

Your Name:	Doug Gawoski
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Subject:	Expanded Stream conservation Ordinance for the San Geronimo Valley
Select a Routing Method:	District
What District Do You Live In?	District 1 - Damon Connolly

Dear Supervisor Connolly-

I am writing to comment on this proposed expansion of the Stream Conservation Ordinance for the San Geronimo Valley. I agree that Salmon and Steelhead trout protection next to Lagunitas Creek is necessary, but this effort needs to be balanced with the needs of Valley residents. Certainly what is proposed can be scaled back where there is overreach in the proposed ordinance amendment.

As an Architect I've worked with public works and planning staff on projects with ephemeral streams. As you can see from the proposed amendments the staff acknowledges defining and locating these ephemeral streams is problematic, yet increased regulations for areas along ephemeral streams are proposed.

Ephemeral streams were initially mapped by US Army with overhead flights without any elevation data. Jurisdictions using this information were to verify extent and accuracy of this initial mapping with qualified biologists which Marin County has not complied with. This has led to the County identifying any type of ravine or ditch as an ephemeral stream. Currently the burden of biological opinion for determining what is a ephemeral stream falls onto individual homeowners as County staff take Marin GIS mapped streams at face value. I am encouraged the County is pursuing better mapping of streams using the National Parks Service. Better biological information is needed before implementing amendments to this ordinance.

I encourage you to look at Marin GIS mapping with the watercourse layer selected to see the extent of streams and required setbacks for your neighborhood as you will be familiar with the terrain. Steep hillsides are indicated as containing streams. This results in the taking of property from homeowners through use of ephemeral stream setbacks and poor science.

For an important habitat like Lagunitas Creek and well defined USG blue line feeder streams, the current stream setback protects depressions in the surrounding area that temporarily collect water when it rains. I recommend the recognition and regulation of ephemeral stream setbacks though out the County

including those in San Geronimo Valley is eliminated.

I also have found General Plan sections enforced as zoning code problematic. In the distant past the County General Plan was a plan for future zoning code, and was advisory until adopted as zoning code. This allowed for better information and input by citizens and County Supervisors. Now opinions (including Biological opinions that have led to stream setback regulations) are cited and enforced like zoning ordinances. Using the general plan opinions as zoning code has led to grey areas subject to unqualified interpretation by County staff, and increased the regulatory burden of both citizens and developers. It is an expansion of regulation without due process.

I am able to meet to discuss these and other issues with you further.

Thank you,
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From: [Peggy Sheneman](#)
To: [BOS](#); [Rodoni, Dennis](#); [Kutter, Rhonda](#); [Rice, Katie](#); [Lai, Thomas](#); [Liebster, Jack](#); [Drumm, Kristin](#); [OneTam](#)
Subject: BOS 3-2-21 Agenda item 13--Who Is Responsible for New Lidar Map?
Date: Monday, March 01, 2021 10:11:00 AM

Re: BOS 3-2-21 Agenda Item 13--Who Is Responsible for New Lidar Map?

From: Peggy Sheneman, Woodacre resident

To: Marin County Board of Supervisors

Supervisor Dennis Rodoni, and Aide Rhonda Kutter

Supervisor Katie Rice

Tom Lai, Jack Liebster, Kristen Drumm, Marin Community Development Agency

Sharon Farrell, OneTam Executive Director

I am a member of San Geronimo Valley Stewards, an all-volunteer group of Valley residents which has participated in the stream ordinance process since 2009. I have lived in the Valley since 1982, and have experienced flooded streams, winter storms, drought, dry creekbeds, and wildfire. This letter is submitted in my personal capacity as a voter.

There are 2,000 family homes in San Geronimo Valley. About 900 homesites are within the Stream Conservation Area as the SCA is currently mapped.

For the first time, Marin County's new Lidar map will show all the ephemeral rainwater flows. An ephemeral stream is a natural watercourse, with a bed and a bank, which carries winter rainfall and disappears when weather is dry. (3-2-21 Report pgs 4-5.)

The new Lidar map will increase the number of homesites which appear within the SCA. It will change the SCA boundaries for other homesites. The map will, for the first time, disclose the details of every family home garden and all impervious structures.

We should expect the new map may designate virtually all 2,000 homes within the SCA, given the geographic "bowl" of San Geronimo Valley. Rain falls on high ridges and runs downhill to fish-bearing streams on the Valley floor.

We ask: Who is responsible for the new Lidar map? Who prepares it? Who has final approval? Who has authority to amend it and correct errors? Please give us the names of real people, with their telephone numbers and email addresses. Identify the government agencies these people work for.

Tremendous power -- economic, social and political -- rests with the person or government agency who has authority over the Lidar map. The consequences for every Valley family mapped within the SCA include: prohibitions against adding impervious surfaces, experts fees for site assessments, delays in discretionary permits for minor home projects, and expensive construction supervision.

Does the family within the SCA need to replace an old leaking roof? The

new stream ordinance will require a fish hydrologist's report and stormwater control measures that exceed Bay Area standards. (3-2-21 Agenda item 13 report pg 4 "create or replace" impervious surface; FSEIR pgs 5-18 to 5-24.)

Marin County will rely on OneTam to create the new Lidar map. (2-2-21 Agenda item 13, Report pg 5.) OneTam describes this task as "integration of foundational data sets." (BOS Agenda 12-8-20, Agenda item 14 F, pg 9.) The 12-page Mitigation Monitoring and Reporting Program is silent on OneTam or anyone being responsible for the Lidar map. (3-2-21 Agenda Item 13 Attachment.)

Who and what is OneTam? Nowhere is it publicly disclosed which person at OneTam creates the map, who approves it, or who can respond to homeowner concerns and correct errors. No elected officials appear on the www.OneTam.org website. One Tam is a collection of employees designated by 8 federal, state and local government agencies to work on common projects.

Subjective human judgment will create the Lidar map, although the map be based on objective granular data harvested by machines and electronic surveillance. Is each ephemeral or intermittent water flow a natural watercourse, or a man-made ditch? Is it a stream with a bed and a bank? Have the creators of the map physically visited the San Geronimo Valley in the winter during an "atmospheric river" of rainfall, or in the summer of a drought year?

We know mistakes can be made, based on our experience with the 2013 Lidar map. The man-made drainage ditch that runs along the outfield of the Woodacre Ballfield was labeled a "stream". The 2013 map drew a blueline stream down the middle of a paved street in central Woodacre.

Who do we call to correct mistakes? Who has authority to amend for mapping errors? Which of our elected public officials will take ownership and responsibility for the Lidar map of our 2,000 family homes?