



# COMMUNITY DEVELOPMENT AGENCY

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## SITE ASSESSMENT REQUIREMENTS FOR DEVELOPMENT LOCATED IN THE STREAM CONSERVATION AREA IN SAN GERONIMO VALLEY

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### Introduction

In accordance with the policy requirements of the Marin Countywide Plan, Marin County Development Code Section 22.30.045.C.1 (Site Assessment), and the [Planning Application Submittal Checklist](#), a Site Assessment (SA) is required as part of a Site Plan Review permit application when development is proposed in the Stream Conservation Area (SCA) in San Geronimo Valley, where adverse impacts to riparian resources may occur, or when full compliance with the limitations on allowable uses within the SCA in Marin County Code Section 22.30.045.C.2 (Limitations on Uses) cannot be met.

The SA requirement is identified in a “notice of project status” letter issued by planning staff typically within one month after a [planning permit application](#) is submitted to the planning department. During this time, the project planner will review the plans and other information provided in the application and visit the site for a site inspection. A “notice of project status” letter provides a preliminary indication of potential issues that should be addressed in the SA. However, applicants are encouraged to consult with planning staff prior to submittal of an application, such as during a [Planning Consultation or Pre-application Review](#), to identify whether the proposed project is realistic, get an early idea of what planning considerations may affect the project, and indicate whether environmental review is likely. This approach can reduce both the costs and time associated with the planning process.

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 (including the precise boundary of the SCA); 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:

- A. Plants or animals that are listed as rare, threatened, or endangered or as a species of special concern, per 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).

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**Conducting the Site Assessment**

The scope of the SA should be limited to evaluating those areas that are within or near the proposed project and may 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 SA should depend on the 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(s) should contact the County planner assigned to the project to discuss the scope of the SA prior to starting any investigations. At a minimum, the scope of the SA should include the following:

1. Review the “notice of project status” letter and any biological information provided by the Planning Division.
2. Review relevant biological protection policies contained in the Countywide Plan, as well as the biological protection policies of the San Geronimo Valley Community Plan.
3. Conduct a records search of the California Natural Diversity Data Base (CNDDDB) for the site and surrounding area as habitat conditions and regional species distributions dictate.
4. Review the book “Marin Flora” published by the California Academy of Sciences and California Native Plant Society (Howell et. al., 2007) for information on the location of special status plant species.
5. Review any biological assessments, arborist’s reports, vegetation management plans, geotechnical reports, and hydrological reports recently prepared and available for the project, the site, and the surrounding area.
6. Visit the site to identify, evaluate, and map any sensitive biological resources that may be affected by the project.
7. Indicate riparian vegetation important to salmonids with common names, scientific names, and images.
8. Identify any exotic or invasive plants.
9. Map ecological buffers that apply to the site, as defined in the Stream Conservation Area and Wetland Conservation Area policies of the Countywide Plan.
10. For any stream, map the precise stream channel location, tops of bank and the precise extent of the Stream Conservation Area, including the upland extent of any riparian vegetation and riparian habitat found in the study area. Indicate if an additional buffer is necessary to protect riparian resources that extends beyond the SCA.
11. Confirm avoidance of woody riparian vegetation.
12. Conduct a wetland delineation if wetland indicators are found within the study area. The wetland delineation should follow the Army Corps of Engineer’s guidance.
13. Determine whether any other biological studies should be conducted that evaluate the potential impacts of the project. Additional studies may be necessary to determine the extent of impacts to hydraulic capacity, habitat,

and water quality, including hydrological assessments, stream and riparian habitat studies, and stormwater analysis. A hydraulic and/or geomorphic assessment of on-site and downstream drainageways that are affected by project run-off may be required where there is evidence that significant current or impending channel instability is present, as determined by the County. The hydraulic and/or geomorphic assessment shall include an on-site channel or drainageway segments over which the applicant has control or access. The applicant handles the hiring of qualified professionals and the costs associated with these and any other required studies.

14. Assist Planning staff to ensure the applicant Integrates maps of any sensitive biological resources that are found in the study area into project site plans that show other development constraints, landscaping, vegetation management, grading and erosion control, drainage and storm water control, site improvements and building construction.
15. Identify site appropriate [Standard Management Practices](#) corresponding to the nature of the development that would ensure that the project will not result in adverse impacts to the stream and riparian resources, unless mitigation measures identified through environmental review would result in equal or greater environmental benefit. Refer to the "[Standard Management Practices for Development Located in the Stream Conservation Area in San Geronimo Valley](#)" on file with the Community Development Agency.

Prepare the SA, as described below, with attached photographs, field reports, and maps as appropriate, describing the SA methods and findings. The findings should be coordinated with all other technical studies and reports being prepared for the project.

### **Preparing the Site Assessment**

The SA shall be prepared by a qualified professional with at least five years of experience assessing potential impacts to stream ecology, riparian ecology, hydrology, and the potential for impacts to anadromous salmonids from changes to these processes and conditions in coastal California. In partnership with the Marin Resource Conservation District, the County offers the Urban Streams Coordinator (USC) to prepare most of the required SA components at the County's expense. The applicant must pay for the cost of other technical studies in support of the SA. Alternatively, the applicant may hire a qualified professional at their own expense.

The Planning Division encourages early consultation with Planning staff and the USC for guidance on incorporating elements that safeguard biological resources into the initial project design to avoid any unintended environmental consequences. For example, if a property owner hires a qualified professional to map the precise boundary of the Stream Conservation Area before preparing plans, it will be easier to design the project to minimize the least possible encroachment into the SCA if the project cannot be located outside the SCA.

In preparing the SA, the qualified professional should describe the methods used for the assessment and all sensitive biological resources that the qualified professional found within the study area. In determining potential impacts, relevant policy documents and regulations should be consulted, including the [CEQA Guidelines, Appendix G, Section IV, Biological Resources](#), which provides a list of sample questions that are intended to encourage thoughtful assessment of impacts in

determining significance. In addition, per the [Marin County EIR Guidelines, Appendix N, Criteria For Significance](#), the following questions regarding the determination of significance of impacts should be answered:

1. Would the project substantially reduce the number or restrict the range of a rare, endangered, or threatened plant or animal?
2. would the project cause a fish or wildlife population to drop below self-sustaining levels?
3. Would the project adversely affect significant riparian lands, wetlands, marshes, and other significant wildlife habitats?

Based on the evidence collected and analyzed as part of the project’s administrative record, and based on the recommendation of the County’s Environmental Coordinator, the SA shall clearly recommend one of the following two conclusions about the project:

“The project will not result in any potentially significant adverse biological impacts to the environment.” or;

“The project could result in potentially significant adverse biological impacts to the environment.”

Even if the qualified professional concludes that there are potentially significant impacts, the SA shall not indicate any impact mitigation or reduction measures. There is no such thing as a mitigated categorical exemption from CEQA, and any mitigation measures recommended in the SA serve as an indication that an environmental review is required for the project. However, CEQA is intended to help avoid any unintended environmental consequences of development and the Planning Division encourages incorporating elements that safeguard biological resources into the initial design of the project, including site appropriate Standard Management Practices (see #15 above).

If the SA recommends that the project could result in a potentially significant biological impact, then the Planning Division will require a peer review of the SA and/or a full biological assessment that identifies measures to mitigate the impacts of the project. The Planning Division will hire a qualified biologist to undertake the additional study, at the applicant’s expense, unless this requirement is waived by the Director.

### **Appeals**

The Site Assessment is a discretionary decision that may be appealed by an applicant or other concerned party in accordance with Marin County Development Code Chapter 22.114 – Appeals.