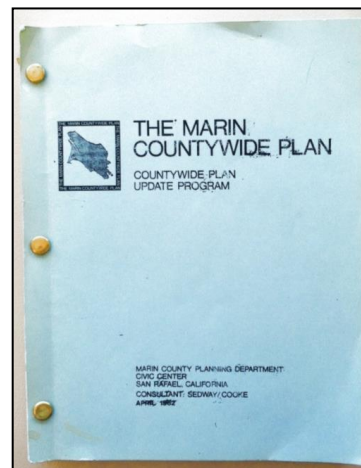
Background



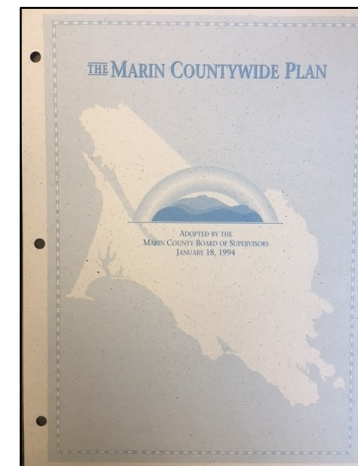
Can the Last Place Last?



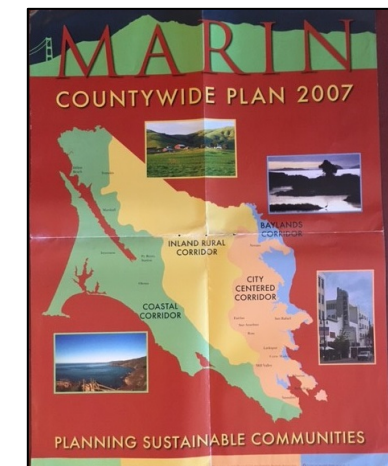
1973 CWP



1982 CWP



1994 CWP

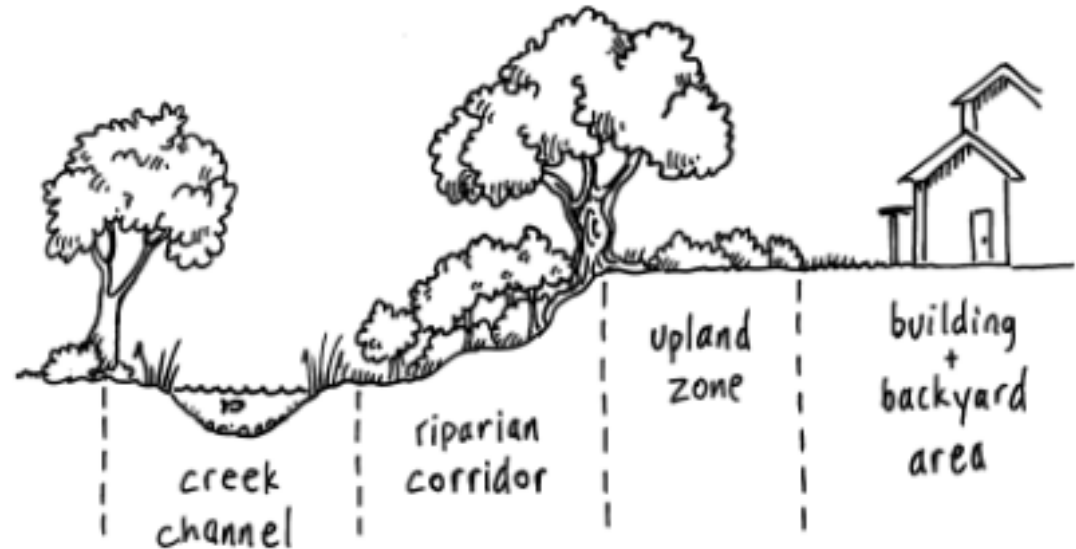


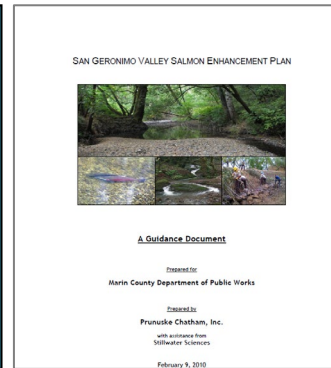
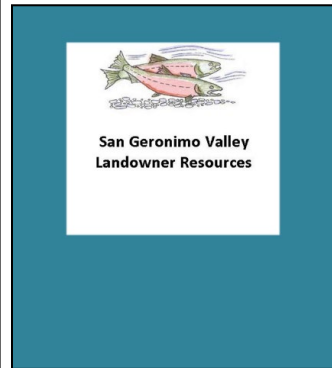
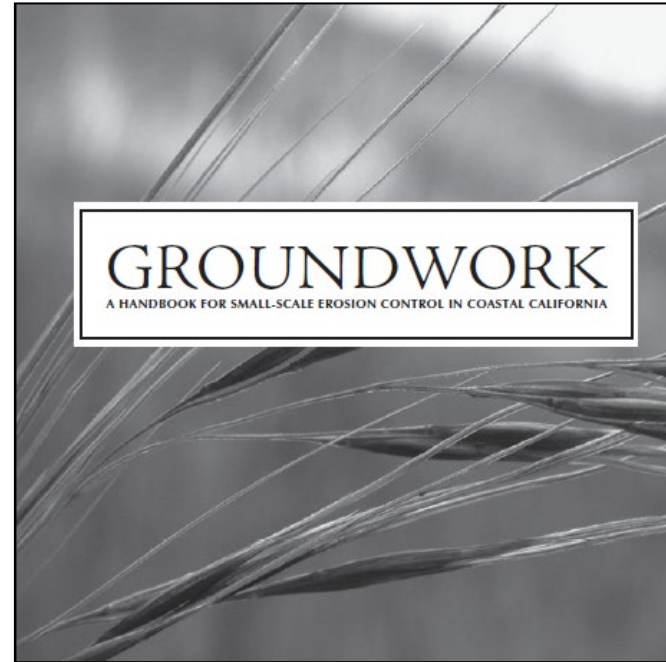
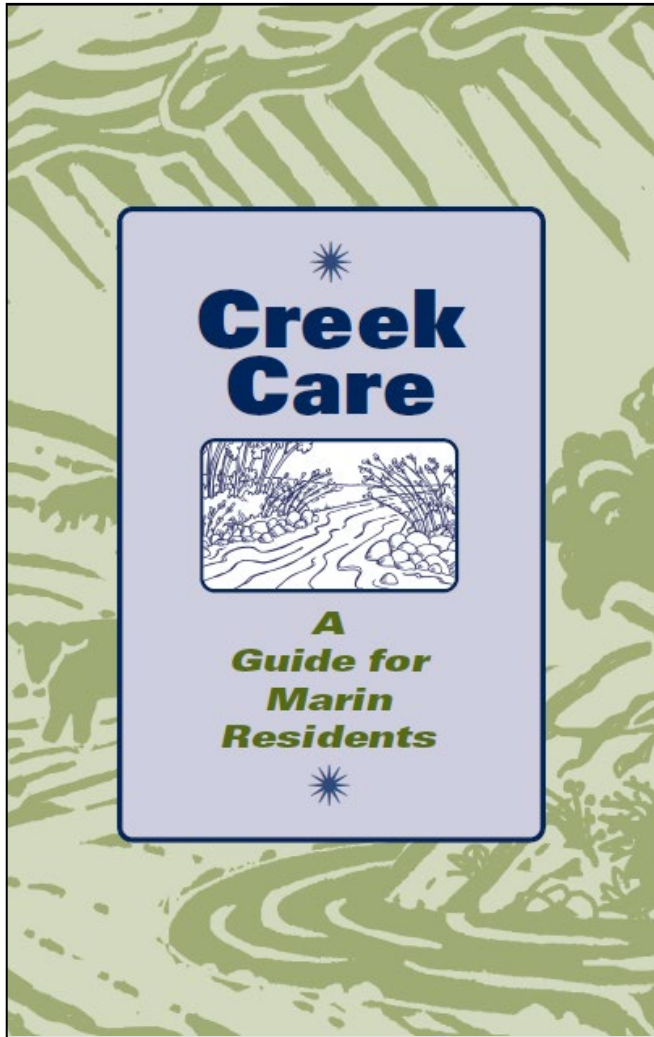
2007 CWP

County Currently Regulates Streams:

- Creek Permit – ensures free flow of water
- 20-foot Minimum Drainage Setback

Work in or near a Creek, Drainage, Wetland, Pond, Bay, or any Waterway May Require a Permit!





This is a continuation of previous work

- Supplemental Final EIR (2019)
- Landowner Assistance Program (2016)
- Interim Stream Conservation Ordinance (2013)
- Native Tree Protection Ordinance (2012)
- Riparian Vegetation Ordinance (2010)
- Salmon Enhancement Plan (2010)
- Countywide Plan Update (2007)
- Anadromous Fish Stream Ordinance (2002)



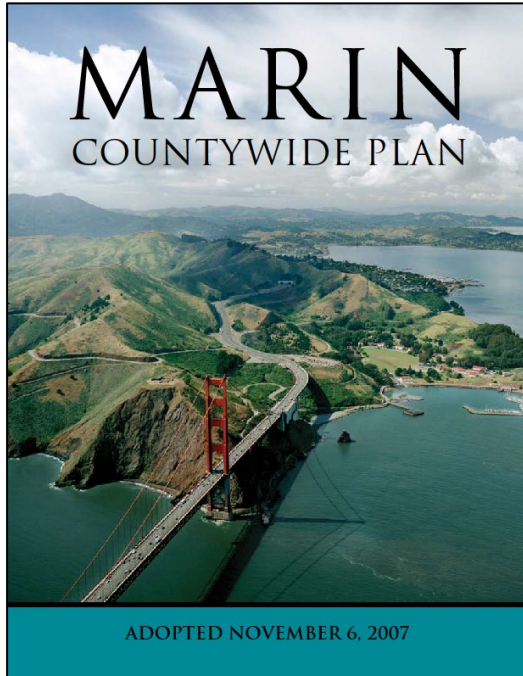
Coordinated, Collaborative Program

SCA Ordinance for the San Geronimo Valley

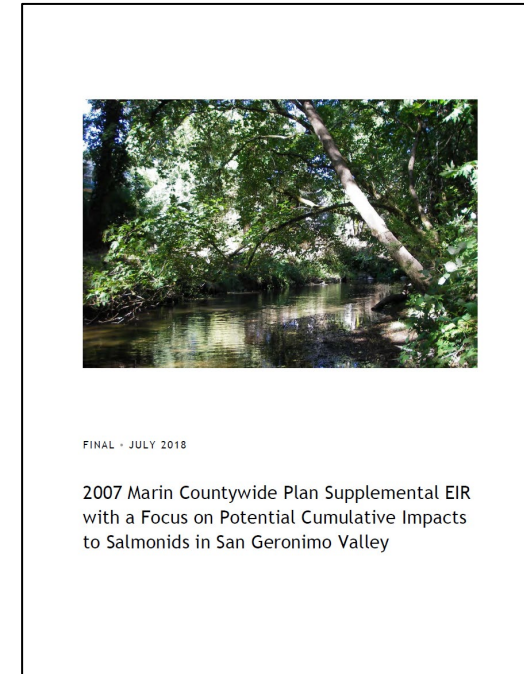
OVERVIEW



The proposed SCA Ordinance would implement Marin Countywide Plan (CWP) policies and fulfill the legal mandate to comply with the FSEIR



Marin Countywide Plan
(CWP)

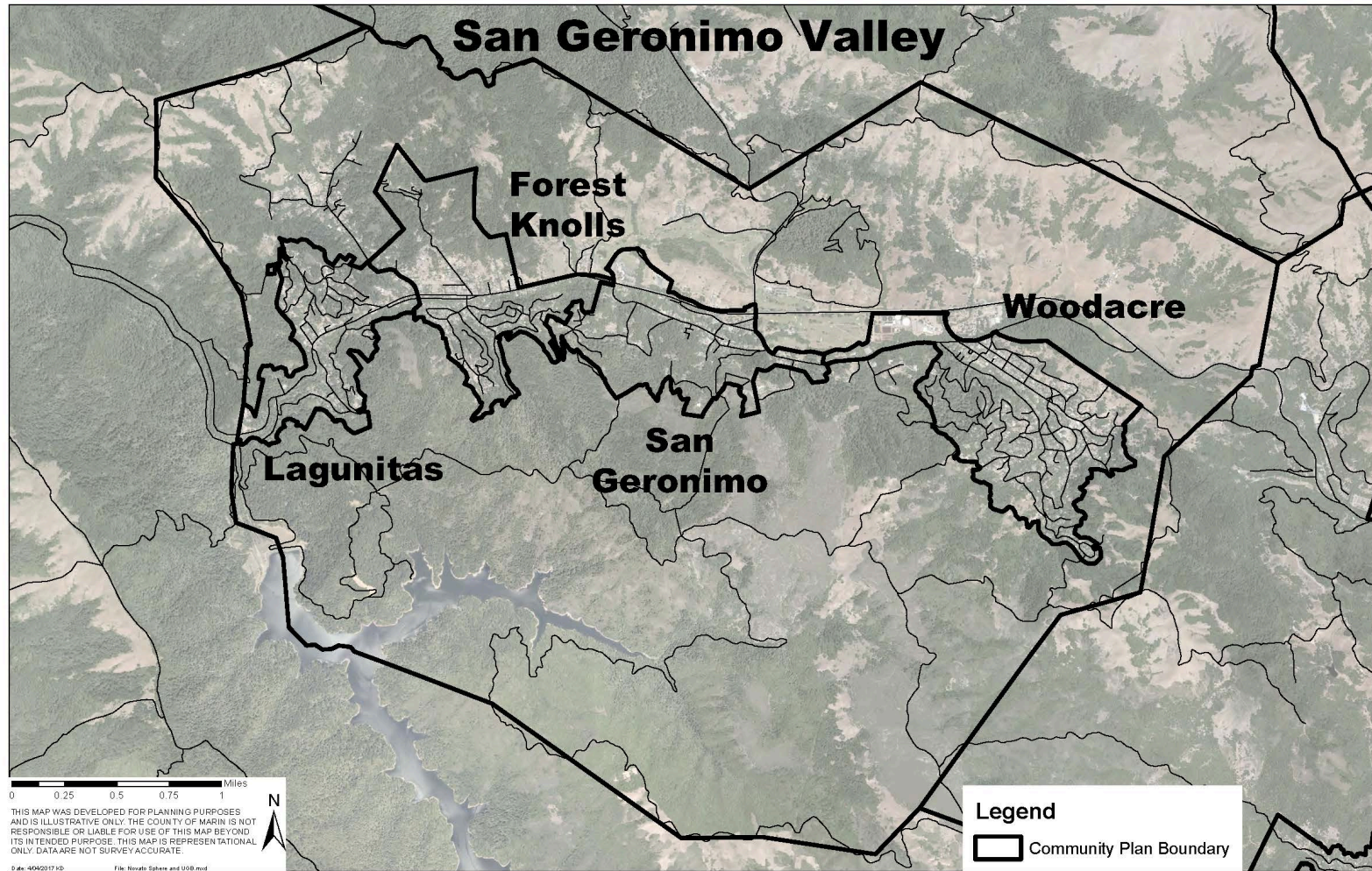


CWP Final Supplemental EIR with a Focus on
Potential Cumulative Impacts to Salmonids in San
Geronimo Valley (FSEIR)



SCA Ordinance Boundary for the San Geronimo Valley

Exhibit B





Why the focus on the San Geronimo Valley?

- Lagunitas Creek supports the largest population of federally listed endangered coho salmon south of Fort Bragg
 - FSEIR legal mandate
-



The proposed
SCA Ordinance
must:

1. Remain consistent with CWP policies; and
2. Implement the legally mandated FSEIR mitigation measures.

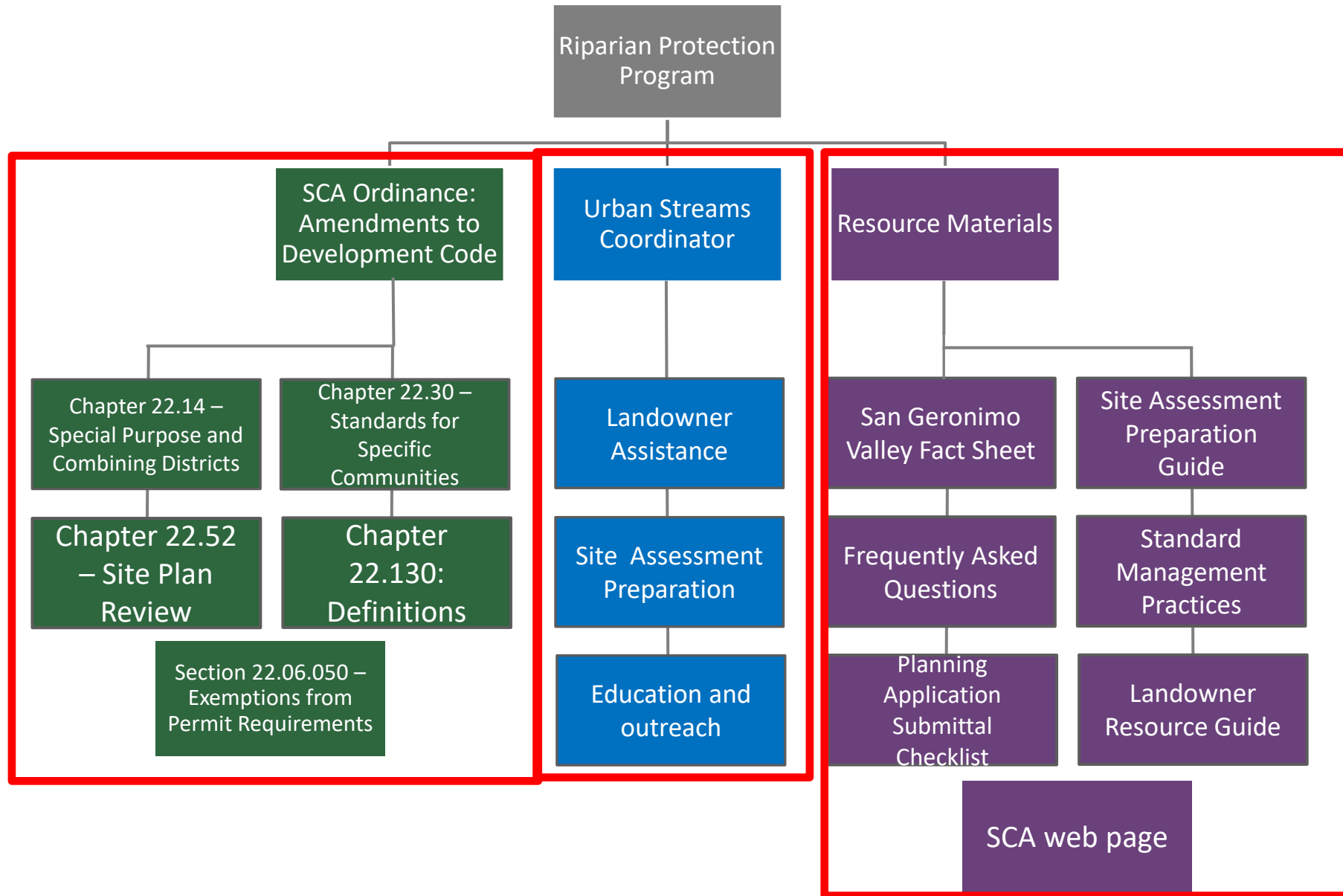


SCA Ordinance

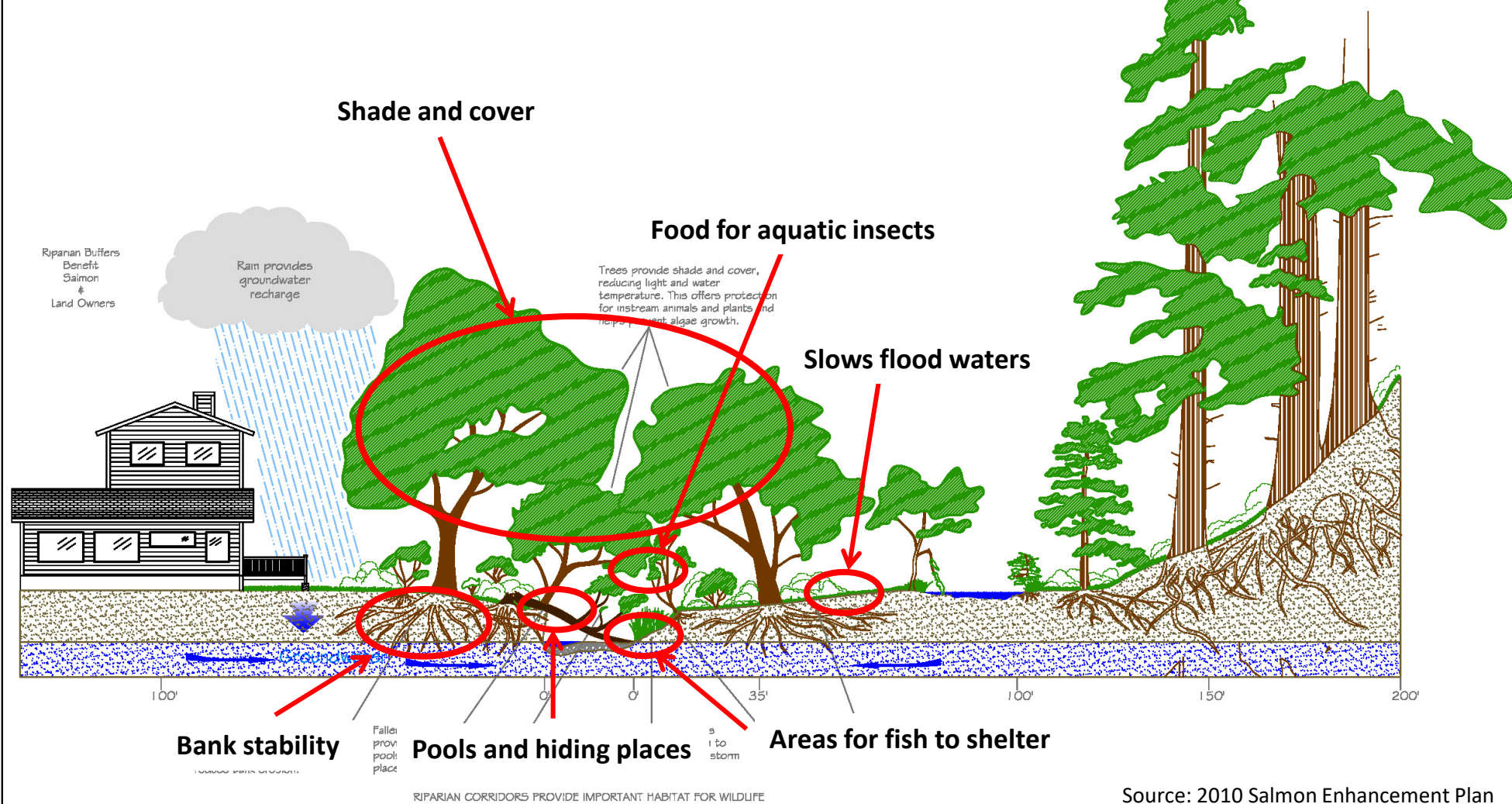
The SCA Ordinance is not a standalone document.

Rather, it is part of an overall program to protect streams that includes a series of amendments to the Development Code, supported by efforts of the Urban Streams Coordinator, and supplemented with various resource materials.

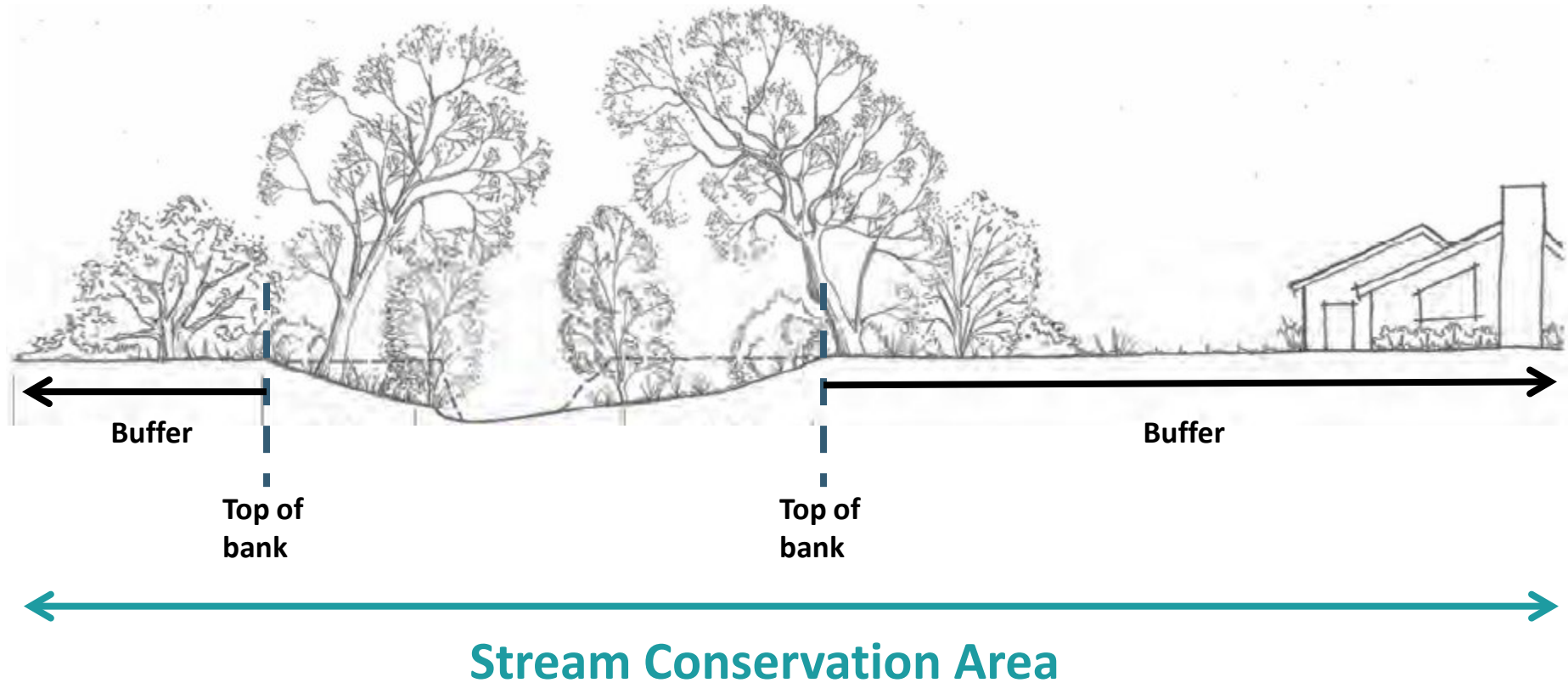




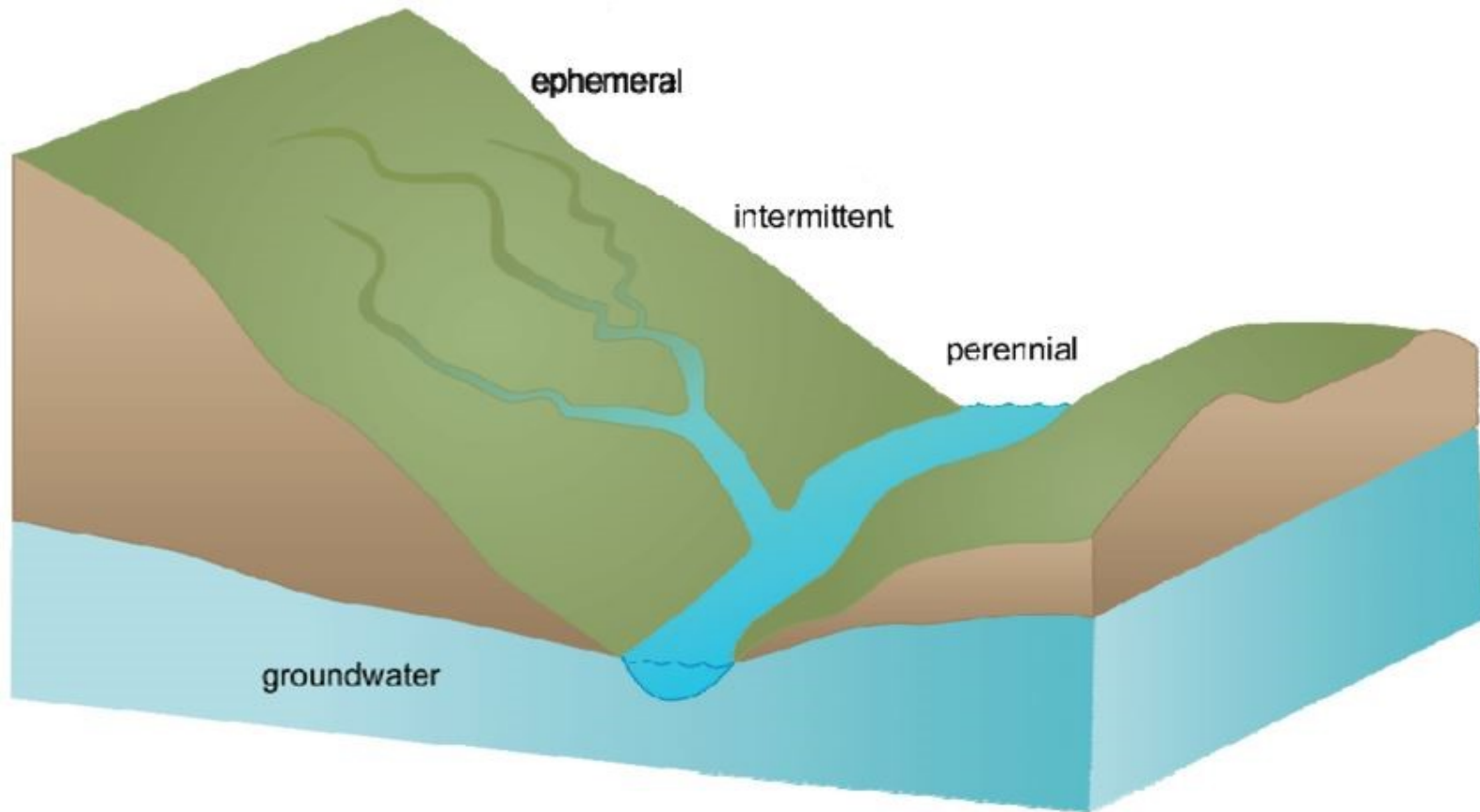
Why is it Important to Regulate Streamside Development?



What is the Stream Conservation Area (SCA)?



Stream Types



Perennial: flows year-round

Intermittent: flows seasonally during winter and after rainfall

Ephemeral: carries only surface runoff and flows immediately after rainfall

Source: McDonough, O.T. & Hosen, Jacob & Palmer, Margaret. (2011). Temporary streams: The hydrology, geography, and ecology of non-perennially flowing waters. River Ecosystems: Dynamics, Management and Conservation. 259-290.



Stream Map: Marinmap.org

MarinMap Map Viewer

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Navigation

Tasks

Analysis

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Layers

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Hydrology

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Stream - Perennial (NHD)

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Sea Level Rise

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Aerial Photography

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Marin_Community_Map

I want to...

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San Geronimo

501

485

480

477

471

36

30

20

25

MEADOW WAY

San Geronimo Valley

440

430

420

410

390

380

449

441

433

425

417

409

385

Woodacre

National Golf Course

San Geronimo Golf Course

60m


1:500

Disclaimer

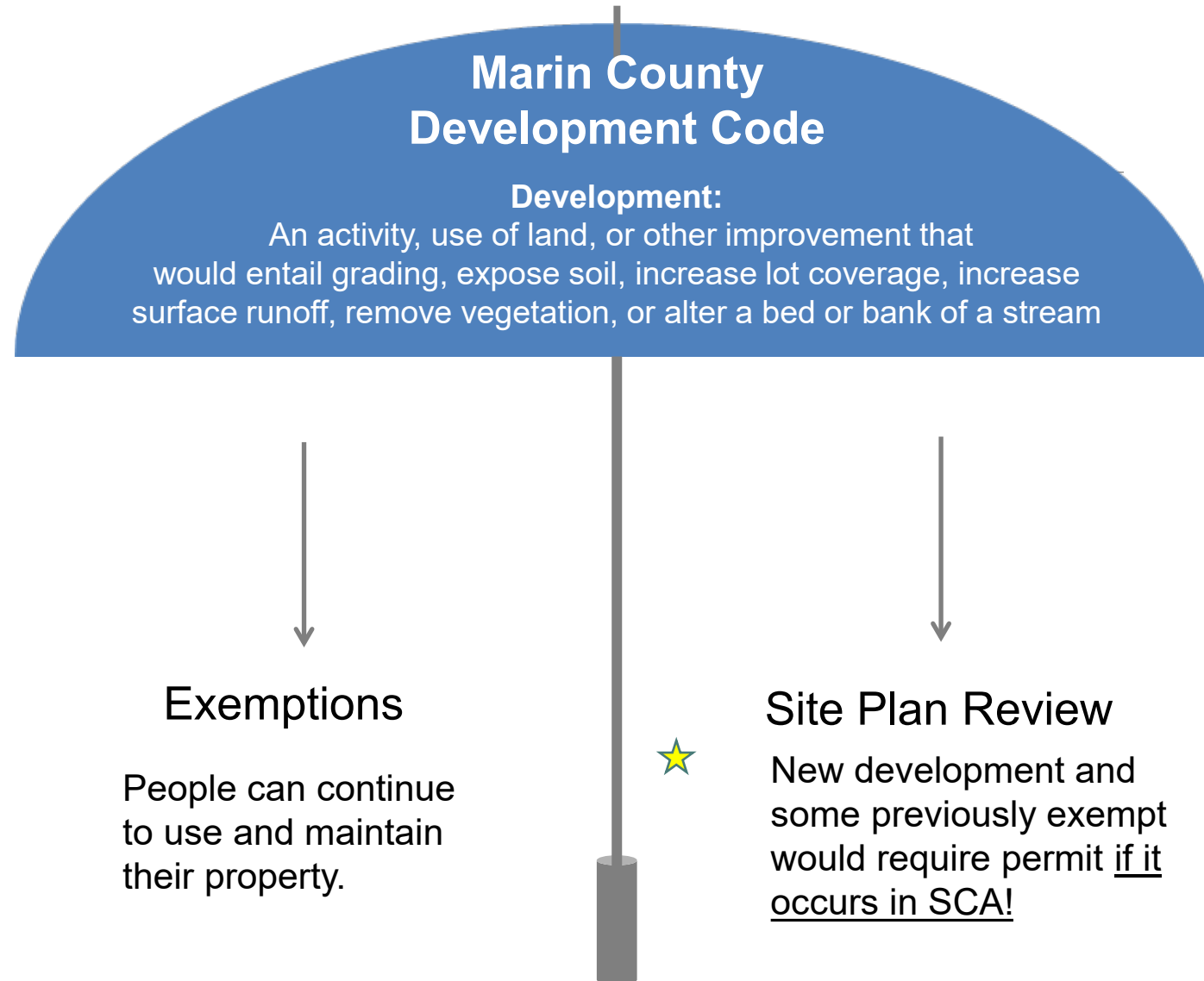
Layers

County of Marin, MarinMap.org | Marin

WWW.MARINCOUNTY.ORG/SCA



SCA Land Use Permit Process



Key Aspects of the SCA Review Process



1. **Priority:** locate development outside the SCA
2. **Scope:** Discretionary review required for activities that remove vegetation, increase surface runoff or lot coverage, expose soil, or alter the bed, bank, or channel of any stream
3. **Process:** Require Site Plan Review, site assessment, and standard management practices
4. **Focus:** avoid water quality and habitat impacts



Example: Exempt Activities



1. Interior remodeling
2. Repair and maintenance
3. Removal of dead, exotic, and pyrophytic (fire-prone) vegetation, including leaf litter
4. Planting of non-pyrophytic native vegetation
5. Add an Accessory Dwelling Unit (ADU)



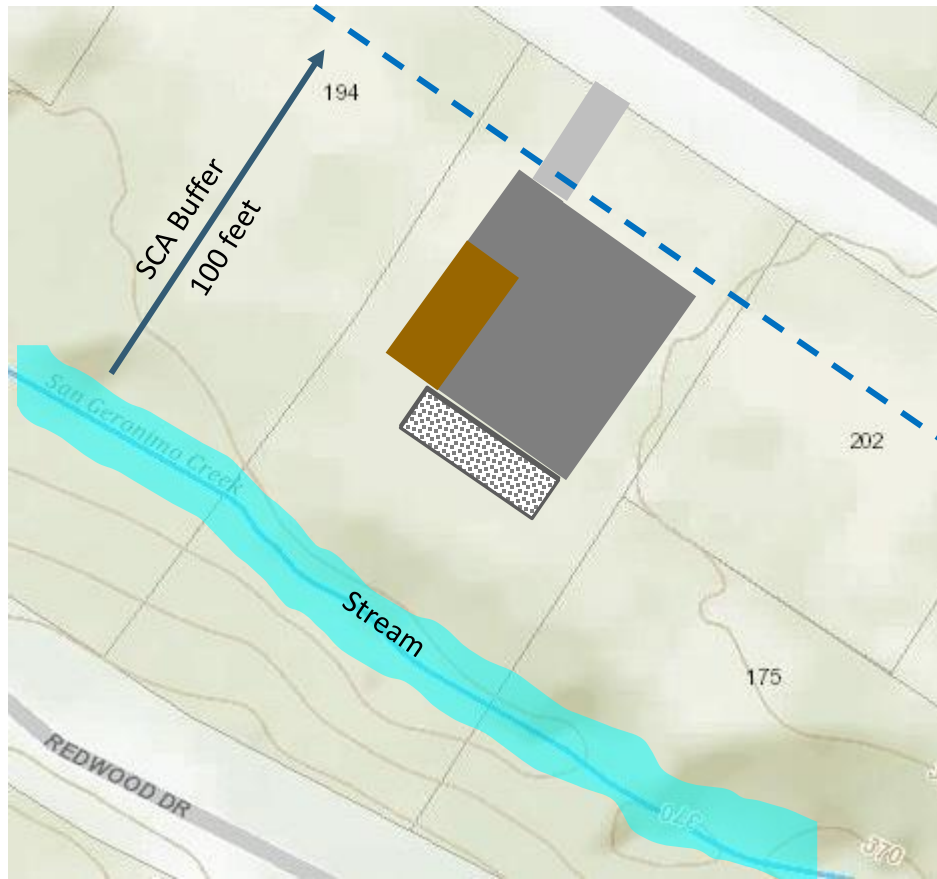
Example: Exempt Activities



1. Creek restoration projects authorized under the Marin RCD Permit Coordination Program
2. Repair and maintenance, including replacement, of existing septic systems that must incorporate stormwater BMPs



Example: New 400 s.f. Addition



Example:

- New 400 s.f. addition
- Up to a cumulative 500 s.f. allowed
- New structure must not be closer to the stream than the existing residence
- Replace paved patio w/ permeable surface



How Much Will A Permit Cost?

Site Plan Review Application Costs:

- Initial Deposit: \$2,086
- Technology Fee: \$15
- DPW Deposit: \$942
- EHS Deposit: \$842*

Total \$3, 885

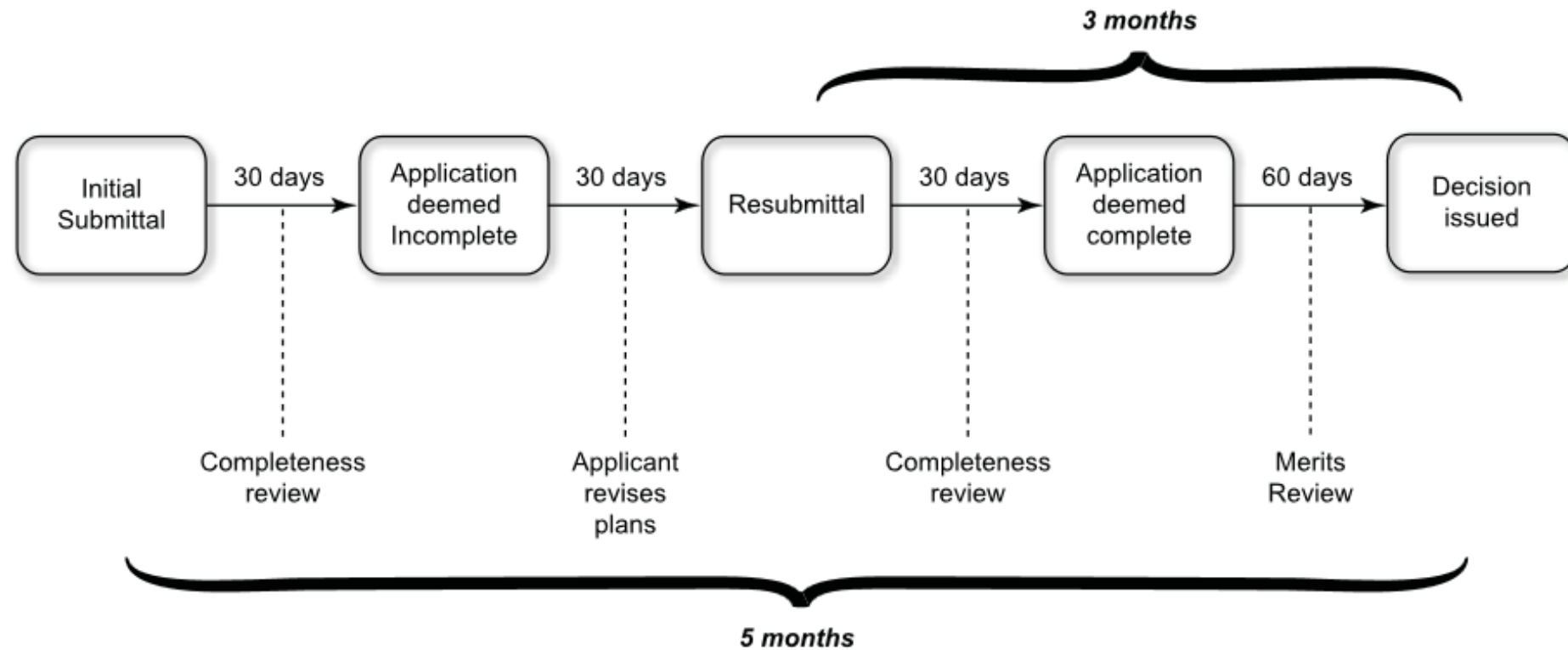
*EHS Deposit fee is collected only if property is served by private well or septic disposal system

- ✓ To incentivize compliance, staff is considering options to offset fees associated with both application and environmental review
- ✓ County also proposes to cover the cost of the site assessment

❖ Other permit fees may apply



How Long Does the Planning Process Take?



The Site Assessment

What: Site assessment is required for all projects

Why: Determine presence of sensitive biological resources; map biological constraints; and evaluate potential adverse impacts

How: Incorporate SMPs or mitigation measures identified through environmental review

PREPARATION OF A SITE ASSESSMENT FOR DEVELOPMENT LOCATED IN THE STREAM CONSERVATION AREA IN THE SAN GERONIMO VALLEY

Draft July 19, 2021

[This document contains annotations]

Introduction

In accordance with the policy requirements of the Marin Countywide Plan and the Planning Application Submittal Checklist, a site assessment (SA) is required for any development located within the Stream Conservation Area (SCA) or where full compliance with all SCA criteria would not be met [CWP BIO - 4.1]. The SA requirement is most often identified in a "notice of project status" letter, typically issued by planning staff within one month after an application is submitted to the planning department. However, a SA may also be recommended prior to submittal of an application, such as during a Planning Consultation or Pre-application Review. A "notice of project status" letter typically provides a preliminary indication of potential issues that should be addressed in the SA.

The general objectives of a SA are to: (1) determine whether there are any sensitive biological resources such as wetlands, streams, or habitats for special status species in proximity to a proposed project, (2) accurately map any biological constraints on a project site plan, and (3) determine whether a project would result in potentially significant adverse biological impacts, pursuant to the California Environmental Quality Act (CEQA). Sensitive biological resources include the following: [CWP BIO-4.1]

- A. Plants or animals that are listed as rare, threatened, or endangered or as a species of special concern, pursuant to Federal or State law, and habitat essential to special-status species of plants and animals;
- B. Natural communities indicated as rare or threatened by the California Natural Diversity Data Base of the California Department of Fish and Wildlife; and
- C. Natural communities and associated buffers protected under the Marin Countywide Plan, including Wetland Conservation Areas (WCAs) and Stream Conservation Areas (SCAs).

Conducting the Assessment

The scope of the SA should be limited to evaluating those areas that are within or near the proposed project and may reasonably be expected to be affected by any aspect of the project (i.e. new roads, construction areas and immediate surroundings, site grading, vegetation management, tree removal, etc.). The scope of the study should depend on the particular characteristics of the project and the area, and will often include an inventory of all plant communities on the site as well as a discussion of geological and hydrological features that are particularly relevant to biological resources. The consulting biologist should contact the planner assigned to the project to discuss the scope of the study prior to initiating any investigations. At a minimum, the scope of the study should include the following:

1. Review the "notice of project status" letter and any biological information provided by the Planning Division.

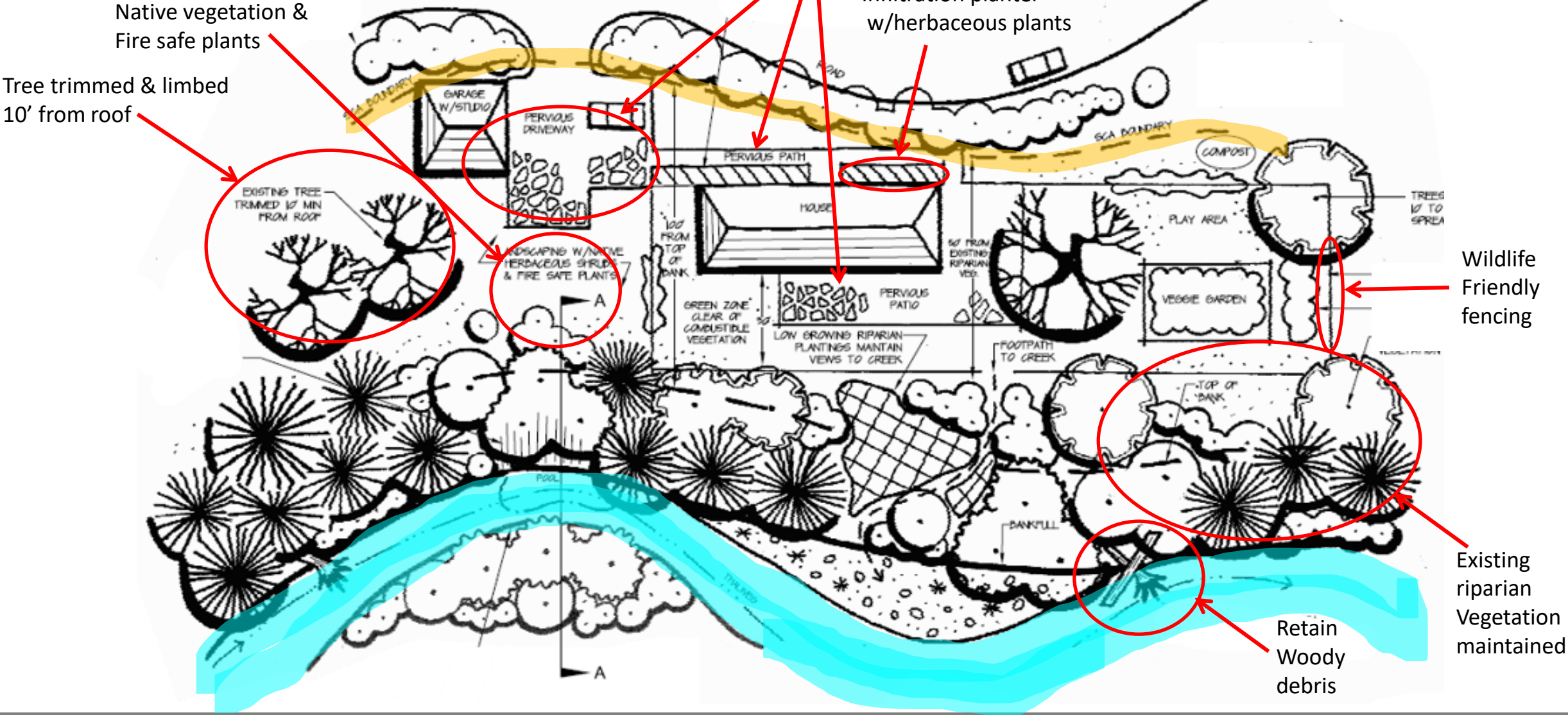


Standard Management Practices (SMPs)

Function	Management Practice (Summary)
Riparian/bank stability/stream temperature	<ul style="list-style-type: none">✓ Retain large woody debris within stream channel✓ Do not remove (native) riparian vegetation within 15 ft of stream and minimize disturbance within and adjacent to SCA.✓ Replace riparian vegetation that is removed.
Water conveyance & flood control/water quality	<ul style="list-style-type: none">✓ Apply MCSTOPPP Minimum Control Measures for Small Construction Projects✓ Avoid construction activity during wet weather✓ Incorporate permeable surfaces in project design✓ Disperse runoff across a pervious, vegetated surface or to rain gardens or planter boxes
Riparian Habitat/Food Web Integrity	<ul style="list-style-type: none">✓ Avoid tree removal in avian breeding survey.✓ Avoid heavy equipment for initial site clearing.✓ Plant native species



Give Me An Example:



Resource Materials



Planning Application
Submittal Guide



Site Assessment
Requirements



Standard
Management
Practices



San Geronimo Valley
Fact Sheet



Landowner Resource
Guide for Properties
Near Streams



CWP riparian
protection policies



Frequently Asked
Questions



SCA webpage

Materials and additional information on www.marincounty.org/SCA



Other Considerations:

Creek Permit

Compliance with
other regulatory
agencies

LID & stormwater
compliance required
throughout entire
watershed



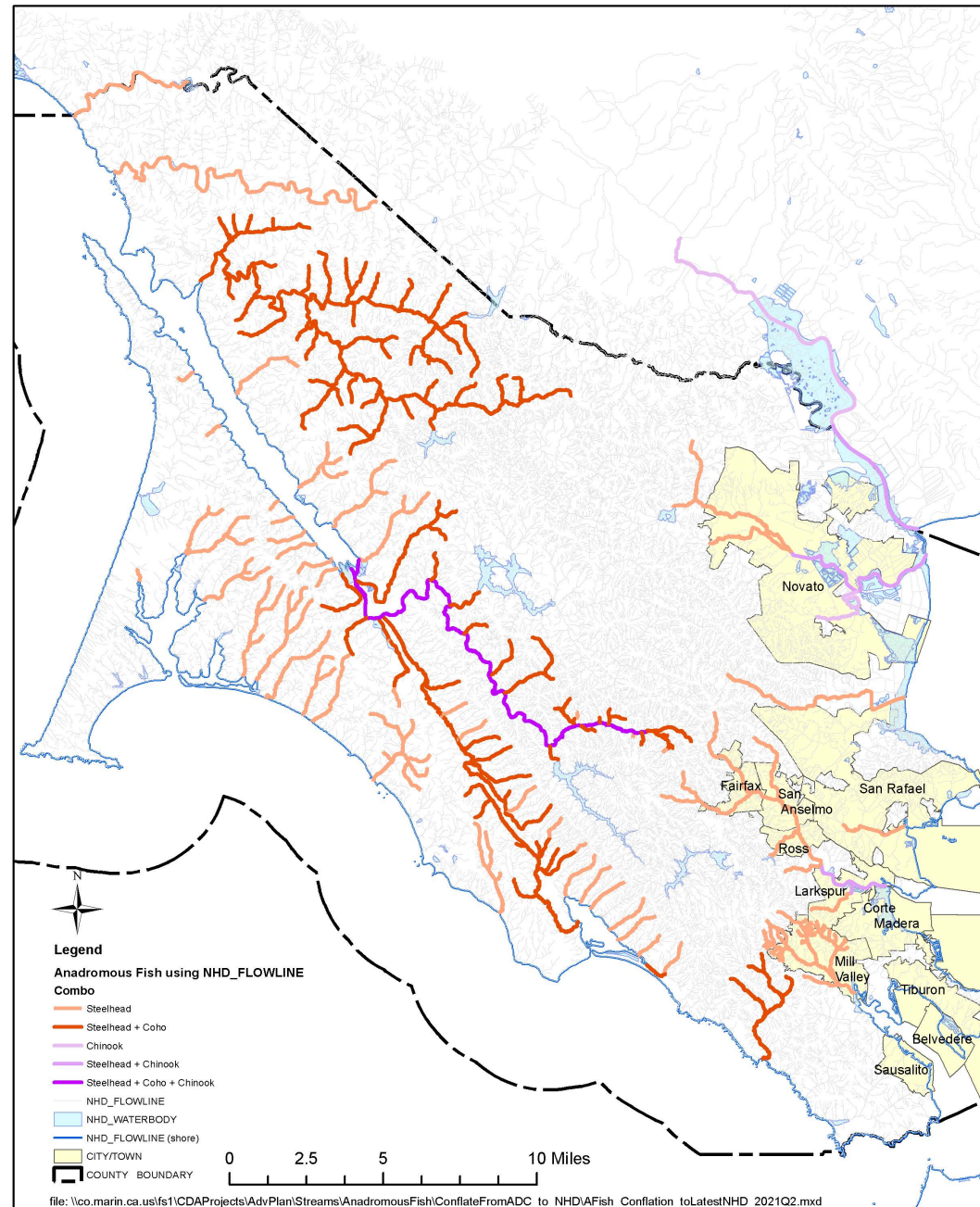
Anadromous Fish Streams

Coho

Steelhead

Chinook

Anadromous Fish Conflated to NHD in Marin County



Next Steps



Q and A



Receive Feedback & Comments



Planning Commission Hearing Dec. 13, 2021



Thank
you

Project page: www.marincounty.org/sca

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(415) 473-6290



Stream Conservation Area Ordinance: Application Review Process

