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***MARIN COUNTYWIDE  
PLAN UPDATE***

***Draft Environmental Impact  
Report***

***APPENDIX 2***

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*COUNTY OF MARIN  
COMMUNITY DEVELOPMENT AGENCY*

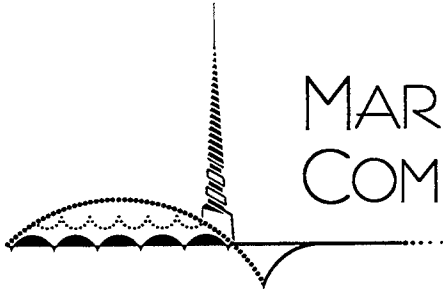
*State Clearinghouse No. 2004022076*

*JANUARY 2007*

## **Table of Contents**

Appendix 2-A:	Notices of Preparation
Appendix 2-B:	Responses to NOP and Disposition of NOP Responses
	(1) Responses to February 2004 NOP and Disposition of NOP Responses
	(2) Responses to August 2005 NOP and Disposition of NOP Responses
Appendix 2-C:	Mitigation Monitoring and Reporting Program
Appendix 2-D:	Land Use Map Changes
Appendix 2-E	Hydrology

***APPENDIX 2-A  
NOTICES OF PREPARATION***



# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

## NOTICE OF PREPARATION ENVIRONMENTAL IMPACT REPORT

For the  
**MARIN COUNTYWIDE PLAN UPDATE 2004**

Marin County will be preparing an Environmental Impact Report (EIR) for the comprehensive update of the 1994 Marin Countywide Plan (CWP). The Countywide Plan Update encompasses the unincorporated territory of Marin County. Marin's total land and water area is approximately 606 square miles, of which about 87 % (527 square miles) is unincorporated.

The Draft updated CWP has been substantially reorganized and revised, and includes implementing program concepts for updating both the 1980/81 Local Coastal Program Units I and II and the 2003 Development Code. The purpose of the Plan is to set policy guidelines for future conservation and development in the county and to address changed conditions since the last revision of the Plan. The Plan establishes an overall framework and set of goals for countywide development in the unincorporated area of the County.

The overarching theme presented in the CWP update is sustainability. To address this theme, the CWP has been substantially reformatted into three main elements: Natural Systems Element, Built Environment Element, and Socioeconomic Element. The seven mandatory General Plan Elements required by the State Planning and Zoning Laws (Conservation, Open Space, Land Use, Circulation, Housing, Noise, and Safety) and the five optional elements in the previous 1994 CWP (Agriculture, Community Facilities, Parks and Recreation, Trails, and Economic), have been updated and incorporated into the reformatted three main elements of the CWP update. Recent updates of the Economic and Housing Elements of the CWP were adopted prior to this Draft CWP update. These adopted elements are summarized and included in the overall CWP update.

The CWP update retains the "corridor" concept of the prior Plan, dividing the County into designated regional units based on specific geographic and environmental characteristics and natural boundaries formed by north/south trending geomorphic ridges. In addition to the Coastal Recreation Corridor, Inland Rural Corridor and City-Centered Corridor retained from the 1994 CWP; the update now designates a fourth environmental corridor, the Baylands Corridor. This corridor encompasses tidelands, marshes and diked lands along the Bay shoreline designated to provide for increased protection of environmental characteristics of the historic bay margins.

Pursuant to state and local guidelines implementing the California Environmental Quality Act (CEQA), please be advised that the Marin County Community Development Agency - Planning Division will be the lead agency for the CWP update EIR. The Marin County Environmental Coordinator has determined that a Focused EIR is required. Pursuant to CEQA Guidelines Section 15063 an Initial Study was prepared. The EIR will focus on the following topical issues:

1) Land Use & Planning	6) Transportation/Circulation	11) Public Services
2) Population & Housing	7) Biological Resources	12) Utilities & Service Systems
3) Geophysical	8) Energy & Natural Resources	13) Aesthetics/Visual Resources
4) Water	9) Hazards	14) Cultural Resources
5) Air Quality	10) Noise	15) Social & Economic Effects Related to Physical Impacts

To ensure that the EIR for this project is thorough and adequate, and meets the needs of all agencies reviewing it, we are soliciting comments on specific issues to be included in the environmental review. Public comments on the scope of issues to be evaluated in the EIR are encouraged. The Draft Plan is posted on the County's website at [www.future-marin.org](http://www.future-marin.org) and is also available for review at all public libraries in the county as well as the Marin County Community Development Agency office at 3501 Civic Center Drive, Room 308, San Rafael, CA 94903-4157. Copies of the update in CD format or hard copy form are available by calling the Community Development Agency at (415) 499-7874 or (415) 499-6269 between the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday. A copy of the CWP update Initial Study is attached.

Please submit your written comments to Tim Haddad at the address shown above by 4:00 PM March 17, 2004. Comment letters should clearly identify the subject of the comments as the NOP for the CWP update. Comments by FAX or E-mail may not be able to be confirmed as officially received and accepted before the end of the comment period deadline. **Commentors are advised to mail written comments postmarked on or before March 17, 2004.**

Alex Hinds  
Agency Director

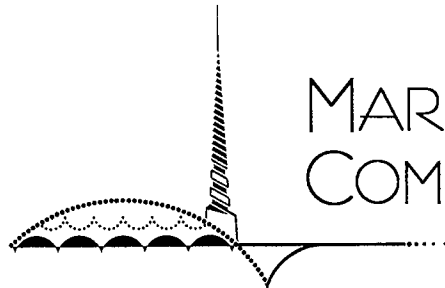
Tim Haddad  
Environmental Coordinator

2/16/04 Publish Date



American sign language interpreters and assistive listening devices may be requested by calling (415) 499-6172 (TDD) or (415) 499-6269 (voice) at least 72 hours in advance. Copies of documents are available in accessible formats upon request.





# MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY

ALEX HINDS, DIRECTOR

**REVISED**  
**NOTICE OF PREPARATION**  
Of an  
**ENVIRONMENTAL IMPACT REPORT**  
For the  
**MARIN COUNTYWIDE PLAN UPDATE 2005**

Marin County will be preparing an Environmental Impact Report (EIR) for the comprehensive update of the 1994 Marin Countywide Plan (CWP). The Countywide Plan Update encompasses the unincorporated territory of Marin County. Marin's total land and water area is approximately 606 square miles, of which about 87 percent (527 square miles) is unincorporated.

In 2004 Marin County completed a draft update of the 1994 Marin Countywide Plan, entitled the Draft 2004 CWP Update. In February 2004 a Notice Of Preparation was circulated for the Draft 2004 CWP Update. The Marin County Planning Commission subsequently initiated a preliminary review of the Draft 2004 CWP Update and proposed revisions and clarifications to the Plan. The Commission's proposed revisions to the Draft 2004 CWP Update were then confirmed in a joint meeting of the Planning Commission and Board of Supervisors. Based on that preliminary review a revised and reorganized comprehensive update of the 1994 Marin Countywide Plan, the **Draft 2005 CWP Update** has been prepared. This Revised Notice Of Preparation addresses the Draft 2005 Countywide Plan Update.

The purpose of the Plan Update is to set policy guidelines for future conservation and development in the county and to address changed conditions since the last revision of the CWP. The CWP establishes an overall framework and set of goals for countywide development in the unincorporated area of the County. The Draft 2005 CWP Update also includes implementing program concepts for updating the 2003 Development Code.

The overarching theme presented in the Draft 2005 CWP Update is sustainability. To address this theme, the CWP has been substantially reformatted into three main elements: Natural Systems and Agriculture Element, Built Environment Element, and Socioeconomic Element. The seven mandatory General Plan Elements required by the State Planning and Zoning Laws (Conservation, Open Space, Land Use, Circulation, Housing, Noise, and Safety) and the five optional elements in the 1994 CWP (Agriculture, Community Facilities, Parks and Recreation, Trails, and Economic), have been updated and incorporated into the reformatted three main elements of the Draft 2005 CWP Update. Recent updates of the Economic and Housing Elements of the CWP were adopted prior to this Draft 2005 CWP Update. These adopted elements are summarized and included in the CWP Update.

The Draft 2005 CWP Update retains the "corridor" concept of the 1994 CWP, dividing the County into designated regional units based on specific geographic and environmental characteristics and natural boundaries formed by north/south trending geomorphic ridges. In addition to the Coastal Recreation Corridor, Inland Rural Corridor and City Centered Corridor retained from the 1994 CWP, the Plan Update now designates a fourth environmental corridor, the Baylands Corridor. This corridor encompasses tidelands, marshes and diked lands and adjacent, largely undeveloped uplands along the Bay shoreline designated to provide for increased protection of environmental characteristics of the historic bay margins.

Pursuant to state and local guidelines implementing the California Environmental Quality Act (CEQA), please be advised that the Marin County Community Development Agency will be the lead agency for the CWP Update environmental review. Pursuant to CEQA Guidelines Section 15063 a **Revised Initial Study** was prepared for the Draft 2005 CWP Update and the Marin County Environmental Coordinator determined that an EIR is required. The EIR will focus on the following topical issues:

1) Land Use & Planning	6) Transportation/Circulation	11) Public Services
2) Population & Housing	7) Biological Resources	12) Utilities & Service Systems
3) Geophysical	8) Energy & Natural Resources	13) Aesthetics/Visual Resources
4) Water	9) Hazards	14) Cultural Resources
5) Air Quality	10) Noise	15) Social & Economic Effects Related to Physical Impacts

To ensure that the EIR for the CWP Update is thorough and adequate, and meets the needs of all agencies reviewing it, we are soliciting comments on specific issues to be included in the environmental review. Public comments on the scope of issues to be evaluated in the EIR are encouraged. The Draft Plan and the Revised Initial Study are posted on the County's website at <http://www.co.marin.ca.us/depts/CD/main/fm/eir.cfm> and are also available for review at all public libraries in the county as well as the Marin County Community Development Agency office at 3501 Civic Center Drive, Room 308, San Rafael, CA 94903-4157. Copies of the CWP Update and Revised Initial Study in CD format or hard copy are available by calling the Community Development Agency at (415) 499-7874 or (415) 499-6269 between the hours of 8:00 a.m. to 4:00 p.m., Monday through Friday.

Please submit your written comments to Tim Haddad at the address shown above by **4:00 PM Thursday, September 22, 2005**. Comment letters should clearly identify the subject of the comments as the NOP for the CWP Update. Comments by FAX or E-mail may not be able to be confirmed as officially received and accepted before the end of the comment period deadline. **Commentors are advised to mail written comments postmarked on or before September 22, 2005.**

8/24/05  
cur:th:projs:2005CWPUupdate:2005NOP



Alex Hinds  
Agency Director

Tim Haddad  
Environmental Coordinator

American Sign Language interpreters and assistive listening devices may be requested by calling (415) 499-6172 (TDD) or (415) 499-6269 (voice) at least 72 hours in advance. Copies of documents are available in accessible formats upon request.

***APPENDIX 2-B  
RESPONSES TO NOP AND DISPOSITION OF NOP RESPONSES***

***RESPONSES TO FEBRUARY 2004 NOP AND  
DISPOSITION OF NOP RESPONSES***

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**Written Responses to the February 2004 Notice of Preparation**

Marin County prepared the Notice of Preparation (NOP) for the Countywide Plan Update EIR in February 2004 and sent it to government agencies, special service districts, organizations, and individuals with an interest in or jurisdiction over the project in order to provide early consultant on the scope of the EIR. The NOP was sent February 14, 2004.

Exhibit 1 presents a summary of the public comments received on the NOP during the review period together with an indication of where each issue is addressed in this EIR. In a limited number of instances the specific comment is not addressed in the EIR. In these instances, the reason why the comment is not addressed is provided.

The comments letters received on the NOP follow Exhibit 1.

**Exhibit 1**  
**Disposition of 2004 NOP Responses**

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<i>Date</i>	<i>Commentor(s)</i>	<i>Comment or Topic</i>	<i>EIR Section</i>
3/12/2004	Michael G. Nepstad Fish and Wildlife Service US Department of the Interior	Provided a list of endangered species and information regarding the Endangered Species Act.	Section 4.6 – Biological Resources
3/11/2004	Jack P. Broadbent Bay Area Air Quality Management District	Discussed issues which should be addressed in the DEIR, including exposure of sensitive receptors to air pollutants, TACs, odors and dust, and consistency with the Bay Area 2000 Clean Air Plan	Section 4.3 – Air Quality
3/31/2004	Timothy Sable Department of Transportation	Traffic impacts - address existing conditions, trip generation of the proposed project, and trip generation from the current CWP.	Section 4.2 – Transportation
		Discuss adequacy of proposed trails and bicycle lanes.	Section 4.2 – Transportation

<b><i>Date</i></b>	<b><i>Commentor(s)</i></b>	<b><i>Comment or Topic</i></b>	<b><i>EIR Section</i></b>
		Significance thresholds, mitigation measures, and procedures for transportation impact analysis.	Section 4.2 – Transportation
3/15/2004	Sandy Hesnard Division of Aeronautics Department of Transportation	Compatibility of the CWP update with the adopted airport land use compatibility plan and ALUC policies.	Section 4.1 – Land Use, Population, and Housing
3/15/2004	Dennis Castrillo Governor’s Office of Emergency Services	Flooding, tsunami, seiche, dam failure and other hydrology-related hazards.	Section 4.5 – Hydrology, Water Quality, and Flood Hazards, and Section 4.7 – Geology
		Seismic and geologic hazards, including fault rupture, ground shaking, ground failure, slope instability, landslides, subsidence, and liquefaction.	Section 4.7 – Geology
		Wildland and urban fires, emergency evacuation, peakload water requirements, minimum road widths, and clearance around structures.	Section 4.10 – Public Services
		Conservation, development, and utilization of natural resources including water, soils, and minerals.	Section 4.5 – Hydrology, Water Quality, and Flood Hazards and Section 4.10 – Public Services
		Regulation of stream channels, prevention and control of soil erosion.	Section 4.5 – Hydrology, Water Quality, and Flood Hazards

<b><i>Date</i></b>	<b><i>Commentor(s)</i></b>	<b><i>Comment or Topic</i></b>	<b><i>EIR Section</i></b>
3/17/2004	Bill McGrath Bel Marin Keys Community Services District	Impacts on tributaries supported by adjacent wetland areas and methylmercury production when considering mitigation or restoration projects.	Wetlands will be addressed Section 4.6 – Biological Resources and water quality in Section 4.5 – Hydrology, Water Quality, and Flood Hazards.
		Questions regarding the extent of the proposed Baylands Corridor, the Bayfront Conservation Overlay zone, and zoning; comments on the scope of numerous Policies and Table H-1 of the CWP.	The Baylands Corridor will be addressed in Section 4.6 – Biological Resources.
2/19/2004	Philip Buchanan Bolinas Community Public Utility District	Requests an extension of the public comment deadline.	NOP deadline was extending to March 31, 2004 and they did submit a letter regarding services dated March 19, 2004.
3/16/2004	Forrest Craig Novato Fire Protection District	Concerned that fire prevention is not mentioned in the “guiding principles” in the framework of the CWP.	This comment is on the merits of the CWP and not the scope of the EIR.
		Concerned that Open Space Section 2.8 does not address threats to nearby assets posed by wildfires on open space lands; Biological Resources Section 2.3 does not address the potential loss of resources on open space lands to wildfires; and Trails Section 2.9 does not address the requirements of fire and rescue services in the event of wildland fires on open space.	These are comments on the merits of the CWP and not the scope of the EIR. Wildland fires will be discussed in Section 4.10 – Public Services.

<i>Date</i>	<i>Commentor(s)</i>	<i>Comment or Topic</i>	<i>EIR Section</i>
		Concerned development standards with regard to fire and emergency vehicle access will be insufficient; feels second units on lots contribute to fire suppression operational difficulties.	Section 4.10 – Public Services
		Wants Program <b>TR-1.p</b> at to take into consideration increased fire protection services Gness Field.	This comment is on the merits of the CWP and not the scope of the EIR.
		States fire services should be included in Section 4.6 Public Safety of the CWP.	This comment is on the merits of the CWP and not the scope of the EIR. Fire services will be discussed in Section 4.10 – Public Services
		States the “Community Fire Plan” is not included in the CWP goals and policies.	This comment is on the merits of the CWP and not the scope of the EIR.
3/17/2004	Linda Jackson City of San Rafael	Wants the traffic analysis of the EIR to address potential impacts resulting from development at the Rock Quarry and the Marinwood Shopping center at specified intersections.	Section 4.2 – Transportation will address traffic impacts resulting from buildout of the CWP on the regional traffic network.

<b><i>Date</i></b>	<b><i>Commentor(s)</i></b>	<b><i>Comment or Topic</i></b>	<b><i>EIR Section</i></b>
3/31/2004	Nona Dennis Community Marin	Concerned the CWP may result in land use-related impacts as follows: conflict with City Plans with regard to commercial development; projected growth in conflict with federal, State or regional plans; effect of growth on agricultural resources and operations; alteration of the character of the community near San Quentin or Gness Field.	Section 4.1 – Land Use, Population, and Housing.
		Feels increased population growth should be considered potentially significant.	Potential impacts associated with increased population growth, such as increased traffic levels, increased air pollution and noise, effects on natural resources, and hydrologic effects, will be addressed in their respective EIR sections.
		Feels impacts from carbon dioxide and other know “greenhouse gasses” should be addressed.	Section 4.3 – Air Quality and 4.10 – Public Services
		Concerned about impact of buildout on renewable and non-renewable resources.	Section 4.10 – Public Services
		Concerned about increased waste from future growth and development; wants CWP 2004 to address reduced packaging.	This comment is on the merits of the CWP and not the scope of the EIR.



<b><i>Date</i></b>	<b><i>Commentor(s)</i></b>	<b><i>Comment or Topic</i></b>	<b><i>EIR Section</i></b>
		Concerned with physical impacts of commercial development, such as traffic.	Physical impacts resulting from development anticipated in the CWP such as increased traffic levels, increased air pollution and noise, effects on natural resources, and hydrologic effects, will be addressed in their respective EIR sections.
		Wants reduced commercial development; concerned about potential traffic impacts resulting from commercial development.	Section 4.2 – Transportation
		Wants the EIR to address several alternatives, including reduced commercial development inside cities, with and without the San Quentin “Vision”, with an expanded Baylands Corridor, larger agricultural zoning; a prohibition of agriculture such as row crops in SCAs and an alternative that does not assume the SMART commuter rail but rather increased bussing.	The level of commercial development within cities is not planned or controlled by the Marin CWP.
		Concerned with the water demands of agricultural uses.	Section 4.9 – Water Supply and Demand
		Wants the EIR to address potential impacts on natural communities.	Section 4.6 – Biological Resources
		Wanted EIR to address the spread of exotic plant species with buildout.	Section 4.6 – Biological Resources

<b><i>Date</i></b>	<b><i>Commentor(s)</i></b>	<b><i>Comment or Topic</i></b>	<b><i>EIR Section</i></b>
3/25/2004	Catherine Caufield Environmental Action Committee of West Marin	Comment on models used to represent sustainability in the CWP.	This comment is on the merits of the CWP and not the scope of the EIR.
		Concerned about impacts of mineral extraction and requests changes to CWP policies regarding mining.	These comments address the merits of the proposed project and not the scope of the EIR.
		Wants changes to the wording in the CWP settings regarding goals of the plan, agriculture, open space, and biological resources.	These comments are on the merits of the proposed project and not the scope of the EIR.
		Wants stronger policies regarding specific invasive exotic species, plant and animal.	This comment addresses the merits of the proposed project and not the scope of the EIR. Section 4.6 – Biological Resources will discuss invasive species.
		Concerned with impacts to wetlands.	Section 4.6 – Biological Resources
		Concerned with efficacy of Stream Conservation Area policies.	Section 4.6 – Biological Resources
		Concerned with policies addressing water use and conservation, water recharge, water quality, and sea level rise.	Section 4.5 – Hydrology, Water Quality, and Flood Hazards
		Wants the CWP to prioritize acquisition of West Marin sites for open space.	This comment addresses the merits of the proposed project and not the scope of the EIR.
		Wants the CWP to prioritize trail maintenance, not expansion.	This comment addresses the merits of the proposed project and not the scope of the EIR.

<b><i>Date</i></b>	<b><i>Commentor(s)</i></b>	<b><i>Comment or Topic</i></b>	<b><i>EIR Section</i></b>
		Wants the background discussion and some policies of Section 2.10 Agriculture and Food in the CWP to be changed, including the allowable lot sizes, lot coverage housing unit size, and use of conservation easements.	This comment addresses the merits of the proposed project and not the scope of the EIR.
		Concerned with water demand for agricultural uses.	Section 4.9 – Water Supply and Demand
		Concerned with the potential environmental effects of crop diversification, in particular, in SCAs and with mariculture.	Section 4.6 – Biological Resources
		Suggests additional policies regarding agriculture.	These comments are on the merits of the proposed project and not the scope of the EIR.
		Wants changes to the wording and content in Community Development and Energy and Green Building sections.	These comments are on the merits of the proposed project and not the scope of the EIR.
3/11/2004	Judy Binsacca League of Women Voters	Wants clarification of the amount of “banked” housing units assumed in the CWP.	This comment is on the content of the CWP and not the scope of the EIR.
3/5/2004	Judy Binsacca League of Women Voters	Wants background data related to proposed Baylands Corridor	The proposed Baylands Corridor will be addressed in Section 4.6 – Biological Resources.
3/4/2004	Margaret Jones League of Women Voters	Wants a discussion of workforce-related traffic; relationship between house size and traffic.	This comment is on the merits of the proposed project and not the scope of the EIR.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>EIR Section</b>
		Concerned about adequate supply of senior housing in Marin.	This comment is on the merits of the proposed project and not the scope of the EIR.
		Wants to know where “banked” housing units can be located considering policy limitations; concerned with prohibitive cost of infill housing; feels Housing Element should not be included with plan.	These comments are on the merits of the proposed project and not the scope of the EIR.
		Wants to know the effect of the Gap Closure project; wants more carpool and transit promotion; concerned with U.S. 101 traffic.	Section 4.2 – Transportation
		Concerned with impact of agriculture uses on baylands and streams.	Impacts on baylands and streams will be addressed in Section 4.6 – Biological Resources.
		Wants better mapping of St. Vincent’s / Silveira properties.	This comment addresses the content of the CWP, not the scope of the EIR.
		Questions purpose of the inclusion of 300 landward feet from the proposed Baylands Corridor in a protection zone.	The proposed Baylands Corridor is be addressed in Section 4.6 – Biological Resources.
		Wants examples of special status species in the areas zoned agriculture and conservation; wants soil quality, water and land values in the agriculturally zoned areas of City-Centered corridor.	These comments are on the merits of the proposed project and not the scope of the EIR.

<b><i>Date</i></b>	<b><i>Commentor(s)</i></b>	<b><i>Comment or Topic</i></b>	<b><i>EIR Section</i></b>
		Questions environmental value of wetlands and mitigation criteria; wants definition of baylands and wetlands.	Wetlands and baylands will be discussed in Section 4.6 – Biological Resources.
		Wants Miller Creek from Hwy 101 to bay restored; wants information on effect such restoration would have on floods.	These comments are on the merits of the proposed project and not the scope of the EIR.
		Wants a map of current and future transit routes.	This comment addresses content of the CWP, not the EIR scope.
3/31/2004	David F. Coury Lifehouse	Concerned there will not be adequate time to redraft the CWP.	This comment addresses content of the CWP, not the EIR scope.
		Wants the number of residential units in each proposed alternative to be analyzed.	Chapter 5.0 – Alternatives
		Wants the environmental impacts associated with the socio-economic characteristics of the population and the differences between commercial development and office space to be analyzed.	This comment addresses the merits of the project and not the scope of the EIR.
3/31/2004	Barbara Salzman Marin Audubon Society	Wants changes in land use on certain open space areas to be considered a significant alteration of community character.	Section 4.1 – Land Use, Population, and Housing
		Concerned with the potential increase in water use from diversification of agriculture.	Section 4.9 Water Supply and Demand.

<b><i>Date</i></b>	<b><i>Commentor(s)</i></b>	<b><i>Comment or Topic</i></b>	<b><i>EIR Section</i></b>
		Concerned with pollutants discharged into surface and ground water and the potential for changes in the flow levels.	Section 4.5 – Hydrology, Water Quality, and Flood Hazards
		Wants additional natural community types to be listed on page 2-8 of the CWP; wants clarification of sensitive habitat definition.	This comment addresses content of the CWP, not the EIR scope. Sensitive natural communities will be discussed in Section 4.6 – Biological Resources of the EIR.
		Wants policies for protection of native resident and migratory species that are not endangered.	Section 4.6 – Biological Resources
		Wants to know what criteria will be used to determine if wetland avoidance is not possible.	This comment addresses the merits of the proposed project and not the scope of the EIR.
		Wants the CWP and EIR to address buffers, transition habitat, upland and seasonal wetlands adjacent to tidal marshes, and the wildlife that use these habitats.	Section 4.6 – Biological Resources
		Concerned allowing public access to open space lands near wetlands will adversely impact the habitat.	This comment addresses the merits of the proposed project and not the scope of the EIR.
		Concerned with efficacy of Stream Conservation Area policies with regard to buffers and native vegetation protection.	This comment addresses the merits of the proposed project and not the scope of the EIR.

<i>Date</i>	<i>Commentor(s)</i>	<i>Comment or Topic</i>	<i>EIR Section</i>
		Feels a 300-foot Upland Buffer Zone along the proposed Baylands Corridor is inadequate.	The proposed Baylands Corridor will be addressed in Section 4.6 – Biological Resources.
		Concerned with limited agricultural uses near wetlands as allowed with proposed CWP.	Section 4.6 – Biological Resources
		Concerned with potential limited dredging, diking and filling allowed by Program <b>BIO-5.b</b> .	This comment addresses the merits of the proposed project and not the scope of the EIR.
		Concerned with environmental impacts of aquiculture.	Section 4.6 – Biological Resources
		Concerned with potentially invasive exotic plant species.	Section 4.6 – Biological Resources
		Wants the EIR to analyze alternatives that include increased agricultural acreage, expanded baylands protection corridor and no-rail.	Chapter 5.0 Alternatives and Sections 4.6 Biological Resources and 4.2 Transportation
3/31/2004	Deb Hubsmith Marin County Bicycle Coalition	The commentor requests specific textual changes to the Key Trends discussion and various Goals, Policies and Programs of the CWP.	These comments are on the merits of the proposed project and not the scope of the EIR.
3/31/2004	David Lewis Save the Bay	Wants the EIR to consider an alternative with an expanded Baylands Corridor which includes additional habitat types.	The proposed Baylands Corridor will be addressed in Section 4.6 – Biological Resources.
		Wants the EIR to analyze the proposed 300-foot buffer along the Baylands Corridor.	The proposed Baylands Corridor will be addressed in Section 4.6 – Biological Resources.

<b><i>Date</i></b>	<b><i>Commentor(s)</i></b>	<b><i>Comment or Topic</i></b>	<b><i>EIR Section</i></b>
		Wants the EIR to include analysis of cumulative and growth-inducing impacts.	Cumulative and growth-inducing impacts will be addressed where relevant in their respective EIR chapters.
3/31/2004	Patrick Seidler Transportation Alternatives for Marin	Requests a specific addition to a proposed transportation program; a policy requiring the County to accept responsibility for all roadway maintenance, and changes to the section “How Will Success be Measured?” on page 3-158 of the CWP.	These comments addresses the merits of the proposed project and not the scope of the EIR.
3/29/2004	Rick W. Johnson	States he believes the CWP will not achieve the goal of controlled growth (Goal CD-5) and discusses impacts he sees as resulting from past growth.	This comment addresses the merits of the proposed project and not the scope of the EIR.
		States the county needs more affordable housing.	Section 4.1 – Land Use, Population and Housing
		Concerned with the rate of growth, in particular outside the city-centered core, and suggests the need for a growth management plan such as an urban growth boundary or permit allocation system.	This comment addresses the merits of the proposed project and not the scope of the EIR.
		Concerned with increased water demand and impacts on Russian River environment, encourages stronger conservation efforts.	Section 4.9 – Public Services



<i>Date</i>	<i>Commentor(s)</i>	<i>Comment or Topic</i>	<i>EIR Section</i>
		Wants the EIR to evaluate the level of transportation impacts associated with the different alternatives; wants increased bus service instead of the SMART rail system.	Chapter 5.0 – Alternatives The SMART rail is not proposed by the Draft CWP.
		Wants stronger policies to protect watersheds including development limitations on slopes over 18 percent and on ridgelines.	Section 4.3 – Hydrology, Water Quality, and Flood Hazards
		Concerned with possible noise levels within the Baylands and City-Centered Corridors, in particular from small jets and low level flights.	Section 4.4 – Noise
		Wants urban land use zoning removed from the proposed Baylands Corridor.	The proposed Baylands Corridor will be addressed in Section 4.6 – Biological Resources.
		Concerned with the spread of exotic species, such as broom.	Section 4.6 – Biological Resources
		Concerned Program <b>AG-1.h</b> will encourage conversion of agricultural lands to residential use.	Section 4.8 – Agriculture
		Prefers the pyramid diagram to the Venn diagram to represent the Plan's focus on sustainability.	This comment addresses the content of the CWP and not the scope of the EIR.
3/31/2004	Cela O'Conner	Concerned setbacks from wetlands may not be adequate to protect transition zones.	Potential impacts to wetlands will be addressed in Section 4.6 – Biological Resources.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>EIR Section</b>
		Concerned with potential impacts to wetlands on parcels in the City-Centered Corridor if 100-foot setback not required.	Potential impacts to wetlands will be addressed in Section 4.6 – Biological Resources.
		Concerned construction of dams will adversely impact streams and riparian areas.	Potential impacts to streams and riparian areas will be addressed in Section 4.6 – Biological Resources.
		Concerned agricultural accessory activities may lead to removal of riparian or wetland vegetation.	Potential impacts to wetlands and riparian areas will be addressed in Section 4.6 – Biological Resources.
		Concerned residential and agricultural water use will impact surface and ground water levels.	Sections 4.5 – Hydrology, Water Quality, and Flood Hazards and Section 4.10 – Public Services
		Wants EIR to evaluate efficacy of 1994 CWP implementation with regard to SCAs.	This comment addresses the merits of the project and not the content of the EIR, which is required to address potential impacts of the proposed project.
3/4/2004 3/5/2004	Nicholas Salcedo	Wants two specific parcels to be designated as open space (OS) rather than residential (RF6).	This comment addresses the merits of the proposed CWP, not the scope of the EIR. Wetland habitat will be addressed in Section 4.6 – Biological Resources.



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office  
2800 Cottage Way, Room W-2605  
Sacramento, California 95825



IN REPLY REFER TO:

1-1-04-SP-1109

March 12, 2004

Mr. Tim Haddad  
Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, California 94903-4157

Subject: Species List for Marin Countywide Plan Update 2004, Marin County  
California

RECEIVED  
MAR 15 4:20  
U.S. DEPARTMENT  
OF THE INTERIOR

Dear Mr. Haddad:

We are sending the enclosed list (Enclosure A) in response to your March 3, 2004, notice. The list covers the following U.S. Geological Survey County List: Marin County.

Please read *Important Information About Your Species List* (enclosed). It explains how we made the list and describes your responsibilities under the Endangered Species Act. Please contact Dan Buford at (916) 414-6625, if you have any questions about the attached list or your responsibilities under the Endangered Species Act. For the fastest response to species list requests, address them to the attention of Species Lists at this address. You may fax requests to 414-6712 or 414-6713. You may also email them to [harry\\_mossman@fws.gov](mailto:harry_mossman@fws.gov).

Sincerely,

Michael G. Nepstad  
Acting Deputy Assistant Field Supervisor

Enclosures



TAKE PRIDE  
IN AMERICA

# Important Information About Your Species List

## How We Make Species Lists

We store information about endangered and threatened species lists by U.S. Geological Survey 7½ minute *quads*. The United States is divided into these quads, which are about the size of San Francisco. If you requested your list by quad name or number, that is what we used. Otherwise, we used the information you sent us to determine which quad or quads to use.

## Animals

The animals on your species list are ones that occur within, *or may be affected by projects within*, the quads covered by the list. Fish and other aquatic species appear on your list if they are in the same watershed as your quad or if water use in your quad might affect them. Amphibians will be on the list for a quad or county if pesticides applied in that area may be carried to their habitat by air currents. Birds are shown regardless of whether they are resident or migratory. Relevant birds on the county list should be considered regardless of whether they appear on a quad list.

## Plants

Any plants on your list are ones *that have actually been observed* in the quad or quads covered by the list. We have also included either a county species list or a list of species in nearby quads. We recommend that you check your project area for these plants. Plants may exist in an area without ever having been detected there.

## Surveying

Some of the species on your list may not be affected by your project. A trained biologist or botanist, familiar with the habitat requirements of the species on your list, should determine whether they or habitats suitable for them may be affected by your project. We recommend that your surveys include any proposed and candidate species on your list. For plant surveys, we recommend using the enclosed *Guidelines for Conducting and Reporting Botanical Inventories for Federally Listed, Proposed and Candidate Species*. The results of your surveys should be published in any environmental documents prepared for your project.

## State-Listed Species

If a species has been listed as threatened or endangered by the State of California, but not by us nor by the National Marine Fisheries Service, it will appear on your list as a Species of Concern. *However you should contact the California Department of Fish and Game for official information about these species.* Call (916) 322-2493 or write Marketing Manager, California Department of Fish and Game, Natural Diversity Data Base, 1416 Ninth Street, Sacramento, California 95814.

## Your Responsibilities Under the Endangered Species Act

All plants and animals identified as *listed* on Enclosure A are fully protected under the Endangered Species Act of 1973, as amended. Section 9 of the Act and its implementing regulations prohibit the *take* of a federally listed wildlife species. Take is defined by the Act as "to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect" any such animal. Take may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or shelter (50 CFR §17.3).

Take incidental to an otherwise lawful activity may be authorized by one of two procedures:

If a Federal agency is involved with the permitting, funding, or carrying out of a project that may result in take, then that agency must engage in a *formal consultation* with the Service. Such consultation would result in a *biological opinion* addressing the anticipated effect of the project on listed and proposed species. The opinion may authorize a limited level of incidental take.

If no Federal agency is involved with the project, and federally listed species may be taken as part of the project, then you, the applicant, should apply for an *incidental take permit*. The Service may issue such a permit if you submit a satisfactory conservation plan for the species that would be affected by your project. Should your survey determine that federally listed or proposed species occur in the area and are likely to be affected by the project, we recommend that you work with this office and the California Department of Fish and Game to develop a plan that mitigates for the project's direct and indirect impacts to listed species and compensates for project-related loss of habitat. You should include the mitigation plan in any environmental documents you file.

## Critical Habitat

When a species is listed as endangered or threatened, areas of habitat considered essential to its conservation may be designated as *critical habitat*. These areas may require special management considerations or protection. They provide needed space for growth and normal behavior; food, water, air, light, other nutritional or physiological requirements; cover or shelter; and sites for breeding, reproduction, rearing of offspring, germination or seed dispersal.

Although critical habitat may be designated on private or State lands, activities on these lands are not restricted unless there is Federal involvement in the activities or direct harm to listed wildlife.

If any species has proposed or designated critical habitat within a quad, there will be a separate line for this on the species list. Maps and boundary descriptions of the critical habitat may be found in the *Federal Register*. The information is also reprinted in the *Code of Federal Regulations* (50 CFR 17.95).

## Candidate Species

We recommend that you address impacts to *candidate* species. We put plants and animals on our candidate list when we have enough scientific information to eventually propose them for listing as

threatened or endangered. By considering these species early in your planning process you may be able to avoid the problems that could develop if one of these candidates was listed before the end of your project.

Your list may contain a section called *Species of Concern*. This term includes former *category 2 candidate species* and other plants and animals of concern to the Service and other Federal, State and private conservation agencies and organizations. Some of these species may become candidate species in the future.

## **Wetlands**

If your project will impact wetlands, riparian habitat, or other jurisdictional waters as defined by section 404 of the Clean Water Act and/or section 10 of the Rivers and Harbors Act, you will need to obtain a permit from the U.S. Army Corps of Engineers. Impacts to wetland habitats require site specific mitigation and monitoring. For questions regarding wetlands, please contact Mark Littlefield of this office at (916) 414-6580.

## **Updates**

Our database is constantly updated as species are proposed, listed and delisted. If you address proposed, candidate and special concern species in your planning, this should not be a problem. We also continually strive to make our information as accurate as possible. Sometimes we learn that a particular species has a different range than we thought. This should not be a problem if you consider the species on the county or surrounding-quad lists that we have enclosed. If you have a long-term project or if your project is delayed, please feel free to contact us about getting a current list. You can also find out the current status of a species by going to the Service's Internet page: [www.fws.gov](http://www.fws.gov)

GUIDELINES FOR CONDUCTING AND REPORTING BOTANICAL INVENTORIES  
FOR FEDERALLY LISTED, PROPOSED AND CANDIDATE PLANTS  
(September 23, 1996)

These guidelines describe protocols for conducting botanical inventories for federally listed, proposed and candidate plants, and describe minimum standards for reporting results. The Service will use, in part, the information outlined below in determining whether the project under consideration may affect any listed, proposed or candidate plants, and in determining the direct, indirect, and cumulative effects.

Field inventories should be conducted in a manner that will locate listed, proposed, or candidate species (target species) that may be present. The entire project area requires a botanical inventory, except developed agricultural lands. The field investigator(s) should:

1. Conduct inventories at the appropriate times of year when target species are present and identifiable. Inventories will include all potential habitats. Multiple site visits during a field season may be necessary to make observations during the appropriate phenological stage of all target species.
2. If available, use a regional or local reference population to obtain a visual image of the target species and associated habitat(s). If access to reference populations is not available, investigators should study specimens from local herbaria.
3. List every species observed and compile a comprehensive list of vascular plants for the entire project site. Vascular plants need to be identified to a taxonomic level which allows rarity to be determined.
4. Report results of botanical field inventories that include:
  - a. a description of the biological setting, including plant community, topography, soils, potential habitat of target species, and an evaluation of environmental conditions, such as timing or quantity of rainfall, which may influence the performance and expression of target species
  - b. a map of project location showing scale, orientation, project boundaries, parcel size, and map quadrangle name
  - c. survey dates and survey methodology(ies)
  - d. if a reference population is available, provide a written narrative describing the target species reference population(s) used, and date(s) when observations were made
  - e. a comprehensive list of all vascular plants occurring on the project site for each habitat type
  - f. current and historic land uses of the habitat(s) and degree of site alteration
  - g. presence of target species off-site on adjacent parcels, if known
  - h. an assessment of the biological significance or ecological quality of the project site in a local

and regional context

5. If target species is(are) found, report results that additionally include:
  - a. a map showing federally listed, proposed and candidate species distribution as they relate to the proposed project
  - b. if target species is (are) associated with wetlands, a description of the direction and integrity of flow of surface hydrology. If target species is (are) affected by adjacent off-site hydrological influences, describe these factors.
  - c. the target species phenology and microhabitat, an estimate of the number of individuals of each target species per unit area; identify areas of high, medium and low density of target species over the project site, and provide acres of occupied habitat of target species. Investigators could provide color slides, photos or color copies of photos of target species or representative habitats to support information or descriptions contained in reports.
  - d. the degree of impact(s), if any, of the proposed project as it relates to the potential unoccupied habitat of target habitat.
6. Document findings of target species by completing California Native Species Field Survey Form(s) and submit form(s) to the Natural Diversity Data Base. Documentation of determinations and/or voucher specimens may be useful in cases of taxonomic ambiguities, habitat or range extensions.
7. Report as an addendum to the original survey, any change in abundance and distribution of target plants in subsequent years. Project sites with inventories older than three years from the current date of project proposal submission will likely need additional survey. Investigators need to assess whether an additional survey(s) is (are) needed.
8. Adverse conditions may prevent investigator(s) from determining presence or identifying some target species in potential habitat(s) of target species. Disease, drought, predation, or herbivory may preclude the presence or identification of target species in any year. An additional botanical inventory(ies) in a subsequent year(s) may be required if adverse conditions occur in a potential habitat(s). Investigator(s) may need to discuss such conditions.
9. Guidance from California Department of Fish and Game (CDFG) regarding plant and plant community surveys can be found in Guidelines for Assessing the Effects of Proposed Developments on Rare and Endangered Plants and Plant Communities, 1984. Please contact the CDFG Regional Office for questions regarding the CDFG guidelines and for assistance in determining any applicable State regulatory requirements.



ENCLOSURE A

Endangered and Threatened Species that May Occur in or be Affected by  
Projects in the Area of the Following California Counties

Reference File No. 1-1-04-SP-1109

March 12, 2004

**MARIN COUNTY**

**Listed Species**

Mammals

- Critical Habitat, Steller (=northern) sea-lion, *Eumetopias jubatus* (T) NMFS
- Guadalupe fur seal, *Arctocephalus townsendi* (T) NMFS
- Steller (=northern) sea-lion, *Eumetopias jubatus* (T) NMFS
- blue whale, *Balaenoptera musculus* (E) NMFS
- finback (=fin) whale, *Balaenoptera physalus* (E) NMFS
- humpback whale, *Megaptera novaeangliae* (E) NMFS
- right whale, *Eubalaena glacialis* (E) NMFS
- salt marsh harvest mouse, *Reithrodontomys raviventris* (E)
- sei whale, *Balaenoptera borealis* (E) NMFS
- sperm whale, *Physeter catodon* (=macrocephalus) (E) NMFS

Birds

- California brown pelican, *Pelecanus occidentalis californicus* (E)
- California clapper rail, *Rallus longirostris obsoletus* (E)
- California least tern, *Sterna antillarum* (=albifrons) *browni* (E)
- Critical habitat, marbled murrelet, *Brachyramphus marmoratus* (T)
- Critical habitat, western snowy plover, *Charadrius alexandrinus nivosus* (T)
- bald eagle, *Haliaeetus leucocephalus* (T)
- marbled murrelet, *Brachyramphus marmoratus* (T)
- northern spotted owl, *Strix occidentalis caurina* (T)
- short-tailed albatross, *Diomedea albatrus* (E)
- western snowy plover, *Charadrius alexandrinus nivosus* (T)

Reptiles

- green turtle, *Chelonia mydas* (incl. *agassizi*) (T) NMFS
- leatherback turtle, *Dermochelys coriacea* (E) NMFS
- loggerhead turtle, *Caretta caretta* (T) NMFS
- olive (=Pacific) ridley sea turtle, *Lepidochelys olivacea* (T) NMFS

Amphibians

- California red-legged frog, *Rana aurora draytonii* (T)

Fish

- California coastal chinook salmon, *Oncorhynchus tshawytscha* (T) NMFS

Central California Coastal steelhead, *Oncorhynchus mykiss* (T) NMFS  
 Central Valley spring-run chinook salmon, *Oncorhynchus tshawytscha* (T) NMFS  
 Critical habitat, coho salmon - central CA coast, *Oncorhynchus kisutch* (T) NMFS  
 Critical habitat, winter-run chinook salmon, *Oncorhynchus tshawytscha* (E) NMFS  
 coho salmon - central CA coast, *Oncorhynchus kisutch* (T) NMFS  
 delta smelt, *Hypomesus transpacificus* (T) \*  
 tidewater goby, *Eucyclogobius newberryi* (E)  
 winter-run chinook salmon, *Oncorhynchus tshawytscha* (E) NMFS

#### Invertebrates

California freshwater shrimp, *Syncaris pacifica* (E)  
 Myrtle's silverspot butterfly, *Speyeria zerene myrtleae* (E)  
 San Bruno elfin butterfly, *Incisalia mossii bayensis* (E)  
 mission blue butterfly, *Icaricia icarioides missionensis* (E)  
 white abalone, *Haliotes sorenseni* (E) NMFS

#### Plants

Baker's larkspur, *Delphinium bakeri* (E)  
 Marin dwarf-flax (=western flax), *Hesperolinon congestum* (T)  
 Santa Cruz tarplant, *Holocarpha macradenia* (T) \*  
 Sonoma alopecurus, *Alopecurus aequalis* var. *sonomensis* (E)  
 Sonoma spineflower, *Chorizanthe valida* (E)  
 Tiburon jewelflower, *Streptanthus niger* (E)  
 Tiburon mariposa lily, *Calochortus tiburonensis* (T)  
 Tiburon paintbrush, *Castilleja affinis* ssp. *neglecta* (E)  
 beach layia, *Layia carnosae* (E)  
 clover lupine [Tidestrom's lupine], *Lupinus tidestromii* (E)  
 robust spineflower, *Chorizanthe robusta* var. *robusta* (E)  
 showy Indian clover, *Trifolium amoenum* (E)  
 soft bird's-beak, *Cordylanthus mollis* ssp. *mollis* (E) \*  
 white-rayed pentachaeta, *Pentachaeta bellidiflora* (E) \*  
 yellow larkspur, *Delphinium luteum* (E)

#### **Proposed Species**

##### Amphibians

- California tiger salamander, *Ambystoma californiense* (PT)

##### Plants

Critical habitat, Baker's larkspur, *Delphinium bakeri* (PX)  
 Critical habitat, yellow larkspur, *Delphinium luteum* (PX)

**Candidate Species**

## Birds

Western yellow-billed cuckoo, *Coccyzus americanus occidentalis* (C) \*

## Fish

Central Valley fall/late fall-run chinook salmon, *Oncorhynchus tshawytscha* (C) NMFS

Critical habitat, Central Valley fall/late fall-run chinook, *Oncorhynchus tshawytscha* (C) NMFS  
green sturgeon, *Acipenser medirostris* (C)

## Invertebrates

black abalone, *Haliotis cracherodii* (C) NMFS

**Species of Concern**

## Mammals

Pacific western big-eared bat, *Corynorhinus (=Plecotus) townsendii townsendii* (SC)

Point Reyes jumping mouse, *Zapus trinotatus orarius* (SC)

Point Reyes mountain beaver, *Aplodontia rufa phaea* (SC)

Yuma myotis bat, *Myotis yumanensis* (SC)

fringed myotis bat, *Myotis thysanodes* (SC)

gray whale, *Eschrichtius robustus* (D) NMFS

greater western mastiff-bat, *Eumops perotis californicus* (SC)

long-eared myotis bat, *Myotis evotis* (SC)

long-legged myotis bat, *Myotis volans* (SC)

## Birds

Allen's hummingbird, *Selasphorus sasin* (SC)

American bittern, *Botaurus lentiginosus* (SC)

American peregrine falcon, *Falco peregrinus anatum* (D)

Bell's sage sparrow, *Amphispiza belli belli* (SC)

California thrasher, *Toxostoma redivivum* (SC)

Cassin's auklet, *Ptychoramphus aleuticus* (SC)

Harlequin duck, *Histrionicus histrionicus* (SC)

San Pablo song sparrow, *Melospiza melodia samuelis* (SC)

Vaux's swift, *Chaetura vauxi* (SC)

Xantus' murrelet, *Synthliboramphus hypoleucus* (SC)

ashy storm-petrel, *Oceanodroma homochroa* (SC)

bank swallow, *Riparia riparia* (CA)

black oystercatcher, *Haematopus bachmani* (SC)

black rail, *Laterallus jamaicensis coturniculus* (CA)

black skimmer, *Rynchops niger* (SC)

black swift, *Cypseloides niger* (SC)  
black turnstone, *Arenaria melanocephala* (SC)  
black-footed albatross, *Diomedea nigripes* (SC)  
elegant tern, *Sterna elegans* (SC)  
ferruginous hawk, *Buteo regalis* (SC)  
little willow flycatcher, *Empidonax traillii brewsteri* (CA)  
loggerhead shrike, *Lanius ludovicianus* (SC)  
long-billed curlew, *Numenius americanus* (SC)  
marbled godwit, *Limosa fedoa* (SC)  
olive-sided flycatcher, *Contopus cooperi* (SC)  
red knot, *Calidris canutus* (SC)  
red-breasted sapsucker, *Sphyrapicus ruber* (SC)  
rufous hummingbird, *Selasphorus rufus* (SC)  
saltmarsh common yellowthroat, *Geothlypis trichas sinuosa* (SC)  
tricolored blackbird, *Agelaius tricolor* (SC)  
whimbrel, *Numenius phaeopus* (SC)  
white-tailed (=black shouldered) kite, *Elanus leucurus* (SC)

#### Reptiles

California horned lizard, *Phrynosoma coronatum frontale* (SC)  
northwestern pond turtle, *Clemmys marmorata marmorata* (SC)

#### Amphibians

Northern red-legged frog, *Rana aurora aurora* (SC)  
foothill yellow-legged frog, *Rana boylei* (SC)  
western spadefoot toad, *Spea hammondi* (SC)

#### Fish

Pacific lamprey, *Lampetra tridentata* (SC)  
Sacramento splittail, *Pogonichthys macrolepidotus* (SC)  
longfin smelt, *Spirinchus thaleichthys* (SC)  
river lamprey, *Lampetra ayresi* (SC)

#### Invertebrates

Marin blind harvestman, *Calicina diminua* (SC)  
Marin elfin butterfly, *Incisalia mossii marinensis* (SC)  
Nicklin's Peninsula Coast Range snail, *Helminthoglypta nickliniana awania* (SC)  
Opler's longhorn moth, *Adela oplerella* (SC)  
Point Reyes blue butterfly, *Icaricia icarioides ssp.* (SC)  
Ricksecker's water scavenger beetle, *Hydrochara rickseckeri* (SC)  
Sonoma arctic skipper, *Carterocephalus palaemon ssp.* (SC)

Tiburon microblind harvestman, *Microcina tiburona* (SC)  
 William's bronze shoulderband snail, *Helminthoglypta arrosa williamsi* (SC)  
 bumblebee scarab beetle, *Lichnanthe ursina* (SC)  
 globose dune beetle, *Coelus globosus* (SC)  
 sandy beach tiger beetle, *Cicindela hirticollis gravida* (SC)

## Plants

Baker's goldfields, *Lasthenia macrantha ssp bakeri* (SLC)  
 Baker's narvarretia, *Navarretia leucocephala ssp. bakeri* (SC)  
 Blasdale's bentgrass, *Agrostis blasdalei var. blasdalei* (SC)  
 California beaked-rush, *Rhynchospora californica* (SC)  
 California goosefoot, *Chenopodium californicum* (SLC)  
 California saltbush, *Atriplex californica* (SLC)  
 Coast Indian paintbrush, *Castilleja affinis ssp. affinis* (SLC)  
 Diablo helianthella (=rock-rose), *Helianthella castanea* (SC) \*  
 Franciscan thistle, *Cirsium andrewsii* (SC)  
 Gairdner's yampah, *Perideridia gairdneri ssp. gairdneri* (SC)  
 Humboldt Bay owl's-clover, *Castilleja ambigua ssp. humboldtiensis* (SC)  
 Kellogg's horkelia, *Horkelia cuneata ssp. sericea* (SC) \*  
 Marin (=Bolinas) manzanita, *Arctostaphylos virgata* (SLC)  
 Marin County narvarretia (=San Anselmo narvarretia), *Navarretia rosulata* (SLC)  
 Marin checker lily, *Fritilaria lanceolata var. tristulis* (SC)  
 Marin checkermallow (=checkerbloom), *Sidalcea hickmanii ssp. viridis* (SLC)  
 Marin knotweed, *Polygonum marinense* (SLC)  
 Mason's ceanothus, *Ceanothus masonii* (SC)  
 Mason's lilaeopsis, *Lilaeopsis masonii* (SC)  
 Mount Tamalpais jewelflower, *Streptanthus glandulosus ssp. pulchellus* (SC)  
 Mt. Tamalpais thistle, *Cirsium hydrophilum var. vaseyi* (SC)  
 Mt. Vision ceanothus, *Ceanothus gloriosus var. porrectus* (SC)  
 Napa false indigo, *Amorpha californica var. napensis* (SLC)  
 North Coast phacelia, *Phacelia insularis var. continentis* (SC)  
 Nuttall's milk-vetch, *Astragalus nuttallii var. virgatus* (SLC)  
 Pacific cordgrass (=California cordgrass), *Spartina foliosa* (SLC)  
 Point Reyes checkerbloom, *Sidalcea calycosa ssp. rhizomata* (SLC)  
 Point Reyes horkelia, *Horkelia marinensis* (SC)  
 Point Reyes meadowfoam, *Limnanthes douglasii ssp. sulphurea* (CA)  
 Point Reyes stickyseed (=blennosperma), *Blennosperma nanum var. robustum* (SC)  
 Pt. Reyes rein orchid, *Piperia elegans ssp. decurtata* (SC)

Round-headed Chinese houses, *Collinsia corymbosa* (SC)  
 San Francisco (=bluehead, Chamisso's, dune) gilia, *Gilia capitata ssp. chamissonis* (SC)  
 San Francisco Bay spineflower, *Chorizanthe cuspidata var. cuspidata* (SC)  
 San Francisco gumplant, *Grindelia hirsutula var. maritima* (SC)  
 San Francisco owl's-clover, *Triphysaria floribunda* (SC)  
 San Francisco wallflower, *Erysimum franciscanum* (SC)  
 Santa Cruz silverpuffs, *Stebbinsoseris decipiens* (SC)  
 Tamalpais lessingia, *Lessingia micradenia var. micradenia* (SC)  
 Tamalpais manzanita, *Arctostaphylos hookeri ssp. montana* (SC)  
 Tamalpais streptanthus (=jewel-flower), *Streptanthus batrachopus* (SC)  
 Thurber's reed grass, *Calamagrostis crassiglumis* (SC)  
 Tiburon buckwheat, *Eriogonum caninum* (SLC)  
 Tomales clarkia (= Raiche's red ribbons), *Clarkia concinna ssp. raichei* (SC)  
 bent-flowered fiddleneck, *Amsinckia lunaris* (SLC)  
 coast lily, *Lilium maritimum* (SC) \*  
 coast rock-cress, *Arabis blepharophylla* (SLC)  
 coastal bluff morning-glory, *Calystegia purpurata ssp. saxicola* (SLC)  
 curly-leaved (=curlyleaf) monardella, *Monardella undulata* (SC)  
 delta tule-pea, *Lathyrus jepsonii var. jepsonii* (SC)  
 dune (=camphor) tansy, *Tanacetum camphoratum* (SC)  
 fissidens moss, *Fissidens pauperculus* (SLC)  
 fragrant fritillary (= prairie bells), *Fritillaria liliacea* (SC)  
 hairless allocarya (=popcornflower), *Plagiobothrys glaber* (SC) \*\*  
 large-flowered (=flower) linanthus, *Linanthus grandiflorus* (SC)  
 marsh microseris (=marsh silverpuffs), *Microseris paludosa* (SLC)  
 marsh milkvetch (=brine milk-vetch), *Astragalus pycnostachyus var. pycnostachyus* (SLC)  
 northcoast (=Point Reyes) bird's-beak, *Cordylanthus maritimus ssp. palustris* (SC)  
 northcoast semaphore grass, *Pleuropogon hooverianus* (SC)  
 perennial goldfields, *Lasthenia macrantha ssp. macrantha* (SLC)  
 pink sand-verbena, *Abronia umbellata ssp. umbellata* (SLC)  
 purple owl's-clover (=wideleaf Indian paintbrush), *Castilleja exserta ssp. latifolia* (SLC)  
 purple-stemmed (=dwarf) checkerbloom, *Sidalcea malviflora ssp. purpurea* (SLC)  
 rose linanthus, *Linanthus rosaceus* (SC) \*  
 salt marsh owl's clover (=johnny-nip), *Castilleja ambigua ssp. ambigua* (SLC)  
 seashore (=coast, =beach) starwort, *Stellaria littoralis* (SC)  
 short-leaved evax, *Hesper-evax sparsiflora var. brevifolia* (SC)  
 supple daisy, *Erigeron supplex* (SC) \*

swamp harebell, *Campanula californica* (SC)  
 thin-lobbed (=Santa Rosa) horkelia, *Horkelia tenuiloba* (SLC)  
 valley sagittaria (=Sanford's arrowhead), *Sagittaria sanfordii* (SC)  
 western leatherwood, *Dirca occidentalis* (SLC)  
 woolly-headed (=San Francisco) spineflower, *Chorizanthe cuspidata var villosa* (SC)  
 woolly-headed gilia, *Gilia capitata ssp. tomentosa* (SC)  
 yarrow-leaf (=manyleaf, dark-eyed) gilia, *Gilia millefoliata* (SLC)

## KEY:

(E)	<i>Endangered</i>	Listed (in the Federal Register) as being in danger of extinction.
(T)	<i>Threatened</i>	Listed as likely to become endangered within the foreseeable future.
(P)	<i>Proposed</i>	Officially proposed (in the Federal Register) for listing as endangered or threatened.
(PX)	<i>Proposed Critical Habitat</i>	Proposed as an area essential to the conservation of the species.
(C)	<i>Candidate</i>	Candidate to become a <i>proposed</i> species.
(SC)	<i>Species of Concern</i>	Other species of concern to the Service.
(SLC)	<i>Species of Local Concern</i>	Species of local or regional concern or conservation significance.
(D)	<i>Delisted</i>	Delisted. Status to be monitored for 5 years.
(CA)	<i>State-Listed</i>	Listed as threatened or endangered by the State of California.
NMFS	NMFS species	Under jurisdiction of the National Marine Fisheries Service. Contact them directly.
*	<i>Extirpated</i>	Possibly extirpated from the area.
**	<i>Extinct</i>	Possibly extinct
	<i>Critical Habitat</i>	Area essential to the conservation of a species.



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

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Jack P. Broadbent  
EXECUTIVE OFFICER/APCO

RECEIVED March 11, 2004

Tim Haddad  
Community Development Agency  
Marin Civic Center  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

2004 MAR 15 A 3:04

MARIN COUNTY  
COMMUNITY DEVELOPMENT

Subject: Marin Countywide Plan Update 2004

Dear Mr. Haddad:

Bay Area Air Quality Management District (District) staff have received your agency's Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Marin Countywide Plan Update 2004. We understand that the updated Countywide Plan (CWP) will establish an overall framework and set goals for countywide development in the unincorporated areas of Marin County.

We recommend that the DEIR analyze the CWP's potential impacts upon air quality. The Bay Area is currently a non-attainment area for federal and state ambient air quality standards for ground level ozone and state standards for particulate matter. The air quality standards are set at levels to protect public health and welfare. Toxic air contaminants are also an area of serious concern in the Bay Area. Any project which exposes sensitive receptors or the general public to substantial levels of criteria air pollutants or toxic air contaminants would have a significant impact and would need to be properly mitigated. The major source of air pollution in the Bay Area is motor vehicles. As general background for readers, the DEIR should discuss the health effects of air pollution, the region's attainment status with regard to ambient air quality standards and the contribution of mobile and stationary sources to air pollution emissions.

The DEIR should evaluate whether implementing the CWP will create or exacerbate land use conflicts that would result in adverse air quality impacts. Sensitive receptors could potentially be exposed to air pollutants. Various industrial, commercial and agricultural land uses are potential sources of air pollutants. The DEIR should address: 1) the impacts of introducing new residents and other sensitive receptors near existing sources of air pollutants; and 2) the impacts of introducing new sources of air pollutants near existing sensitive receptors. The DEIR should also evaluate potential nuisance impacts, such as odors and dust that could result from plan implementation. Odors and dust may not necessarily cause physical harm, but can still be unpleasant and lead to citizen complaints. The plan should seek to avoid such impacts.

The DEIR should include an analysis of the CWP's consistency with the Bay Area 2000 Clean Air Plan (CAP). In order to evaluate plan consistency with the CAP, the County should consider the following: the CWP's consistency with the CAP's population and vehicle use projections, the extent to which the CWP



implements transportation control measures from the CAP, and whether the CWP provides buffer zones around sources of odors, toxics and accidental releases. If planned appropriately, new development in the County need not increase vehicle use at a rate inconsistent with the CAP. The CWP's overall theme of sustainability, as proposed in the NOP, can encourage more walking, biking and transit use and actually reduce vehicle miles traveled (VMT) in the area.

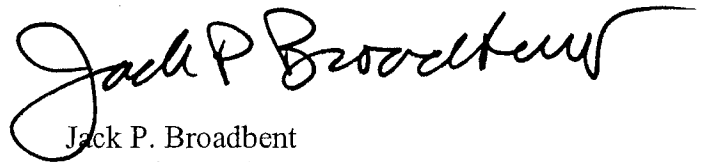
In many cases, it is not necessary for jurisdictions to quantify future air pollutant emissions as part of their analysis of plan consistency. For more details, we recommend that the County refer to the *BAAQMD CEQA Guidelines: Assessing the Air Quality Impacts of Projects and Plans (1999)*. The document provides guidance on best practices for assessing and mitigating air quality impacts related to plan consistency, as well as for construction emissions, land use/design measures, project operations, motor vehicles, nuisance impacts and more. If you do not already have a copy of our guidelines, we recommend that you obtain a copy by calling our Public Information Division at (415) 749-4900 or downloading the online version from the District's web site at <http://www.baaqmd.gov/pln/CEQA/ceqaguide.asp>. We recently sent the County information about the air quality impacts of different tree species and encourage your agency to consider those impacts when the County makes decisions about tree planting and landscaping.

As part of the Regional Agencies Smart Growth Strategy/Regional Livability Footprint Project, Marin County residents expressed a preference for more infill and mixed use development that provides a range of travel options. We believe that through land use decisions that support transit, walking and cycling, Bay Area cities can help to reduce the rate of increase in VMT and improve local and regional air quality. We strongly recommend that the CWP provide policies and programs that will implement strategies that have come out of that region-wide planning process. We support the County's plans to "encourage reduced vehicle trips through mixed use development, ride sharing and telecommuting and satellite work stations" (*NOP, p. 12*). In addition, we are pleased that the Transportation Section will include policies which would reduce traffic-generated air pollutants by "increasing bicycle and pedestrian activities, and increasing use of public transportation" (*NOP, p. 12*). The NOP indicates that the County will include a discussion of air quality in the Natural Systems Element. District staff are available to assist the County in the development of this section or even with a separate Air Quality Element for the CWP. We support the incorporation of air quality policies and programs into local General Plans as a comprehensive way for local jurisdictions to ensure continued progress toward clean air.

If the analysis finds that implementing the CWP will result in significant air quality impacts, we encourage the County to consider creative and innovative mitigation measures to reduce air quality impacts associated with future development in Marin County. Some possible mitigation measures include improved transit, shuttles, bicycle/pedestrian measures; reduced parking and parking fees; improved access to services; ridesharing and others listed in the *BAAQMD CEQA Guidelines*. Without appropriate mitigation measures in place, future development could lead to a long-term cumulative increase in motor vehicle emissions, harming local and/or regional air quality and exposing residents to unhealthy air.

If you have any questions regarding these comments, please contact Suzanne Bourguignon, Environmental Planner, at (415) 749-5093.

Sincerely,

A handwritten signature in black ink that reads "Jack P. Broadbent". The signature is written in a cursive style with a large initial "J" and a long horizontal flourish extending to the right.

Jack P. Broadbent  
Executive Officer/APCO

JPB:SB

cc: BAAQMD Director Harold C. Brown, Jr.

**DEPARTMENT OF TRANSPORTATION**

111 GRAND AVENUE  
P.O. BOX 23660  
OAKLAND, CA 94623-0660  
PHONE (510) 286-5505  
FAX (510) 286-5513  
TTY (800) 735-2929



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March 31, 2004

MRN-General  
MRN000055  
SCH# 2004022076

Mr. Tim Haddad  
Marin County  
Community Development Department  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

Dear Mr. Haddad

**Marin Countywide Plan Update 2004 – Notice of Preparation (NOP)**

Thank you for including the California Department of Transportation in the environmental review process for the proposed plan update. We have reviewed the NOP and have the following comments to offer:

The Draft Environmental Impact Report (DEIR) should include an analysis of the effect this countywide plan update and its alternatives will have on State transportation facilities and include, but not be limited to the following information:

1. Existing Conditions – Current year traffic volumes and peak hour level-of-service (LOS) analysis of affected State highway facilities, including mainline highway segments, ramps, and ramp terminal intersections.
2. Proposed Countywide Plan Update Only with Select Link Analysis – Trip generation and assignment for build-out of countywide plan. Select link analysis represents a project only (in this case, proposed countywide plan update only) traffic model run, where the project's trips are distributed and assigned along a loaded highway network. This procedure isolates the specific impact on the State highway network.
3. Current Countywide Plan Build-out Only – Trip assignment and peak hour LOS analysis. Include current land uses and pending countywide plan amendments.
4. Current Countywide Plan Build-out plus Proposed Countywide Plan Update – Trip assignment and peak hour LOS analysis. Include proposed countywide plan update and pending countywide plan amendments.

5. Include a discussion of proposed trails and ensure that any new trails are linked and continuous with existing trails and bicycle lanes.
6. Mitigation measures should be identified where the countywide plan update would have a significant impact. The Department considers the following to be significant impacts:
  - Off-ramps with vehicle queues that extend into the ramp's deceleration area or onto the freeway,
  - Vehicle queues at intersections that exceed existing lane storage,
  - Traffic impacts that cause any ramp's merge/diverge LOS to be worse than the freeway's LOS, and
  - Traffic impacts that cause the LOS to deteriorate below LOS E for freeways and LOS D for highways and intersections. If the LOS is already E or F, then a quantitative measure of increased queue lengths and delay should be used to determine appropriate mitigation measures.
7. Mitigation measures should consider highway and non-highway improvements and services. Special attention should be given to the development of alternate solutions to circulation problems that do not rely on increased highway construction. The project sponsor should consider coordinating the following possible improvements with countywide plan "build out", if it is determined in the traffic analysis that they would be warranted:
  - Widening interchange ramps to increase capacity,
  - Modifying ramp terminal intersections,
  - Adding auxiliary lanes between interchanges,
  - Increasing the ramp acceleration or deceleration lane length to improve merge/diverge operations, and
  - Adding signalization and ramp intersection geometric improvements at impacted interchanges
8. Funding for planned highway and transit system improvements in Marin County has not kept pace with new growth. Therefore, we concur with the County's efforts to promote regional traffic mitigation fees as described in TR-1.m on page 3-149 of the Draft Marin Countywide Plan. However, since the County has the authority to approve or disapprove local development projects (rather than the Congestion Management Agency (CMA)) we believe it is the County's responsibility to require developers to pay regional traffic mitigation fees. The fees could be collected on behalf of the CMA, but ultimately it is the County alone that has the authority to require new development to fund regional transportation mitigation.
9. All mitigation measures proposed should be fully discussed, including financing, scheduling, implementation responsibilities, and lead agency monitoring.
10. The procedures contained in the 2000 update to the Highway Capacity Manual should be used as a guide for the analysis. We also recommend utilizing Caltrans' *"Guide for the*

*Preparation of Traffic Impact Studies*" which can be accessed at the following Internet address: <http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

We look forward to reviewing the DEIR for this project. We do expect to receive a copy from the State Clearinghouse, but in order to expedite our review please send two copies in advance to:

Maija Cottle  
Office of Transit and Community Planning  
Department of Transportation, District 4  
P.O. Box 23660  
Oakland, CA 94623-0660

Should you require further information or have any questions regarding this letter, please call Maija Cottle of my staff at (510) 286-5737.

Sincerely,



TIMOTHY C SABLE  
District Branch Chief  
IGR/CEQA

c: State Clearinghouse

DEPARTMENT OF TRANSPORTATION

DIVISION OF AERONAUTICS – M.S.#40

1120 N STREET

P. O. BOX 942873

SACRAMENTO, CA 94273-0001

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2004 MAR 18 P 2:32

MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY

March 15, 2004

Mr. Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

Dear Mr. Haddad:

Re: *Marin County Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the Draft Marin Countywide Plan (CWP) Update 2004*

The California Department of Transportation, Division of Aeronautics (Department), reviewed the above-referenced document with respect to airport-related noise and safety impacts and regional aviation land use planning issues pursuant to the California Environmental Quality Act (CEQA). The following comments are offered for your consideration.

1. The Marin Countywide Plan (CWP) update encompasses unincorporated territory of Marin County. According to the NOP, the draft CWP “has been substantially reorganized and revised, and includes implementing program concepts for updating both the 1980/81 Local Coastal Program Units I and II and the 2003 Development Code.” The purpose of the CWP is to “set policy guidelines for future conservation and development in the county and to address changed conditions” since the last revision. The CWP “establishes an overall framework and set of goals for countywide development in the unincorporated area of the County.”
2. Gness Field Airport is a public-use airport located within Marin County.
3. In accordance with CEQA, Public Resources Code 21096, the Department’s Airport Land Use Planning Handbook (Handbook) must be utilized as a resource in the preparation of environmental documents for projects within an airport land use compatibility plan boundaries or if such a plan has not been adopted, within two nautical miles of an airport. The Handbook is a resource that should be applied to all public use airports. The Handbook is published on-line at <http://www.dot.ca.gov/aeronautics>.
4. Education code Section 17215 requires a school site investigation by the Division of Aeronautics prior to acquisition of land for a school site within two miles of an airport runway. The Division’s recommendations are submitted to the State Department of Education for use in determining acceptability of the site. This should be a consideration prior to designating residential uses in the vicinity of an airport.
5. In accordance with Public Utilities Code (PUC) Section 21676, local General Plans and any amendments must be consistent with the adopted airport land use compatibility plans developed by the Marin County Airport Land Use Commission (ALUC). An ALUC consistency review will be required of the County’s proposed general plan update. This requirement is necessary to

ensure that policies and recommendations for noise impact assessment and land use densities are appropriate, given the nature of airport operations.

6. General Plans and Elements must clearly demonstrate intent to adhere to ALUC policies to ensure compliance with compatibility criteria. Direct conflicts between mapped land use designations in a General Plan and the ALUC criteria must be eliminated. A General Plan needs to include (at the very least) policies committing the county to adopt compatibility criteria essential to ensuring that such conflicts will be avoided. The criteria do not necessarily need to be spelled out in the General Plan. There are a number of ways for the County to address the airport consistency issue, including:
  - Incorporating airport compatibility policies into the update
  - Adopting an airport combining zoning ordinance
  - Adopting an 'Airport Element' into the General Plan
  - Adopting the Airport Compatibility Plan as a 'stand alone' document
7. The General Plan must acknowledge that until ALUC compatibility criteria are incorporated into the General Plan, proposals within the airport influence area must be submitted to the ALUC for review. These provisions must be included in the General Plan at a minimum for it to be considered consistent with the airport compatibility land use plan.
8. The General Plan should also be coordinated with airport staff to ensure its compatibility with future as well as existing airport operations.
9. General Plans/Elements must include policies restricting the heights of structures to protect airport airspace. To ensure compliance with Federal Aviation Regulations Part 77, "Objects Affecting Navigable Airspace," submission of a Notice of Proposed Construction or Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) may be required. For further information, please refer to the FAA web site at <http://www1.faa.gov/ats/ata/ATA400/oeaaa.html>.
10. Another consideration is the recently enacted legislation AB 2776, which amended Section 11010 of the Business and Professions Code and Sections 1102.6, 1103.4, and 1353 of the Civil Code, relating to aviation. This bill changed buyer notification requirements for lands around airports. According to the new law, any person who intends to offer land for sale or lease within an *airport influence area* is required to disclose that fact to the person buying the property.
11. Land use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife-aircraft collisions. The Federal Aviation Administration (FAA) recommends that landfills, wastewater treatment facilities, surface mining, wetlands and other uses that have the potential to attract wildlife, be restricted in the vicinity of an airport. FAA Advisory Circular (AC150/5200-33) entitled "Hazardous Wildlife Attractants on or Near Airports" and AC 150/5200-34 entitled "Construction or Establishment of Landfills Near Public Airports" address these issues. These advisory circulars can be accessed at

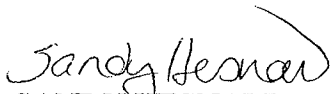
[http://www1.faa.gov/arp/150acs.-cfm#Airport\\_Safety](http://www1.faa.gov/arp/150acs.-cfm#Airport_Safety). For further technical information, please refer to the FAA's web site at [http://wildlifemitigation.tc.faa.gov/public\\_html/index.html](http://wildlifemitigation.tc.faa.gov/public_html/index.html).

12. We strongly feel that the protection of airports from incompatible land use encroachment is vital to California's economic future. Gness Field Airport is an economic asset that should be protected through effective airport land use compatibility planning and awareness. Although the need for compatible and safe land uses near airports in California is both a local and a state issue, airport land use commissions and airport land use compatibility plans are key to protecting an airport and the people residing and working in the vicinity of an airport. Consideration given to the issue of compatible land uses in the vicinity of an airport should help to relieve future conflicts between airports and their neighbors.

These comments reflect the areas of concern to the Department's Division of Aeronautics with respect to airport-related noise and safety impacts and regional airport land use planning issues. We advise you to contact our district office in Oakland concerning surface transportation issues.

Thank you for the opportunity to review and comment on this proposal. If you have any questions, please call me at (916) 654-5314.

Sincerely,



SANDY HESNARD

Aviation Environmental Planner

c: Marin County ALUC, Gness Field Airport



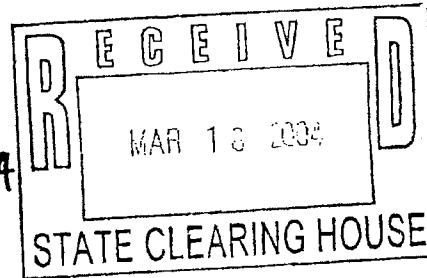
GOVERNOR'S OFFICE OF EMERGENCY SERVICES  
 DISASTER ASSISTANCE PROGRAMS BRANCH  
 POST OFFICE BOX 419023  
 RANCHO CORDOVA, CALIFORNIA 95741-9023  
 PHONE: (916) 845-8101 FAX: (916) 845-8381



March 15, 2004

Tim Haddad  
 Marin County Community Development Agency  
 3501 Civic Center Drive Room 308  
 San Rafael, CA 94903

Now  
 clear  
 3-17-04  
 late



Re: Notice of Preparation (NOP) for the Marin Countywide Plan Update 2004 (General Plan Update) (SCH2004022076)

Dear Mr. Haddad:

Thank you for the opportunity to comment on your Notice of Preparation for the Marin Countywide Plan Update 2004 Draft Environmental Impact Report (EIR). In preparing the draft general plan and accompanying draft EIR, the county should examine the sections of state planning law that involve potential hazards the county may face. For your information, I have underlined specific sections of state planning law where identification and analysis of hazards are discussed (see Attachment A).

Prior to the release of the draft general plan or within the draft general plan EIR, county staff or your consultants should examine each of the requirements in state planning law and determine if there are hazard issues within the community which the general plan should address. A table in the EIR (or general plan) which identifies these specific issues and where they are addressed in the general plan would be helpful in demonstrating the county has complied with these requirements. If the Draft EIR determines that state planning law requirements have not been met, it should recommend that these issues be addressed in the general plan as a mitigation measure.

We note that state planning law includes a requirement for consultations with state agencies in regard to information related to hazards. OES would be happy to share all available information at our disposal to facilitate the county's ability to comply with state planning and environmental laws.

If you have any questions about these comments, please contact Wendy Boemecke, Staff Services Analysis at 916-845-8275.

Sincerely,

Dennis Castrillo  
 Environmental Officer

03/18/04 12:33 CES REP 7 55253618

## Attachment A

### Hazards and State Planning Law Requirements (All citations are from the Government Code)

#### 65302. Seven mandated elements

The general plan shall consist of a statement of development policies and shall include a diagram or diagrams and text setting forth objectives, principles, standards, and plan proposals. The plan shall include the following elements:

(a) A land use element which designates the proposed general distribution and general location and extent of the uses of the land for housing, business, industry, open space, including agriculture, natural resources, recreation, and enjoyment of scenic beauty, education, public buildings and grounds, solid and liquid waste disposal facilities, and other categories of public and private uses of land. The land use element shall include a statement of the standards of population density and building intensity recommended for the various districts and other territory covered by the plan. The land use element shall identify areas covered by the plan that are subject to flooding and shall be reviewed annually with respect to those areas. The land use element shall designate, in a land use category that provides for timber production, those parcels of real property zoned for timberland production pursuant to the California Timberland Productivity Act of 1982, Chapter 6.7 (commencing with Section 51100) of Part 1 of Division 1 of Title 5.

(g) A safety element for the protection of the community from any unreasonable risks associated with the effects of seismically induced surface rupture, ground shaking, ground failure, tsunami, seiche, and dam failure; slope instability leading to mudslides and landslides; subsidence, liquefaction and other seismic hazards identified pursuant to Chapter 7.8 (commencing with Section 2690) of the Public Resources Code, and other geologic hazards known to the legislative body; flooding; and wildland and urban fires. The safety element shall include mapping of known seismic and other geologic hazards. It shall also address evacuation routes, peakload water supply requirements, and minimum road widths and clearances around structures, as those items relate to identified fire and geologic hazards. Prior to the periodic review of its general plan and prior to preparing or revising its safety element, each city and county shall consult the Division of Mines and Geology of the Department of Conservation and the Office of Emergency Services for the purpose of including information known by and available to the department and the office required by this subdivision.

(d) A conservation element for the conservation, development, and utilization of natural resources including water and its hydraulic force, forests, soils, rivers and other waters, harbors, fisheries, wildlife, minerals, and other natural resources. That portion of the conservation element including waters shall be developed in coordination with any countywide water agency and with all district and city agencies which have developed, served, controlled or conserved water for any purpose for the county or city for which the plan is prepared. Coordination shall include the discussion and evaluation of any water supply and demand information described in Section 65352.5, if that information has been submitted by the water agency to the city or county. The conservation element may also cover:

(1) The reclamation of land and waters.

(2) Prevention and control of the pollution of streams and other waters.

(3) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.

(4) Prevention, control, and correction of the erosion of soils, beaches, and shores.

(5) Protection of watersheds.

(6) The location, quantity and quality of the rock, sand and gravel resources.

(7) Flood control.

**65560. Definitions (Open-Space Lands)**

"Local open-space plan" is the open-space element of a county or city general plan adopted by the board or council, either as the local open-space plan or as the interim local open-space plan adopted pursuant to Section 65563.

(b) "Open-space land" is any parcel or area of land or water which is essentially unimproved and devoted to an open-space use as defined in this section, and which is designated on a local, regional or state open-space plan as any of the following:

(1) Open space for the preservation of natural resources including, but not limited to, areas required for the preservation of plant and animal life, including habitat for fish and wildlife species; areas required for ecologic and other scientific study purposes; rivers, streams, bays and estuaries; and coastal beaches, lakeshores, banks of rivers and streams, and watershed lands.

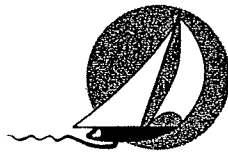
(2) Open space used for the managed production of resources, including but not limited to, forest lands, rangeland, agricultural lands and areas of economic importance for the production of food or fiber; areas required for recharge of ground water basins; bays, estuaries, marshes, rivers and streams which are important for the management of commercial fisheries; and areas containing major mineral deposits, including those in short supply.

(3) Open space for outdoor recreation, including but not limited to, areas of outstanding scenic, historic and cultural value; areas particularly suited for park and recreation purposes, including access to lakeshores, beaches, and rivers and streams; and areas which serve as links between major recreation and open-space reservations, including utility easements, banks of rivers and streams, trails, and scenic highway corridors.

Open space for public health and safety, including, but not limited to, areas which require special treatment or regulation because of hazardous or special conditions such as earthquake fault zones, unstable oil areas, flood plains, watersheds, areas presenting high fire risks, areas required for the protection of water quality and water reservoirs and areas required for the protection and enhancement of air quality.

**5302.3. Consistency with airport land use plans**

1) The general plan, and any applicable specific plan prepared pursuant to Article 8 (commencing with Section 5450), shall be consistent with the plan adopted or amended pursuant to Section 21675 of the Public Utilities Code.



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DEVELOPMENT  
AGENCY

March 17, 2004

Tim Haddad, Environmental Coordinator  
Marin County Community Development Agency  
Planning Division  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

[Re: NOP for the Marin Countywide Plan Update 2004 Draft ]

Dear Mr. Haddad,

Thank you for the opportunity to comment on the Draft Marin Countywide Plan Update 2004 (CWP). The update makes a significant commitment in designating a new Baylands corridor, which encompasses tidelands, marshes and diked lands along the Bay shoreline, and the Bel Marin Keys Community. We support the goals and guiding principles put forth in the CWP and are in support of the Implementing Programs in general and BIO-1.6, BIO-4.i, BIO-5.b, WR-1.1, WR-1.2, WR-1.c, WR-2.2, WR-2.3, EH-3.2, EH-3.3, EH-3.a, EH-3.f and EH-3.h in particular

As the "overarching theme presented in the CWP update is sustainability" and as a great deal of emphasis is placed on restoring and maintaining wetland areas we would like to see additional policy requiring analysis of impacts to tributaries which are supported by adjacent wetland areas, when considering mitigation or restoration projects.

We have learned through our efforts at maintaining flow in Novato Creek that the loss of large areas of tidal marsh upstream of our community has resulted in significant accretion of sediment in the creek and decreased flood flow capacity, making increased dredging a necessity now and in perpetuity unless tidal marshland is restored in the upper reaches of tidal exchange. In the case of Novato Creek, mitigation projects have created freshwater wetland habitat on historical tidal marshland significantly decreasing the tidal prism, the total volume of water passing in and out of the area during a tidal cycle, which helps to scour the creek and maintain flow to the bay.

A Baylands corridor "designated to provide for increased protection of environmental characteristics of the historic bay margins" must take into account upstream watersheds and all historical areas of tidal marsh, which for Novato Creek extended west of Hwy 101 to South Novato Boulevard. The Baylands environmental corridor must include provisions for protection and restoration of tidal marsh in the upper reaches. A County planning goal restoring tidal prism to Novato Creek would increase flood protection in an environmentally sensitive manner and improve natural functioning of the watershed to the Bay.

The issue of increased methylmercury production due to wetland restoration must be addressed.

Land use policies for the Novato Planning Area under PA-1.1 designates land use in Bel Marin Keys as being partially within the Baylands Corridor while developed areas of the community are within the Bayfront Conservation overlay zone. A clarification of zoning extents would be helpful for residents planning home improvements.

Map 1.1, Bel Marin Keys Land Use Policy Map, should include clarification of zoning regarding the 28 acre parcel #157-171-06 recently purchased by the Bel Marin Keys Community Services District. The portion of the Bel Marin Keys Community South of Bel Marin Keys Boulevard should be labeled entirely as SF6.

Please correct Map 2-11h, Marin County Trails Plan, there is no access to a proposed trail shown extending from the end of Bel Marin Keys Boulevard.

In the Biological and Wetland Protection Technical Background Report, The BMK-CSD supports the policies and protections outlined, particularly Policy EQ-2.39 and EQ-3.4.

Policy EQ-2.47 should be expanded to include utilization of managed flood basins to provide seasonal access to increased tidal prism.

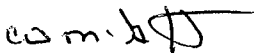
Policy EQ-2.46 should be re-examined as Freshwater Habitats displace valuable tidal marsh in the Bayfront Conservation Areas. Historical connection between fresh water streams and former marshes to tributaries such as Novato Creek should be restored.

Table H-1 Beneficial Uses for Principal Streams, Lakes and Embayments should be corrected to show existing beneficial use of Novato Creek which include REC 1 = Water Contact Recreation, REC 2 = Noncontact Water Recreation and NAV = Navigation.

In the Flooding Technical Background Report, the CSD supports the replacement of the two NPRR bridge trestles on Novato Creek in conjunction with studies of sediment transport.

Thank you for addressing our concerns.

Sincerely,



Bill McGrath, President  
BMK-CSD Board of Directors



Madeline Swartz, Chairman  
BMK-CSD Planning Advisory Board

cc: Cynthia Murray, Marin County Board of Supervisors  
Steve Wallace, City of Novato  
Tom Selfridge, Novato Sanitary District  
Chris De Gabriele, North Marin Water District  
Eric Tattersall, California Dept. of Fish & Game

- BIO-1.6 Control Spread of Invasive Exotics. Work with landowners and the multi-agency Weed Management Area to remove and prevent the spread of highly invasive and noxious weeds...Species of particular concern include:...salt-water cord grass (*Spartina alternifolia*)
- BIO-4.i Continue Funding the Fencing of Sensitive Stream Areas. Encourage continued funding ...to pay the cost of fencing sensitive streamside areas (on private property) that could be impacted by cattle grazing.
- BIO-5.b Enforce Tidelands Subzone Restrictions. Ensure the Development Code prohibits diking, filling, or dredging in areas subject to tidal action, unless the area is already developed and currently being dredged. ...Alteration of hydrology should only be allowed when it can be demonstrated that the impact will be beneficial or insignificant.
- WR-1.1 Protect Watersheds and Aquifer Recharge. Give high priority to the protection of watersheds, aquifer-recharge areas, and natural drainage systems in any consideration of land use.
- WR-1.2 Restore and Enhance Watersheds. Support watershed restoration efforts, coordinate County watershed activities with efforts by other groups , and simplify permit acquisition for watershed restoration and enhancement projects.
- WR-1.c Seek Watershed Assessment and Monitoring Assistance. Pursue federal and State funding to conduct baseline assessments and trend monitoring of water quality, aquatic habitat, sensitive species, and restoration in County watersheds.
- WR-2.2 Reduce Pathogen and Nutrient Levels. Support programs to maintain pathogen and nutrient levels at or below target levels set by the RWQCB, including the efforts of ranchers, agencies, and community groups to address pathogen and nutrient management in rural watersheds.
- WR-2.3 Avoid Erosion and Sedimentation. Minimize soil erosion and discharge of sediments into surface runoff, drainage systems, and water bodies...
- EH-3.2 Retain Natural Conditions. Ensure that flow capacity is maintained in stream channels and floodplains...
- EH-3.3 Monitor Environmental Change. Consider changes to hydrological conditions including alterations in drainage patterns.....
- EH-3.f Require Hydrologic Studies. Continue to require submission of detailed hydrologic and geologic studies for any proposed development that could increase sedimentation of a watercourse or alter natural drainage patterns...and to preserve the hydraulic and geomorphic integrity of the stream system and associated habitat.
- EH-3.h Retain Ponding Areas. Maintain publicly controlled flood ponding areas in a natural state for flood control, and continue to promote compatible uses in ponding areas, such as agriculture, open space, and recreation.

Policy EQ-2.39 Flood Ponding Areas. Publicly controlled flood ponding areas should be retained. Ponding covenants or easements held by the Flood Control District on property should not be transferred to other properties to allow development within the floodways.

Policy EQ-2.46 Freshwater Habitats. Freshwater habitats in the bayfront areas associated with freshwater streams and small former marshes should be preserved and/or expanded .....

Policy EQ-2.47 Use of Flood Barriers for Seasonal Habitat. Natural or managed flood basins should be utilized to provide seasonal habitat for waterfowl and shorebirds.

Policy EQ-3.4 Changes to Hydrological and Biological Processes. No operation shall cause irreversible damage or more than minimum reversible change to natural hydrological and biological processes.

# BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

BCPUD

BOX 390 270 ELM ROAD BOLINAS CALIFORNIA 94924

415 868 1224



February 19, 2004

Tim Haddad, Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Drive, #308  
San Rafael, CA 94903-4157

Re: Notice of Preparation – Marin Countywide Plan Update 2004

Dear Mr. Haddad:

The February 16, 2004 Notice of Preparation, and the Initial Study, arrived too late for inclusion on the regular February monthly meeting agenda of the BCPUD Board of Directors. The meeting was yesterday. And, unfortunately, the NOP for the CWP update comment deadline comes too soon for our March meeting, which is March 17, at 7:30 p.m.

The BCPUD Board respectfully requests CDA to extend the comment deadline, at least until the end of that week, because the Countywide Plan Update was unavailable at the site listed in your February 16 notice. I emailed CDA regarding the non-existent link to the download, and someone responded today, telling me to check again this coming Monday.

In any event, this item will be on the agenda of the March 17 meeting. I may be able to email you a summary of the discussion after the meeting, but the 18<sup>th</sup> will be the earliest I can send you postmarked mail.

Thank you,

Philip Buchanan  
General Manager

MAR 19 2004 10:55 AM  
MARIN COUNTY  
COMMUNITY DEVELOPMENT





# Novato Fire Protection District

www.novatofire.org

7025 Redwood Boulevard Novato, CA 94945-4101  
(415) 878-2690 Fax (415) 878-2660

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March 16, 2004

Mr. Tim Haddad, Environmental Coordinator  
Marin County Planning Department  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

RECEIVED  
2004 MAR 19 P 2:32  
MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY

Re: Comments on Notice of Preparation for County Wide Plan Update

Dear Mr. Haddad:

The Novato Fire Protection District has reviewed the draft Marin Countywide Plan (CWP) and makes the following findings and recommendations.

1. We are concerned and surprised that after significant wildland fires in Marin County with significant damage to assets both structural and environmental, no mention of reducing risk or prevention of fire is mentioned in the "guiding principles" in the framework of the draft CWP. This is particularly concerning since fire has far greater significance with respect to economic loss/impact to the community and are occurring with increasing frequency than the release of hazardous materials mentioned item #3 in the framework.
2. The Primary goal of the Open Space Section 2.8 in the Natural Systems Element appears to be conserving and acquiring open space. There is no mention of protecting assets that boarder open space lands from wildfire. The economic loss of these assets should open space lands adjacent to these assets not be maintained, and these assets be consumed by conflagration, is liability and economic impact which is not mentioned nor addressed specifically in the plan. As open space is considered for purchase or acquisition, so should a funding mechanism be implemented that can properly maintain the land that is being acquired. This is no different than a landlord purchasing an apartment complex and letting it dilapidate creating an unsafe and un-healthy dwelling and environment to live in. Marin County, as the steward of these lands should only acquire new open space if it can be fully maintained.
3. The primary goal of the Biological Resources Section 2.3 in the Natural Systems Element strives to protect, restore and preserve unique and highly sensitive biological and wetland resources. However, no mention of fire impacting these resources is found in the entire section. Fire is a natural part of the ecosystem and has been recorded in Marin County for over a century. As more people hike and recreate in these areas, more uncontrolled and undesirables wildland fires will

occur. Failure to define the impact of the potential loss of these sensitive resources to uncontrolled wildland fire is an abhorrent error in the goal of maintaining these habitats and sensitive resources. The plan should address protecting these resources from unwanted and uncontrolled wildland fire.

4. The Trails Section goals and policies mentioned in Section 2.9 are not consistent with current practice and do not anywhere in the proposed CWP include or consider the recommendations or requirements of fire and rescue services. The fire service in Marin should be a key partner in the planning and development of new trails and trailheads. Access not just to trailheads but to all trails must be accessible to extricate the public that use and recreate on these lands. Consideration should be included in the plan for adding fire service input to trail design, access points and location. All trail intersections should be permanently identified with posted markers indicating the trail name, direction of route, and global positioning systems (GPS). This is important for identifying the location of lost or injured persons using these trails and to provide better emergency response for rescue and medical service providers. Designated parking at trailheads should be done in consultation with local law and fire-rescue agencies. On site parking within 150 feet of trailheads should be prohibited, posted and strictly enforced to provide access and parking of emergency vehicles. Fire service agencies should be included as partners in the decision making process for where parking is or is not permitted in addition to those neighborhood members mentioned in the draft CWP.
5. As higher density housing is proposed such as referred to in Section 3.4 and 3.8, development standards and requirements for fire and emergency access should be redefined and increased to comply with current apparatus turning and operational constraints and capabilities not reduced as suggested in HS-3.7 "Allow flexibility in development standards". OSHA, AQMD, and other state and federal mandates required of fire agencies that provide all risk response to Marin communities has increased. This has increased the size of apparatus. Designing and purchasing smaller apparatus is not an option. As such roadway widths, driveway widths, on street parking and other emergency apparatus access considerations should be improved even where density of housing increases are proposed by the CWP proposal. Roads serving residential tracks should be not less than 24 feet wide and driveways serving single family dwellings should be not less than 16 feet wide with no parking posted and enforced. Fire and emergency vehicle turn-outs should be installed on driveways exceeding 500 feet one every 300 feet. This minimum vehicle access must be maintained in order to provide equivalent current levels of service.
6. Second units as suggested in Section HS-3.x should be reviewed in addition to the access issues described above, for automatic fire sprinkler protection regardless of square footage so as not to increase fire threat/risk in already improved areas of the community where fire protection, fire flow and wildland fire protection may not be currently adequate. Second living units do cause increased life safety risk. They are generally located on the rear of more densely situated housing causing

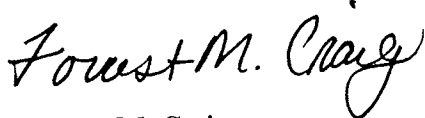
fire suppression operational difficulties. The increase potential for fire spread from structure to structure and structure to wildland will be significantly reduced by mandating residential fire sprinklers in these units both new and existing.

7. Transportation recommendations in Section 3.9 particularly policy TR-1.p which discusses use and expansion of Gness Field, should take into consideration increasing fire protection services to this facility. Aircraft hangers, aircraft maintenance buildings, storage facilities and refueling operations should be planned for future expansion that incorporate automatic fire sprinkler protection, increased fire hydrants and fire flow, and trained and equipped fire suppression force to effectively provide increased levels of service that accompany expanded facilities and use. In addition, increased bicycle and pedestrian networks suggested in goal TR-2 should incorporate emergency service agencies, departments and districts an opportunity to incorporate emergency vehicle access points to these routes. All off-road paths and networks should be at least 16 feet wide all weather load bearing surface capable of accommodating fire-rescue ambulances.
8. The draft CWP does not include any mention of fire services in section 4.6 *Public Safety*. The plan should be rewritten to include and address issues of concern to Marin County residents and emergency service providers including but not limited to: wildland fire suppression protection and education; emergency medical services; hazardous material response; WWD response; Urban Search and Rescue; fire safety education in schools; and the juvenile fire setter problem.
9. The draft CWP does not include, discuss or incorporate goals or plans that address the "Community Fire Plan" which is required by the California Fire Code adopted by the County of Marin Board of Supervisors. This should be specifically addressed in detail as to how the CWP will align agencies and departments with similar and congruent jurisdiction on matters such as response times, fire fuel mitigation, removal and maintenance; defensible space; adequate water supply for firefighting; and, fire resistive building construction standards in the urban wildland interface.

Please respond to these comments and questions that are not addressed currently in the proposed draft Countywide Plan in writing to my attention at the address noted above.

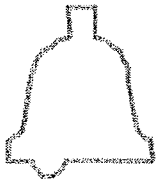
Should you have any questions regarding our finding please contact me at (415)878-2690. Thank you.

Sincerely,



Forrest M. Craig  
Division Chief-Fire Marshal

CITY OF



# San Rafael

MAYOR  
Albert J. Boro

COUNCIL MEMBERS  
Paul M. Cohen  
Barbara Heller  
Cyr N. Miller  
Gary Phillips

March 17, 2004

Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

**Re: Comments on the Notice of Preparation (NOP) for the Marin Countywide Plan (CWP) Update**

Dear Mr. Haddad:

The City of San Rafael Community Development Department staff has reviewed the above NOP for the CWP, and we offer the following recommendation for the DEIR with respect to the project's potential impacts on traffic at San Rafael intersections.

The proposed plan involved a comprehensive update of the Marin Countywide Plan. Two alternatives include development that would result in increased traffic at certain intersections in San Rafael – a potentially significant impact. Therefore, the City recommends that the following be specifically addressed to document and treat the potential impacts of the alternatives on San Rafael's intersections.

Development at the Rock Quarry (350 additional units)

- Identify the projected level of service operations at signalized intersections between the quarry and U.S. 101, including intersections on Second, Third, Grand, Irwin and Hetherton.

Development at Marinwood Shopping Center and Daphne (300 additional units and 133,408 additional nonresidential sq. ft.)

- Identify the projected level of service operations at signalized intersections at Las Gallinas and Lucas Valley Road, and at the Lucas Valley intersections with U.S. 101.

Determination of traffic impacts on San Rafael's streets from these alternatives is available through the City's traffic model. In addition, the City is available to assist in determining mitigations to address any traffic impacts. Please contact Nader Mansourian, San Rafael Traffic Engineer, for more information.

Thank you for the opportunity to comment on the NOP. Should you have any questions on our comments, please do not hesitate to contact me at (415) 485-3067.

Sincerely,

Linda M. Jackson  
Principal Planner

cc: Nader Mansourian, Department of Public Works  
City Council  
Planning Commission

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MARIN COUNTY  
COMMUNITY DEVELOPMENT  
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2004 MAR 31 A 11:52

MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY

March 31, 2004

Mr. Tim Haddad  
Environmental Coordinator  
Marin Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

**SUBJECT: Scope of Environmental Impact Report: Marin Countywide Plan Update 2004**

Dear Mr. Haddad:

The following comments respond to the Notice of Preparation (NOP) for the Draft Environmental Impact Report being prepared for the Marin Countywide Plan Update 2004 (hereafter "CWP 2004"). These comments, which are intended to assist you in defining the scope of the DEIR, are submitted by the preparers of *Community Marin 2003*, representing Marin Conservation League, Sierra Club Marin Group, Marin Audubon Society, and the Environmental Forum of Marin. Each of these organizations may also submit individual written comments.

1. Sustainability and CEQA

- A general comment concerns the relationship between CEQA and sustainability as an overarching theme of the Draft CWP 2004. CEQA was adopted almost 35 years ago before the term sustainability entered the environmental vernacular. Although many of the policies that preface both the statute and the Guidelines are "sustainable" in effect, there are major gaps in the Guidelines' capacity to address certain essential features of sustainability, for example, air pollutants like CO2 and other "greenhouse gases," for which no standards have been established; and socioeconomic issues, except as they might cause physical or biological effects. It will be necessary to expand on the typical scope of the EIR so that sustainability is comprehensively addressed.

2. Initial Study: "Potentially Significant Unless Mitigated" Categories

- The rationale used in many Issue categories in the Initial Study is that potentially significant impacts could result from build-out under the CWP 2004, even though that may differ from the 1994 CWP build-out assumptions. This is an essential means of analyzing "sustainability" in the longer term, especially in light of the Plan's stated theme. Therefore, the NOP should be consistent in this regard and add the following Initial Study topical questions to the list of potentially significant impacts to be fully analyzed in the EIR:

- Land Use 1. a) The CWP 2004 may have significant internal inconsistencies (impacts) as well as conflicts with City Plans with regard to commercial development (See further discussion below).
- 1. b) Projected growth under the CWP 2004 may conflict with future Federal, State, or Regional Plans and Policies.
- 1. c) Projected growth and development may have significant effects on agricultural resources, operations, or contracts, or result in impacts from land uses that are incompatible with agriculture.
- 1. e) The CWP 2004 could substantially alter the character or functioning of the community if, for example, San Quentin were developed as envisioned, or areas around Gness Field were developed as planned.
  
- Population and Housing 2.a) and b) The assumption that increased density and population would not be significant because they would not exceed “official” population projections is a self-fulfilling prophecy. Consistent with the overall rationale of the Initial Study, increased density and population growth under the CWP 2004 (e.g., projects in an undeveloped area or requiring extension of major infrastructure, such as for development at St. Vincent’s) must be considered potentially significant.
  
- Air Quality 5.c) Missing from the Air Quality Issue is any mention of carbon dioxide or other known “greenhouse gases” as a contributors to climate change. This is because no State or Federal standards have been established. In view of the CWP 2004 theme of sustainability and numerous references and policies related to climate change in the Plan, the EIR should regard as potentially significant the sources and emissions of these gases under future growth and development.
  
- Energy and Natural Resources 8. b) The CWP 2004 is comprehensive in its treatment of energy efficiency but deficient in policies designed to reduce use of both renewable and non-renewable resources (materials) in future build-out. In view of the sustainability theme and the central role that materials will play in future development, the EIR must address their use in development, and their consumption by future populations, as potentially significant.
  
- Public Services 11. e) and Utilities and Service Systems 12. f) The Initial Study argues that increased demand for garbage collection and disposal and for landfill capacity would not result in potentially significant impacts because these services are privately and/or locally supplied and landfill capacity is assured until 2039. Policies 5.9 and 5.10 in *Community Marin* speak to reducing use of packaging materials that end up as waste, and promoting “cradle-to-cradle” product design that transforms waste back into useable resources. The Initial Study argument sidesteps the commitment of the CWP 2004 to these central principles of sustainability and, therefore, fails to address the potentially significant impacts of increased volumes of waste anticipated under future growth and development.
  
- Social and Economic Effects 15. It is inconsistent with the prevailing rationale of the Initial Study to state that policies in the CWP 2004 would not result in social or economic impacts leading to physical changes. Commercial development, as projected, would have potentially significant physical effects – on the land itself, and on traffic congestion (See further comment below).

3. Impacts of Projected Commercial Development

- The CWP 2004 indicates that there will be nearly 10 million more square feet of commercial and industrial space between 2000 and ultimate build-out, about a 38 percent increase. (CWP 2004 Figure 3-1). An addition of about 35,000 jobs is projected. Most of this growth would take place inside cities and towns. The Transportation section (CWP 2004 Figure 3-29) reports that 11 key roadway locations already operate at Level of Service E or F, while the County's Congestion Management Agency's policy is to ensure LOS D or E. The Plan does not indicate the effect the increase in commercial space and jobs would have on traffic congestion. There are various policies in the plan intended to mitigate traffic impacts, such as making developers pay for certain improvements, but no proposals to reduce commercial expansion.

It is essential that the EIR on the plan analyze the traffic and other environmental effects of the anticipated commercial/job development. The EIR must also identify measures that could bring land use into conformity with Level of Service standards. If the Plan fails to do so, it is not internally consistent or legally adequate.

4. Alternatives The EIR alternatives analysis should include several additional alternatives:

- The EIR should analyze the alternative of reduced new commercial development inside the cities, especially San Rafael and Novato, as well as in unincorporated areas. As stated in Policy 5.2 of *Community Marin*, "Reduce the amount of new commercial development authorized in general plans, particularly in Novato and San Rafael, in order to reduce the additional transportation and environmental impacts caused by the additional job growth."
- The CWP 2004 presents a Vision for San Quentin that has not had full public review nor been adopted. The Vision is outlined by a series of "desired outcomes" and supporting policies that are detailed in everything but specific numbers. Lacking specific densities, the Vision, nevertheless, suggests a relatively dense urban ("European") village at sufficient densities to support a range of infrastructure improvements and cultural amenities and to have significant environmental impacts. In view of the uncertainty of future development at San Quentin, and lack of adoption of the Vision Plan, the EIR should analyze two alternatives: one with and one without San Quentin "Vision." (We question the appropriateness of even including the detailed Vision Plan in the text of CWP 2004 – rather than in an Appendix).
- EIR alternatives that include the proposed Baylands Corridor should also include one alternative that encompasses the more expansive boundary described in *Community Marin's* proposed Baylands Protection Corridor (attached). The larger boundary includes several adjacent uplands whose habitats are essential to the diversity and integrity of the overall Baylands ecosystem. This mapped delineation is supported by *Community Marin* recommendations 1.1.1 through 1.1.10. The inclusion of adjacent uplands is also supported by the San Francisco Estuary Institute (SFEI) *Baylands Ecosystem Habitat Goals Project* (1999), in which habitats that occur outside the historic baylands – riparian forest, willow groves, (moist) grassland, oak woodland, and mixed evergreen forest – are described as key habitats within the baylands *ecosystem*.

- The EIR should analyze the potential impacts of larger agricultural zoning alternatives (e.g. A-120, Ag-200), such as applied in other Bay Area counties, as well as a smaller alternative (A-20), as compared to A-60. The fact that there have not been any recent applications for subdivision of agricultural parcels does not preclude that from happening in the future under A-60 zoning.
- The EIR should analyze an agricultural alternative in which diversification, such as conversion to row cropping and/or other active cultivation, would be prohibited within all Stream Conservation Areas (see further discussion below).
- The EIR should analyze an alternative that does not assume commuter rail and, instead, calls for expanded inter- and intra-county bus service.

5. Agriculture as an Environmental Resource

- In carrying out the “Three E” model for sustainability in Agricultural policies, the CWP 2004 assumes that agriculture is a beneficial environmental resource with economic and social attributes. Specifically, CWP 2004 promotes diversification and suggests various ways to increase on-farm profits and remove obstacles to diversification, such as in simplifying regulations and developing local water supplies. In so doing, the CWP 2004 may be internally inconsistent: it does not acknowledge the potential for conflicts with other environmental qualities, for example if there were substantial conversion from a largely grazing economy to seasonal food crops or permanent vineyards and/or olive orchards. Agricultural practices, while beneficial in many respects, can also have harmful effects on native habitats and species. The potential effects of agricultural development policies in the CWP on the natural environment, should be analyzed in the EIR, and the inevitable trade-offs identified. Two examples follow:
- It is suggested in the CWP 2004 that water sources might be developed for local agricultural uses, with no specific mention of surface or groundwater sources or cap or other restrictions on quantities (Policy Ag-1.12). The EIR should analyze the *cumulative impacts* of both surface water development and small well water development and retention facilities for local agricultural uses on surface water flows generally. The EIR should assess the flows of water potentially available for agricultural use and the extent to which such use would degrade Streamside Conservation Areas. For example, would water development projects potentially lower the ground water table generally and/or seasonally, and if so how would they be mitigated (controlled) if they impacted Streamside Conservation Areas?
- It is also suggested in the CWP 2004 that small-scale row crop production be encouraged (Policy Ag.2.5), again without indicating identifying area, location, or other restrictions such as mandated cultivation setbacks. Because some of the most fertile soils are often located in riparian areas, there is an economic incentive for their conversion to cropland. Furthermore, these areas are also convenient sources of water for irrigation. Therefore, the *cumulative impacts* of such conversions on Streamside Conservation Areas should be analyzed in the EIR. Potential impacts could include erosion on steep hillsides and altered hydrology, compaction of soils by machinery, pollution from agricultural chemicals, and loss of natural soil nutrients.



6. Natural Communities

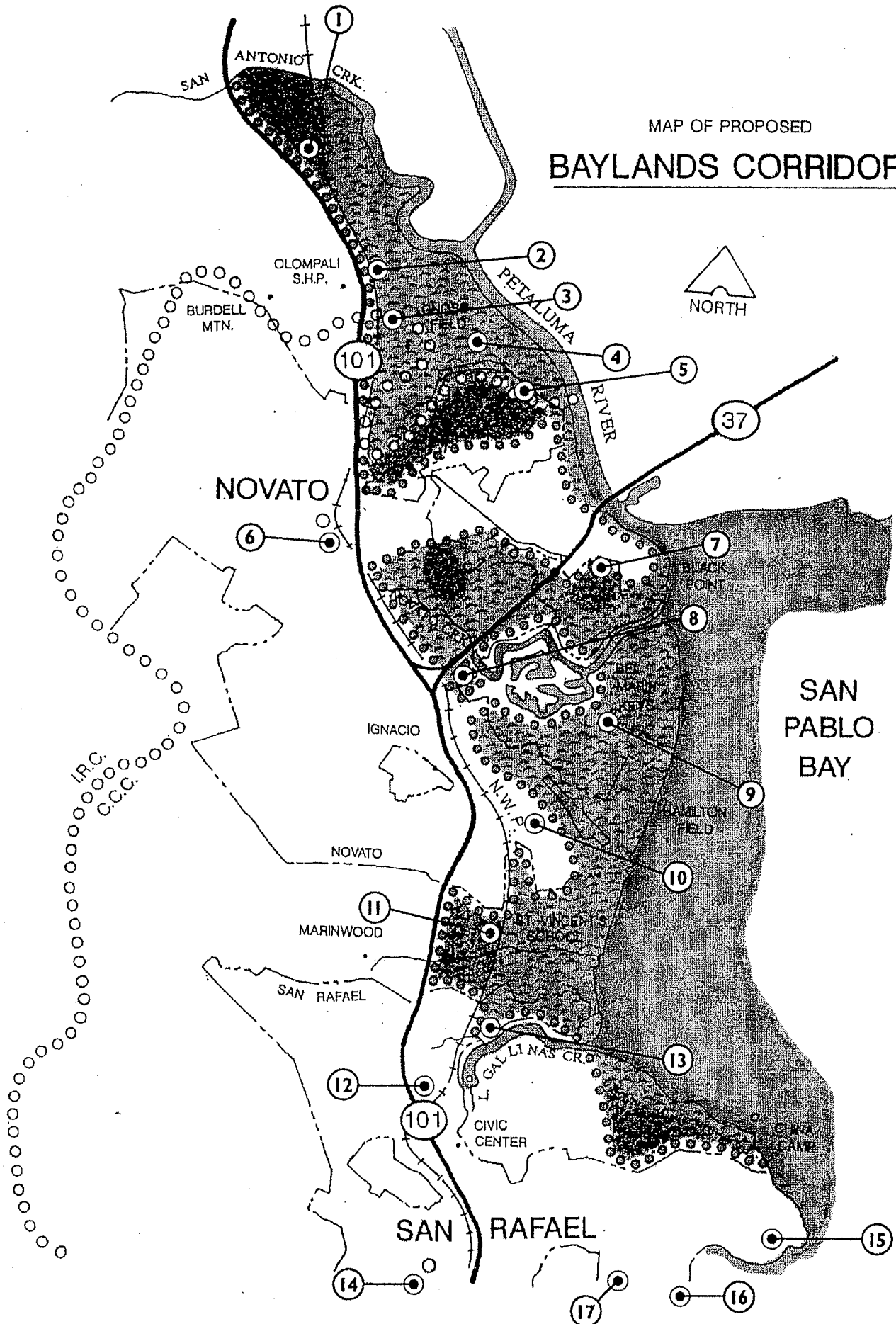
- The CWP 2004 contains two sidebars on pages 2-8 and 2-9, one of which identifies “Sensitive natural communities,” and the other “Wetlands” (assumed to be “sensitive” also). At least four natural communities are not included in the list, viz. coast live oak woodland, mixed evergreen forest, northern coastal dunes, and rocky shorelines (and please change “northern maritime chaparral” to “northern mixed chaparral”). All of these habitats are sensitive even though they may not support special status species. The Initial Study checklist (“Biological Resources”) is deficient in its failure to include impacts to natural communities, emphasizing instead individual plant and animal species. The EIR should analyze as potentially significant, impacts of future build-out on *natural communities*, including those omitted from mention in the Plan.
- The Initial Study refers to “introduction of new species of plants or animals into an area” (Biological Resources 7.c) as a potentially significant impact. The EIR should acknowledge that many exotics already are well established in Marin County, as identified in the Draft CWP – BIO-1.6, and analyze the impacts of further spread of such species as the result of future build-out.

Thank you for considering these recommendations for inclusion in the Draft EIR. We look forward to the opportunity to review the DEIR when it becomes available.

Submitted by Nona Dennis for *Community Marin*, 69 Marlin Ave., Mill Valley, CA 94941, Nbdennis@AOL.com

Attachment

MAP OF PROPOSED  
**BAYLANDS CORRIDOR**



**Numbered Locations are keyed to Map on Page 19  
and to text on Pages 13 through 16**

1. **Silveira North** (unincorporated)
2. **Burdell Island** (unincorporated)
3. **Gross Field Area** (unincorporated)
4. **North Leveroni Parcel** (unincorporated/Gross Field area)
5. **Bahía** (City of Novato)
6. **Downtown Novato** (City of Novato)
7. **Black Point** (City of Novato)
8. **South Leveroni Parcel** (unincorporated/Bel Marin Keys area)
9. **Bel Marin Keys Unit 5** (unincorporated)
10. **Hamilton Air Force Base** (City of Novato)
11. **St. Vincent's/Silveira** (unincorporated)
12. **North San Rafael** (City of San Rafael)
13. **Marin Ranch Airport** (City of San Rafael)
14. **Downtown San Rafael** (City of San Rafael)
15. **McNears Point** (unincorporated)
16. **Canalways** (City of San Rafael)
17. **Canal Area** (City of San Rafael)

**Legend**

- |  |   |
|--|---|
|  | <p>EXISTING BOUNDARY BETWEEN<br/>INLAND RURAL CORRIDOR (I.R.C.)<br/>and<br/>CITY CENTERED CORRIDOR (C.C.C.)</p> <p>PROPOSED BOUNDARY OF BAYLANDS CORRIDOR</p> <p>AREA IN EXISTING BAYFRONT CONSERVATION ZONE</p> <p>PROPOSED ADDITIONS TO EXISTING BAYFRONT CONSERVATION ZONE</p> <p>CITY LIMIT</p> |
|--|---|



The Environmental Action Committee of West Marin

March 25, 2004

Tim Haddad  
Marin County Community Development Agency  
Marin Civic Center, ROOM 308  
San Rafael, CA 94903

Re: Scoping for Countywide Plan EIR

Dear Mr. Haddad,

The following are the Environmental Action Committee of West Marin's comments on what should be included in the EIR for the Marin Countywide Plan.

**Introduction: Sustainability**

- The CWP uses several different models of sustainability. On p.1-7 there is a pyramid with natural resources at the base; elsewhere there are three overlapping circles. It should be made clear which of these models is the basis of the plan. We urge that the inverted pyramid be chosen because we believe that of the two it more accurately represents the nature and relations of the three elements of this plan (natural resources, built environment, socioeconomic). In any case, the plan should use one model and make it clear which is used.

**Introduction: Countywide Goals**

- P. 1-9  
"A Sustainable Agricultural Community. Marin working agricultural landscapes will be protected and the agricultural community will successfully diversify, produce and market healthy food products." Delete underlined word. As a means to producing healthy food products or to achieving economic viability; diversification may be a goal for individual farmers, but it is not, per se, a goal for the County.

**Natural Systems Element: Framework**

- P.2-3 Mineral Resources  
The idea that County's sustainability goals will be supported if construction materials come from sites close to consumer markets, is simplistic. The impact of mineral extraction does not only come from the transport of the extracted minerals. A greater impact would result from reducing our use of extracted minerals. Extracting minerals from sites close to markets does not outweigh the damage done to sustainability by extracting them from sensitive habitats.
- p.2-5 Mineral Resources  
This vision fails to incorporate the most basic element of sustainability, which is that mineral extraction not be allowed to damage sensitive habitats. Some damage caused by mineral extraction cannot be mitigated by reclamation.

COMMUNITY DEVELOPMENT  
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- p.2-6 Agriculture and Food

“Expanded agricultural uses will protect important biological resources.” If the meaning of this is that it is the intention of the CWP that in future agriculture will be practiced in such a way as to protect important biological resources, then the word “expanded” should be deleted so that all agriculture is practiced as as to protect important biological resources. If, however, this is merely an assertion, it is unproven and should be deleted.

- p.2-6 Public Open Space

“Open lands are managed primarily for resource preservation, and secondarily for lower impact recreational uses such as hiking, horseback riding, and mountain biking.” Whether biking, riding, and even hiking are low-impact activities depends on how they are conducted and managed. This passage should be altered to make that clear.

### **Natural Systems Element: Biological Resources**

- p.2-10 Baylands Corridor

Throughout the plan, there is reference to “baylands” and “baylands ecosystems.” Though in many cases, the reference is to the proposed County Baylands Corridor along San Francisco and San Pablo Bay, there is also the potential for confusion because these are not the only bays in Marin County. A clear distinction should be drawn between the San Francisco and San Pablo Baylands Corridor and baylands in general, which in Marin County includes Tomales Bay.

- p.2-12 Natural Diversity Database

As indicated, the NDD is incomplete as regards special status species. But the plan does not acknowledge that the NDD does not identify all areas in which special status species are present and does not have a mechanism for alerting planners that the area they are investigating may be adjacent to a sensitive habitat.

- p.2-13 Policy BIO-1.1

“Protect sensitive biological resources, wetlands, and habitat corridors through careful environmental review of proposed development applications, *including cumulative impacts.*” Add words in italics. The intent is to ensure that cumulative impacts are considered in environmental review of all sensitive biological resources.

- p.2-12 Policy BIO-1.2

“Natural habitat areas, such as baylands, coastal shorelines, and riparian corridors, *and areas* linking permanently protected open space lands.” Add words in italics, delete words underlined. The intent is to clarify that not all habitat to be acquired need link permanently protected open space lands.

- p.2-14 Policy Bio-1.6

This section is weak. The following should be added:

- A policy to prohibit sale or use of the plants listed in the State’s Noxious Weed List, the California Exotic Pest Plant Council’s list of Ecological Pest Plants, and other priority species identified by the Agricultural Commissioner and California Department of Agriculture.

- Provision for requiring the removal listed invasive exotic species when a property is sold.
- A policy of requiring public and private land managers, including ranchers and farmers, to promote native biodiversity and control the spread of invasive exotics through Best Management Practices.
- A policy requiring the Agriculture Commissioner to make removal of invasive exotics and protection of native plant species a priority.

- p.2-15 Policy BIO-1.8

Is the issuance of a permit by the Commissioner of Agriculture a guarantee that the use of the chemical will not have a negative environmental impact? If not, the CWP should discourage or, if possible, restrict the issuance of such permits.

- p.2-15 a new Policy BIO-1.9 or expand BIO 1.7

Control introduced animals which harm the environment; in particular establish a program to remove wild turkeys from Marin.

- P.2-15 Implementing Program BIO-1.b

If necessary, consider establishing *Establish* cumulative thresholds for habitat loss for particularly vulnerable natural communities and use as a basis for modifying standards for mitigation. Add words in italics; delete words underlined.

- P.2-17 IP BIO-1.d

Instead of reevaluating the County Tree Ordinance, the CWP should call for adopting a Native Plant Protection Ordinance. Such an ordinance would implement the policies we have called for in Policy BIO-1.6, above.

- P.2-17 IP BIO-1.e

Lists of appropriate landscape plants should not include those with high water requirements.

- P.2-19 Policy BIO-2.3

“Development projects shall preferably be modified to avoid impacts on sensitive resources, or to adequately mitigate impacts by providing on-site or (as a lowest priority) off-site replacement. *Off-site mitigations shall be at a 4:1 ratio.*” Add words in italics, delete words underlined. In all cases, off-site mitigation should be allowed only at the higher ratio indicated.

- P.2-20 Policy BIO-2.7

“Continue to protect coastal dunes from development.” Delete underlined words.

- P.2-21 IP BIO-2.a

“If warranted, develop recommendations for policies to protect essential habitat corridors and linkages.” Delete underlined words.

- P.2-22 Policy BIO-3.1

This policy should be rewritten to be clear and consistent. Wetland buffers in the City-Centered Corridor should be a minimum of 50 feet on infill properties less than 5 acres and 100 feet on larger properties. Wetland buffers in the Coastal Recreation and Inland Rural Corridors should be a minimum of 100 feet on all properties.

- P.2-22 Policy BIO-3.2

“Where complete avoidance of wetlands *and buffers* is not possible.” Add words in italics. What standards are to be used to determined when avoidance of wetlands and buffers is or is not possible?

- P.2-23 IP BIO-3.b

“In those rare instances when on-site wetlands loss is unavoidable, for each acre of wetland lost, require that a minimum of two *four* acres be provided through mitigation.” Add words in italics, delete words underlined. As indicated above, off-site mitigation should be allowed only at the higher ratio indicated.

- P.2-24 IP BIO 3.c

This Implementing Program should include the following:

- Off-site mitigations shall be allowed only at a 4:1 replacement ratio;
- On-site mitigation *must* be implemented prior to and/or concurrently with the project activity;
- Off-site mitigation *must* be implemented prior to the project activity;
- An area of adjacent upland habitat *must* be protected
- Mitigation sites *must* be permanently protected
- Mitigation projects *must* minimize the need for on-going maintenance
- Performance bonds *shall* be required for all mitigation plans

- P.2-25 IM BIO-3.d

On page 2-10, it is stated that “Stream Conservation Area policies have been strengthened.” This Implementing Program will weaken existing Stream Conservation Area protections. Currently Stream Conservation Areas or stream buffer zones are uniform within each of the main planning zones, the City-Centered Corridor, the Inland Rural Corridor, and the Coastal Recreation Corridors. The establishment of set buffer zones eliminates the need to argue each case, property by property, and allows for the establishment of a fairly uniform corridor along each stream. This proposal to “establish criteria [for buffer zones] to be used in the review of individual development applications” would eliminate the consistency of the existing system, create a huge new work load for planners, add to the expense for both applicants and environmental advocates, and lessen protection for our streams. It is a bad idea. The need and desirability of strong streamside protections has been established in science and in law. This proposal would replace a consistent, clear, and scientifically defensible system with one in which each individual case must be argued, investigated, proved, and defended; in which, a stream’s buffer zone will vary from property to property according to the will and pocketbook of the property owner; the quality of the scientific reviewers; and the determination of the planner.

- P.2-26 Policy BIO-4.1

This policy should state that development in Stream Conservation Areas is prohibited, except when a parcel falls entirely within an SCA or when development outside the SCA would be more damaging to the environment than development within it.

- P.2-27 Policy BIO-4.2

This is a curious policy. It requires compliance with Stream Conservation Area regulations. Are we to assume that it is not the County's policy to require compliance with its other regulations?

This policy is also confusingly written.

- Instead of giving examples of the types of land uses allowed in SCAs, it should give an exhaustive list of all land uses allowed within an SCA, as does the current Marin Countywide Plan.
- The phrase "does not unduly disturb wildlife" should be clarified and clear standards be adopted.
- "*Necessary* water supply and flood control projects." Add words in italics, delete words underlined. This would restore the working of the current CWP and offer protection against unnecessary projects.
- All permitted agricultural uses should be listed. The list should include only those uses that do not result in the loss of riparian habitat (not "woody riparian vegetation") or degrade water quality.
- Clarification of "animal confinement within an SCA is required. Are animals considered to be confined within an SCA if 25%, or 50% or 75% of the land within a fenced area is within the SCA? Or is confinement defined according to the length of the stream (50, 100, or 200 feet) that is within the fenced-in area?
- For a finding to be made that "development on any portion of the parcel outside the SCA would have greater impacts on water quality, wildlife habitat, and other environmental impacts," evidence to that effect must be presented by an independent scientific experts.
- The zoning code should be amended to ensure that no new parcels can be created that are entirely within the SCA or that would result in allowing development within the SCA.

- P.2-33 IP BIO-4.a

There is no justification for allowing an enlargement of the footprint of an existing building within an SCA. Expansion should be only through the addition of a second-story. The only way not to "increase the existing encroachment into the SCA" is not to enlarge the footprint of the structure within the SCA.

Building or expansion of the second story of a building already within an SCA on a conventionally zoned parcel should also be allowed once only. That is to say, any expansion must be conditional on the recording of a deed restriction prohibiting all further development on that property. The restriction should be on all development on the property, not only within the SCA because if a suitable location outside the SCA could be found, the development should have be located there in the first place.

We would consider another approach to development within SCAs on conventionally zoned parcels. If an owner removes existing structures within the SCA and restores the riparian vegetation, then he or she could be permitted to construct new buildings (at a 1:2 ratio of new



to demolished buildings) within the SCA if they are further away from the stream than the old buildings and if additional on-site mitigations are adopted.

- P.2-33 IP BIO-4.b

While additional scientific studies of the impacts of buffer zones on the health of streams and stream-dependent wildlife would be useful, the evidence gained should not be used either to reduce the size of buffer zones or to replace the existing Countywide consistent standards for a case-by-case approach.

Moreover, the criteria listed are inadequate.

- Each SCA should encompass all riparian vegetation, not merely all woody riparian vegetation.
- SCAs should be considered not only in light of the physical and hydrological services they provide, but also in terms of their biological and ecological services.

- P. 2-33 IP BIO-4.c

We are pleased to see that the County intends to no longer base its assessment of streamflow and stream location on outdated USGS maps.

- P.2-34 IP BIO-4.e

As argued above, identifying potential impacts to riparian systems should not mean that the County establishes stream buffers on a case by case basis.

- P.2-34 IP BIO-4.g

Again, it seems redundant (as well as ungrammatical;) to “Require compliance with SCA criteria and standards.”

- P.2-35 IP BIO-4.i

We support this policy, but this program should not be considered a mitigation for allowing grazing within SCAs.

- P.2-35 IP BIO-4.k

We suggest that this program (or IP BIO-4.c or 4.k) be expanded or a new IP be added that would Map fenced streams.

- P.2-35 Goal BIO-5

It should be made very clear that the following policies and implementing programs apply to the Baylands Corridor and not to Tomales Bay. However, we suggest that a bayfront setback or buffer of 100 or 300 feet be applied to Tomales Bay also.

### **Natural Systems Element: Water Resources**

- P.2-47 Key Trends

The assertion that “threatened fish are making a recovery” is not supported by the scientific evidence and should be removed. Much of the “recovery” may be due to temporary oceanic conditions.

- P.2-48 Policy WR-1.1

We support this policy, but it is in conflict with IP AG-1.n, a fact we will address later in this letter.

- P. 2-48 Add a new Policy WR 1.4

Protect upland vegetation to promote infiltration and to reduce erosion. In the inland and coastal corridors, do not allow building and access driveway construction on slopes over 18% or on ridgelines beyond 100 feet from existing roads. Promote restoration and correction of erosion problems associated with agricultural roads and grazing on slopes over 18%.

- P.2-49 IP WR-1.b

This program lacks any reference to water conservation. It also appears to consider water impoundment as having a positive impact on filtration. In fact, cattle and evaporation reduce the infiltration value of impoundment. The program should call for the promotion of native vegetation on hillsides, which does have a positive impact on filtration.

- P.2-51 IP WR-2.b

Alternative waste options should not be allowed to increase the development potential of existing parcels.

- P.2-52 IP WR-2.d

This program should apply to all potential users of pesticides and pollutants, including ranchers, farmers, and public agencies, not only to homeowners.

- P.2-53 Policy WR-3.1

“Local agricultural operations have the best opportunity to bring healthy food to local residents in a sustainable manner. Efforts by agricultural landowners to cultivate and enhance water sources responsibly can increase the availability, and reduce the cost, of locally grown fruits, vegetables, grain, dairy, and other products. Conservation efforts countywide can increase the amount of water left in natural drainages to support wildlife and other important environmental resources. The sidebar diagram illustrates the relationship of policies to the environment, economy, and equity.” The underlined words should be deleted. They are not making any supportable or relevant points, and they ignore alternative points, such as the value and taste of non-irrigated crops.

- P.2-53 IP WR-3.a

Again, there is no reference in this program to water conservation. Developing water sources, such as springs, will have an environmental impact that must be considered and that could be reduced if water conservation and maintaining adequate water for wildlife were made priorities.

- P.2-54

The proposed non-binding targets of “no decrease” in water quality are too low.

### **Natural Systems Element: Mineral Resources**

- P.2-59 Mineral Resource Policies

None of these policies allow for recognized that some sites are not suitable for mineral extraction because mitigation and reclamation are not adequate to protect their environmental values.

- P.2-59 IP MIN-1.b

“Amend the Development Code and County Zoning Map to incorporate a “Designated Mineral Resource” overlay zoning district for all mineral resource sites with County-

approved operating permits *that are in compliance with all conditions* and reclamation plans in unincorporated Marin County. These sites shall include all or portions of the following properties identified by Assessor's Parcel Numbers: 121-050-30 ( Nicasio Quarry), 100- 100-48 ( Lawson's Landing Quarry), 100-060-08 ( Martinoni Quarry), 125-160-18 ( Redwood Landfill Quarry)." Add the words in italics and delete those underlined.

- P.2-59 IP MIN-1.c

"Preclude Mining at Ring Mountain *and at Lawson's Landing Quarry*." Add the words in italics. Please refer to our letter of March 2, 2004 to Alex Hinds, which deals with the Lawson's Landing Quarry permit and explains why it should be removed from the MIN-1.b list.

#### **Natural Systems Element: Atmosphere and Climate**

- P.2-75 IP AIR-4.a

This program should be amended to allow for an increase in stream, coastal and bayfront buffers to ensure that development does not occur in areas that may in future be threatened by sea level rise.

A new program should be added that would increase the stream, coastal and bayfront buffers to account for the likely inundation of land that currently is within these buffer areas. In other words, as the coastline moves inland and streams more regularly overtop their banks, the buffers will need to expand also.

#### **Natural Systems Element: Open Space**

- P.2-86 Goal OS-3

This goal does not include any West Marin sites for acquisition. The following should be added, and local environmental and open space organizations be solicited to suggest additional sites.

- Lawson's Landing
- All bayside properties on the East side of Tomales Bay north of the GGNRA boundary
- Conservation corridors along all salmon streams and potential salmon streams.
- Establish a North Marin Agricultural and Conservation Area in planning areas 7.7.1, 7.6, 1.3a, 1.4. Work with land owners, MALT, scientists, and open space advocates to create a network of agriculture, open space and conservation zones to:
  - Preserve productive agricultural lands
  - Enhance the compatibility of agriculture with wildlife values
  - Protect the Walker and Chileno Creek riparian areas and watersheds
  - Establish a permanent wildlife corridor connecting to open space preserves to the south and east in Marin as well as to open space in Sonoma County to the north
  - In some cases, acquisition of land will be necessary to preserve lands

that are of very high value for wildlife and rare native plants. In other cases, acquisition and donation of conservation and open space easements will be the best way to accomplish the goals.

- P.2-87 Policy OS-3.3

This policy is vague and potentially means that protections for the Coastal Recreation Corridor will be weakened. It should be re-written to state that existing protections will be maintained or strengthened. It should also be expanded to include. "Preserve and acquire important habitats and recreational properties in the Coastal Recreation Corridor.

- P.2-93 IP OS-3.f

Consider adopting Open Space protections for agriculturally zoned land that is no longer viable for agriculture. We think this is what is intended in Policy CD-8.4

- P.2-93 IP OS-3.h

- Lawson's Landing should be added to the list of Open Space Preservation Priorities in the Coastal Recreation Corridor
- "The Marin County Open Space District, which oversees this former County Park, has teamed with the U.S. Army Corps of Engineers to develop an adaptive management program to protect *is assessing* the lagoon's fragile subtidal and intertidal habitat resources." This program is out of date. To update, add words in italics; delete words underlined.
- Stinson Beach is no longer a State Park.

#### **Natural Systems Element: Trails**

- P.2-102 Policy TRL-1.2

The priority for the Public Trails Network should be maintaining the existing trails. Expansion of the trail system should only occur when all maintenance needs have been met.

- P.2-103 IP TRL-1.e

The program should be to establish a fund for trail maintenance.

#### **Natural Systems Element: Agriculture and Food**

- P. 2-115 Background

Replace with the following:

A rural landscape that minimizes the ecological footprint of agriculture also protects family farms, enhances agricultural incomes, promotes vibrant rural communities, buffers wildlands and enhances biological diversity. Local producers and support agencies are mounting concerted efforts in Marin to certify both organic and ecological production methods in order to provide value-added marketing opportunities and encourage consumer support. In Marin, animal operations, particularly dairies, produce a large but declining portion of agricultural revenue and cover most of the agricultural acreage; products include organic and regular milk, organic handmade cheese, grass-fed and regular beef, sheep and wool, free-range and regular poultry, organic and regular eggs, oysters, mussels, and clams. Crop and nursery operations produce a smaller but growing portion of agricultural revenue; products include

organic and regular fruits and vegetables, nuts, wine grapes, olive oil, flowers, nursery plants, and hay. See Figures 2-12 and 2-13.

- P. 2-124 Policy AG-1.5

Prohibition of subdivision of agricultural lands should be strengthened. A less desirable alternative is to reduce the development potential of agricultural lands by rezoning from A-60 to A-120 or A-200.

- P.2-125 Policy AG-1.6

Limit non-agricultural development on agricultural land to building envelopes covering less than 5 per cent of the property or 2 acres, whichever is less.

A policy should be added to restrict development to sites near existing roads, away from ridgelines and to sites where they are not visible from public lands, in line with requirements in the Local Coastal Plan, Unit II.

- P. 2-127 IP AG-1.a

- Conservation easements should be required as a condition of development on agricultural land
- It may not be possible to ensure that housing built for agricultural workers continues to be used for that purpose, but it should at least be possible to ensure that the housing be affordable in perpetuity.
- 6000 square feet is too large. In fact, it is hard to conceive of an instance in which a house larger than 3000 square feet would not “diminish current or future agricultural use of the property or convert it to primarily residential use.” The maximum allowable size for all non-agricultural development on agricultural land should be 5000 square feet.

- P.2-127 IP AG-1.b

Agricultural Production and Stewardship Plans should be prepared and implemented by all landowners proposing residential construction on agriculturally zoned land.

- P.2-128 IP AG-1.c

Require dedication of perpetual agricultural conservation easements on *all* agricultural lands on which residential development is proposed. On agricultural land that is no longer viable for agriculture, open space easements may be substituted (see our proposal for P.2-93 IP OS-3.f, above)

- P.2-128 IP AG-1.d

All conservation easements (whether Agricultural or Open Space) should have a third-party enforcement mechanism and, if they are a condition of a permit from a public agency, they should be subject to public review and comment before they are adopted.

- P. 2-129 IP AG-1.h

Rezoning for agricultural lands not suitable for agricultural production is acceptable as long as the development density is not changed (that is A-20 could be changed to ARP-20, but not to ARP-10). Maximum residential development should be kept to 3000 square feet. If certain conditions are met, the limit may be raised to as much as 5000 square feet.

- P. 2-131 IP AG-1.m

SCAs may contain prime farmland soils, but SCAs should be protected from agricultural uses, such as row-cropping, likely to damage habitat and injure water quality.

- P. 2-131 IP AG-1.n

The environmental impact of this program (“Encourage Water Development”) must be studied.

- P. 2-132 Policy AG-2.2

The environmental impact of diversification needs to be clarified. Among the questions to be asked are

- What activities does the word diversification encompass? The list should be exhaustive, not merely suggestive.
- What are the potential environmental impacts of those activities?
- How can those impacts be mitigated?

- P. 2-132 Policies AG-2.4 and 2.5

The environmental impacts of agricultural processing and on-site marketing should be considered in the same way as those of diversification. The same questions arise.

- P. 2-133 Policy AG-2.6

What are the environmental impacts of mariculture at its present level and if expansion occurs? Does mariculture include inland and coastal fish farming?

- P. 2-134 IP AG-2.f

Schools should be encouraged to adopt curriculum that address agriculture in the context of natural resources and natural history.

- P. 2-136 IP AG-3.b

Edible landscaping should be promoted only where it is not in conflict with water conservation.

- P. 2-137 Non-binding target for acreage of organically-farmed land.

This target is meaningless, since according the p. 2-122, it has already been surpassed.

### **Built Environment Element: Community Development**

- P. 3-28 IP CD-7.a

“Work with local governments, the Countywide Planning Agency, developers, design professionals, and interest groups, *including environmental organizations.*” Add words in italics; the interest groups involved should not only be those with a financial or personal interest.

- P. 3-33 Rural/Residential Estates

The use of the word “estate” creates confusion with the goal of the discouraging large residential estates on agricultural land and with the goal of limiting house size to 6000 (or as we suggest 5000) square feet. A better name would be simply “Rural/Residential.”

### **Built Environment Element: Energy and Green Building**

- P. 3-67 IP EN-1.d

As suggested earlier, it makes more sense to be consistent between agricultural and

residential parcels and set maximum house size at 3000 square feet, with allowances for expansion to as much as 5000 square feet if certain conditions are met.

- P. 3-235 Figure 3-47

This chart is defective. However, it appears from the chart the County handed out as page 12 of its Marin Countywide Plan presentation that for both housing and commercial space, the theoretical 2004 Plan buildout is greater in West Marin, compared to the existing units and commercial space, than in most other parts of the County. The environmental impact of a disproportionate rate of development should be considered. This impact will be even greater if plans to develop housing in other parts of Marin are hampered by conflicts between housing and commercial development.

Thank you for this opportunity to comment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Catherine Caufield".

Catherine Caufield  
Executive Director

MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION

RECEIVED

PUBLIC SCOPING SESSION

2004 MAR 11 A 2:39

ENVIRONMENTAL IMPACT REPORT FOR THE  
MARIN COUNTYWIDE PLAN UPDATE 2004

MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY

WRITTEN COMMENT FORM

March 4, 2004

Name/Affiliation: Judy Binsacca League of Women Voters of Marin County

Address: 9 Tower Point Lane

City: Tiburon Zip Code: 94920 Telephone: 789-9365

Please provide comments and concerns regarding the environmental effects of the proposed Plan or the environmental process below.

In the 1/27/04 letter to the board of supervisors from the community development agency, Table 1 shows 1219 banked affordable/employee units.

In the 2/26/04 agency letter to the countywide planning agency, Table 1 shows 868 such units.

It appears that 351 units were allocated to San Rafael between the first and second letters.

Also the wording in the 2/26 letter in the "Housing Units" section contributes to the confusion. The first paragraph states that over 1800 potential dwelling units were reduced from the development potential on some publicly acquired lands. Nearly 600 of those units were added to underutilized commercial sites and shopping centers under the Housing Element. That left 1200 units to be banked, but the next paragraph used the 868 number of housing units.

Please clarify what the accurate number is of banked units and where the 351 units allocated to San Rafael went.

Please use backside of page for additional comments, if needed. This comment form for the scope of the EIR may be handed in at the scoping session to County Staff or mailed to the attention of Tim Haddad, at the Marin County Community Development Agency - Planning Division, 3501 Civic Center Drive, Room 308, San Rafael, CA 94903, **prior to March 17, 2004**. Comments by FAX or E-mail may not be able to be confirmed as officially received and accepted before the end of the comment period deadline. Commentors are advised to mail written comments **postmarked on or before March 17, 2004**.

The draft plan is posted on the County's website at [www.future-marin.org](http://www.future-marin.org) and is also available for review at all public libraries and the CDA office. Plan copies in CD format or hard copy are available by calling the CDA office at (415) 499-7874 or (415) 499-6269 between the hours of 8:00 AM and 4:00 PM, Monday through Friday.





*League of Women Voters of Marin County*

Mr. Tim Haddad  
Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Dr., Room 308  
San Rafael, CA 94903-4157

RECEIVED

MAR 05 2004 4:30 PM  
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MAR 05 2004 4:30 PM

RE: Scoping Session Remarks for the CWP Update

Dear Mr. Haddad:

At the scoping session last night I made a statement and asked a question, as follows:

The draft plan states that the Baylands Corridor is being established to reinforce and expand upon the Bayfront-Conservation-Zone protection of important tidelands and adjacent undeveloped uplands within the City-Centered Corridor. When an attempt was made to replace the conservation zone with a baylands corridor in 1996, the community development department staff report challenged the scientific adequacy of the proposed corridor map because it did not "indicate the data source used to substantiate the need to expand the boundaries". The department added that "in order to include additional area, field studies would need to be conducted to provide justification. Without some legitimate methodology for establishing a new boundary, the county would have difficulty making the findings to support it".

My Original Question: In the intervening eight years, what scientifically adequate data have been developed to justify replacing the conservation zone with a baylands corridor?


Your Response: My notes from last night show you responded to my question as follows:

"The appendices to the plan will answer my question. There are data since 1996 that support the corridor plan. There is a data base, an extensive geological map overlay system."

My follow-up Question: Would you please supply me with references to these new data or copies of them, if possible? Would you also make available a copy of the relevant appendices at this time so that we don't have to wait until the plan is final to see them.

Thank you for your cooperation.

Sincerely,

  
Judy Binsacca



*Public Scoping Session on CUP EIR*  
*League of Women Voters of Marin County*

March 4, 2004

The members of the League of Women Voters of Marin County have been involved in the countywide plan for over three decades. Based on that long history and our member-adopted positions, we are raising some issues for the scoping of the EIR.

1. There is a great need for local housing for people who provide essential services in the county. We recommend a thorough analysis of the relationship between the location of workforce housing and the impact of the workforce housing shortage on traffic. What proportion of our daily traffic is generated by local workers driving here from a distance?
2. There is also a significant safety issue caused by the shortage of workforce housing. Have we provided in the plan for an adequate number of homes for Marin health and safety service providers (fire, police, medical, public works, etc)? This problem should be evaluated in the light of the number of such safety employees who are now living outside of Marin County who might not be available in an emergency.
3. Are there data to show that smaller homes generate fewer car trips and fewer miles traveled than larger homes?
4. Based on the known demographics of Marin, will there be an adequate supply of appropriate housing for the increasing number of seniors? Will the supply of senior housing be sufficient for people in all income levels?
5. We have a concern about potential sites for the 1200 "banked" units of employee and workforce housing listed in the plan. The plan limits the potential for housing in a number of important areas, so where can those 1200 homes be built?
6. Money for affordable units is scarce. If designated housing areas have been withdrawn and almost all affordable housing is proposed to be put into infill areas, where will the county find the additional money that it will cost to complete small, dispersed infill housing proposals? Infill is more expensive for various reasons.
7. Should the full Housing Element be included with the plan? Was there an EIR done on the Housing Element?
8. The Gap Closure project will be completed through San Rafael during the life of this plan. What will be the positive impacts on traffic with a continuous HOV lane?
9. Have we planned for sufficient park and ride spots and an active public relations campaign to get more residents and workers to carpool and use public transit?

10. What are the implications for Highway 101 traffic at the landfill related to the construction of the flyover ?
11. Delineate the effects of agricultural uses (including dairy herds) on baylands and streams.
12. Supply an accurate map of the lands categorized as baylands west of the railroad tracks on the St. Vincent's/Silveira properties.
13. What is the scientific justification for defining the proposed Baylands Corridor to include a minimum of 300 feet landward of historic bay marshlands on adjacent uplands on predominantly undeveloped large parcels.
14. Provide specific examples of actual plant and animal special-status species occurrences in the areas zoned agricultural and conservation in the City-Centered Corridor.
15. Provide a measure by which to rate the environmental value of wetlands. What are the criteria for mitigation?
16. In designating parts of the City-Centered Corridor as permanent agricultural zoning, how are you taking into consideration soil quality, cost of water, and high land values?
17. Define the distinction between baylands and wetlands, terms that sometimes seem to be used interchangeably in the plan.
18. Clarify why the stretch of Miller Creek from Highway 101 to the bay is not included in efforts to restore, enhance, and maintain natural vegetation and other habitat values.
19. Research the impact on flood control of returning Miller Creek east of the highway to its natural course.
20. We request a map that indicates both current and future public transit routes.

(PLEASE PRINT LEGIBLY)

Letter read from  
and turned in at scoping Date: 2/4/04

4

Project EIR: Countywide Plan

**MARIN COUNTY ENVIRONMENTAL REVIEW  
PUBLIC SCOPING SESSION  
PUBLIC TESTIMONY SIGN-IN CARD**

Name:

Margaret Jones

Address:

280 Madrona  
Belvedere CA 94920

Representing:

League of Women Voters



lifehouse

serving people with  
developmental disabilities

18 Professional Center Pkwy  
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Fax 415 472 5739  
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7:28 APR -1 P 1:22  
MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY

March 31, 2004

Mr. Tim Haddad  
Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

Dear Mr. Haddad,

Re: Environmental Impact Report for the Marin Countywide Plan Update 2004

1) One concern is that the Countywide Plan is just now being circulated for public draft. There are certain to be changes in the plan as a result of the substantial opportunity for public comment and the considerable time allowed for redrafting the plan. The need to produce an EIR that is fully reflective of the eventual final plan is paramount in order to achieve the advantages of program EIR's including (from CEQA guidelines):

- An occasion for a more exhaustive consideration of effects and alternatives than would be practical in and EIR on an individual action
- Reduction in paperwork
- Use with later activities

2) The alternatives being considered by the County in the preparation of the EIR beg the question of specificity. For example, clearly, the change in the number of residential units across alternatives requires analysis by Community Area. While "the EIR need not engage in a speculative analysis of environmental consequences for future and unspecified development," "the analysis must be specific enough to permit informed decision making and public participation." In particular, each of the alternatives must be examined in depth, but the possible combinations of those alternatives do not.

3a) Although changes in population projections caused by the adoption and implementation of the Plan may, or may not be, an environmental impact, it is clear that the socioeconomic characteristics of the population in question do have a significant environmental impact. If the environmental effects of changes in population are studied under the EIR, then the variation in impacts among the alternatives must be analyzed. The Housing Council has made it crystal clear that new housing must be focused on low income and special needs. The differential in impacts to the County of additional market rate, or larger, homes versus housing designed for low income or special needs individuals would be significant and should be analyzed in the EIR. The varying impacts would include water and energy use, vehicle miles traveled and trips generated (and their

time of day with their resulting effect on traffic service levels), and pollution and waste generation.

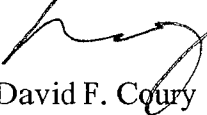
3b) The relevant, unasked question is whether the housing units of the preferred alternative will be a higher proportion of market rate units than each of the other alternatives, including Current Policy, Housing, Transportation, etc. The relatively lower impact of low income and special needs housing resulting from policies supportive of that kind of housing must be factored into the EIR. Now that the question has been asked, the EIR must study the relative impacts of policies which will shape development for Marin in the future.

4) The same is true of commercial development. The environmental impacts of retail development are radically different than office space, for example.

Please enter these concerns in the record and keep me informed of further deliberations.

Thank you.

Sincerely,



David F. Coury  
Housing Specialist



Marin Audubon Society Box 599 Mill Valley, California 94942-0599  
 March 31, 2004

Tim Haddad, Environmental Coordinator  
 Marin County Community Development Agency  
 3501 Civic Center Drive  
 San Rafael, CA 94903

2004 MAR 31 PM 12:59  
 MARIN COUNTY  
 COMMUNITY DEVELOPMENT  
 AGENCY

RE: SCOPING COMMENTS ON COUNTYWIDE PLAN eir

Dear Mr. Haddad,

These comments are supplemental to the general comments signed by Nona Dennis representing the Community Main Group. Marin Audubon's major interest is on wildlife and habitat protection. Therefore, our comments focus on policies and sections related to the natural environment. We have a number of recommendations for revising the Initial Study and request that the following issues and questions be addressed in the EIR.

**LAND USE**

**1.e. Substantial alteration in the character of functioning of the community.** Should be checked "Significant Impact" because the proposed allowable development could substantially alter the character and functioning of a number of areas including, St. Vincent, Silveira, Gness Field, Cal Park and Bayside Acres. All of these properties have extensive areas of wetlands that could either be filled and the habitats and species that use them would be indirectly impacted under the proposed policies which would changing the adjacent lands from primarily open areas that are habitat for wildlife to development with extensive people use.

**WATER**

**a) and d) Changes in drainage patterns or surface runoff; the amount of surface water or groundwater.** The Initial Study discussion only addresses impervious surfaces, altering drainage pasterns, absorption rated and increased demand for water due to increased development. The Plan does not recognize the potential impacts to both surface and ground water that would result from increased diversions of water from streams that would be needed with significantly increased agriculture, presuming the plan's goal of promoting agriculture, and row crops in particular is successful. This would impact downstream wetlands, endangered and other native species of fish, wildlife and vegetation. Significant Impact should be checked because the rate and amount of surface runoff would be expected to decline as more water is diverted. These water impacts should be identified, and policies suggested to mitigate these impacts.

**c) Discharge of pollutants.** An increase in the discharge of pollutants into surface and groundwater should be expected with the allowable increase in development. This should be checked Significant.

*A Chapter of National Audubon Society*



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**e) Substantial changes in the flow of surface or ground waters** can also be expected with increased diversions for agricultural uses, and locally and cumulatively with the potential amount of commercial and residential development. Check this Significant and discuss impacts on surface and groundwater of increased diversions.

A mitigation that should be included to address both the increase discharge of pollutants and changes in the flow, as well as flooding, is a policy that requires drainages to remain above ground. Retaining drainages above ground improves water quality because it enables pollutants to drop out, protects against flooding by slowing water flow, provides wildlife habitat and aesthetic values. Is also supported by MCSTOPP.

Goal WR-3 Encourages water conservation to provide waters in streams for wildlife and agriculture. Discuss and provide evidence that will guarantee enough water will remain in streams to maintain fish and other wildlife and healthy riparian systems while increasing diversions for increased crop production. There is no way that we know of the ensure sufficient water will remain in the streams. Wildlife do not have water rights. Conservation would have to take place in the streams where the fish are for it to be effective in benefitting fish. Even if the new Agricultural uses conserve they will take more than now. This policy could result in significant changes in surface and groundwaters.

## **BIOLOGICAL RESOURCES**

As touched on above, the increased growth potential can result in the loss of wetlands and other habitats. While many of the policies and goals are beneficial, there are a number of loopholes in that could result in the direct loss of habitat, and/or indirect impact on wildlife species and their habitats. We suggest that the following changes and issues be addressed in the EIR:

**a) Reduction in the number of endangered, threatened or rare species or substantial alteration to habitat... Should be checked “Significant Impact” for the reasons discussed below.**

One of the important policies in protecting endangered species and their habitat is BIO 1.1 which calls for protecting essential habitat for Special-Status Species Sensitive Natural Communities and Important Habitat. This policy has several aspects of concern. The meaning of sensitive communities is unclear. The listing of Natural Communities on the box on page 2-8 omits some important Sensitive natural habitats such as seasonal and diked wetlands, natural dune communities. A comprehensive list should be included and/or an explanation provided about why some habitats were left out.

Use of the word “essential” leaves the policy open to interpretation by consultants who can be hired to downplay the value of almost any habitat in the Bay. As a mitigation for the loss of habitats that could result from this term, the word “essential” should be deleted from this policy. When a species is endangered, all of the remaining habitat is essential. And, to avoid any confusion, Endangered Specie should be specifically mentioned.

**b) Substantial change in the diversity, number or habitat of any species of plants or animals currently present or likely to occur...**

Policies ensuring the protection of native resident and migratory species are needed. Biodiversity cannot be preserved by only protected special status species. All native species that depend on our habitat should be protected by CWP policies.

Although generally policies are beneficial, many contain exceptions that would allow filling of wetlands and intrusion into the buffer habitats. These policies would individually and cumulative contribute to reduced species diversity, reduction in the number or habitat of many specie of plant or animal as discussed below:

Bio. 3-b. This policy calls for Prioritizing Wetland Avoidance and could lead to reduced biodiversity, and habitat. The EIR needs to discuss how will it be determined that avoidance is not possible? The language states that when complete avoidance is not possible is simply setting up for many battles on individual sites resulting from applicants hire consultants who will say< and sometimes do, just about anything. The EIR should discuss specific criteria that applicants have to meet to demonstrate to demonstrate that complete avoidance is not possible. We suggest that the only appropriate criterion is that a project be in the interest of the public safety, such as for earthquake retrofitting, flood protection, etc.

The EIR should include a discussions about the importance buffers, the distinction between buffers and transition habitats, the importance of transition habitats, of the importance of undeveloped upland and seasonal wetlands adjacent to tidal marshes, and how wildlife use these habitats. It is not simply the marsh and buffer areas that is important. Undeveloped uplands adjacent to tidal marshes comprise the ecosystem and are critical for many species that move between and use these habitat. They are places people can enjoy nature and are an important historic landscape for the people of California because Marin has the last remaining relatively intact sites where the Bay meets natural upland and wooded hills and seasonal wetlands.

BIO 3.d. Contrary to BIO 3.d, buffer criteria already exist and just have to be improved upon. They exist in this and other policies and in the Baylands Habitat Goals Report. Other points in this program need to be addressed.

- Allowing mitigation to be many miles away from the site of loss. In addition, this could lead to reduced diversity and habitat. A criteria needs to be added that prohibits mitigation many miles away.
- Policies/programs do not provide for mitigation to be in-kind, or of the same habitat type as that lost. This would allow for loss of certain habitat types.
- Buffers are restricted to 50-feet wide in the City Centered Corridor. Discuss how this will impact adjacent wetland habitats and the species that use them. Why should a buffer be narrower on a large parcel just because that parcel is in the City Centered Corridor?
- This program also provides for flexibility in buffer setback width. The implication is that the buffer could be larger to protect special status species and sensitive wetlands, but just the opposite could be true. Where flexibility is allowed, as Mmentioned above, it is our experience



that developers will find a consultant to say what they want in order to achieve the smallest possible buffer. This would significantly impact wetland species and habitats.

BIO 4.2 This policy allows changes to be made in the buffers and criteria for protection of SCA's through the established permit review process. This provision would leave this important issue up to the desires of individual planners which could lead to inconsistent application of policies and loss of habitat and species.

Several proposed allowed uses would contribute to loss of wetlands and reduced diversity.

- Passive recreation, if too close to wetlands, will disturb wildlife, and the trails the people will use require the destruction of vegetative habitat. This same statement requires that wildlife not be unduly disturbed. Is any disturbance due? What is the standard for unduly? Disturbance would be cumulatively significant and result in reduced diversity
- Agricultural uses that do not require the removal of woody riparian vegetation is unsatisfactory because it is limited to woody vegetation. All vegetation in the riparia zone is important, be they grasses, shrubs, forbes, and they contribute to the overall

The EIR should explore what types of development of parcels outside of SCA's could have greater impacts than developing within SCA's.

BIO 4.13 This policy calls for providing appropriate access, making public lands more accessible and usable for public recreation, but prohibits access if it would degrade or destroy riparian habitat, and encourages accessibility to public lands near streams for passive recreation and, presumably at the same time to protect streamline resources. Public access trails will always impact habitat because they require the removal of vegetation. Trails also direct people into the habitat. The EIR should discuss how public access can be provided that does not destroy or degrade habitat.

Bio 4.a This proposed program allows flexibility for buffers in the City Centered Corridor. How would this ensure against habitat loss and reduced diversity? Could the flexibility be restricted to expanding the buffer only.

BIO 4.b. The EIR should address the purpose of reevaluating the SCA boundaries. The *Goals Report* has already made a recommendation based on studies and experience of more than 100 scientists. Consider seeking data to support the current proposal.

BIO 4. h This program would allow for removal of native vegetation and does not include a requirement to replace natives. Again, woody vegetation is not the only streamline vegetation needing protection. Riparian habitats are a complex mix of many different kinds of plants that function together as a habitat. If the underbrush and shrubs are removed, and only woody vegetation left, the habit value and other beneficial functions provided by vegetation would be significantly reduced. For example, ground nesting and foraging birds would have no cover.

BIO-5 and program 5.a promotes protection for 300 feet landward of historic bay margins. This

in insufficient to protect species diversity. . Where available, all undeveloped land should be protected up to the closes development or road. And allowing case by case determination on smaller or developed parcels would lead to inconsistent and inadequate buffers on many or most five-acre and under parcels for the reasons stated above. Whether or not a parcel is developed should not matter. While we would not advocate removal of excising buildings, but any buffer remaining should be retained and not sacrificed simply because a parcel is developed. Discuss the potential for the provision allowing flexibility in buffer width to reduce buffer widths. A preferred alternative should be to only allow widened buffers to better protect sensitive biological resources.

BIO 5.9 encourages agriculture uses that are compatible with the protection of wetlands and other sensitive resources. This is appears to us to be internally inconsistent. The EIR should discuss what types of agriculture these would be. To our knowledge, there is no agriculture that is consistent with protection of wetlands because all agriculture requires removal of native vegetation either to plant crops or as forage for animals, and some also require diversions of water that can also degrade or destroy wetland habitats.

BIO 5.a Calls for establishing criteria for upland buffer zones, then proceeds to state criteria. Discuss the potential for this program to weaken buffer provisions and adversely impact habitat.

BIO 5-b would allow exceptions to prohibitions for diking, filling or dredging for areas that are isolated or limited in productivity. How will the validity of the judgment that a habitat is limited in productivity? How will it be assured the word of dishonest consultants will not be taken? What is the scientific evidence that an area that is isolated is low in habitat value.

Program BIO 5.c would allow for “appropriate” agriculture in wetlands. What exactly is appropriate agriculture in baylands? All agriculture would require the removal of wetland plants. Public access and low intensity recreation and education would be allowed in the Diked Bay Marshland Subzone because they are defined as “water oriented use.” Neither public access or education need to be located in wetlands. To do so would damage and destroy habitat, result in significant indirect impacts, and species diversity. These uses should be located in the adjacent upland landward of the defined buffer zone. Can’t these uses be located away from wetlands?

5-d This program is entitled Control Public Access, and calls for continuous 10 (as wide as a road) foot wide walkways from the nearest roads to the shorelines and along the shoreline . How would such a use protect species and habitats? Access should be located out of environmentally sanative marshland. This would simply direct people to the habitat and would cause adverse impacts. Why so wide and how frequently would they be located?

Page 2-38 We are long past balancing resource protection and socioeconomic priorities. 85% of our historic tidal marshlands have been destroyed. The environment needs strong protections because it has been destroyed, damage, and degraded for centuries. It can no longer be compromised. Balancing simply means loss.

Policy R.1. d. identifies the Watershed Plan for Tomales Bay as a source of actions that would benefit that estuary. We suggest that provisions of the *Baylands Habitat Goals Report*, *San Francisco Estuary Comprehensive Conservation and Management Plan*, *the San Francisco Bay Joint Venture's Plan Restoring the Estuary* and *CALFED's Bay Delta Program goals for San Francisco and San Pablo Bays* be consulted, cited and referenced for actions to benefit species and habitat needs for San Francisco and San Pablo Bays

The EIR should include a discussion of the Open Space District's Goals and Policies on the Preservation of Open Space lands Goal OS-2, and Policies OS 2.1 and 2.2 do not mention the importance of these lands for habitat. The Marin County Open Space District retains its lands primarily in a natural condition and this is a benefit of Open Space. The Plan does not mention the habitat/natural resource values of the Open Space District lands.

OS 3.b and c. should also note the habitat values of the Corte Madera Ecological Reserve, Richardson Bay, San Pablo Bayfront, Gallinas Creek, Novato Creek, Petaluma River, Black John Slough should be noted as having important endangered species and tidal marsh. Corte Madera Creek retains a steelhead population and Friends are working to improve the conditions and should be added. Only the urban uses and benefits are discussed.

The trail section and its policies do not recognize that trails have adverse impacts on wildlife and wildlife habitat (fragmentation, direct disturbance to nesting, loss of habitat due to removal of vegetation) and can have even more significant impacts resulting from poor maintenance and inappropriate use (sedimentation, erosion, gullyng, water quality degradation). The adverse impacts of trails and expansion of the trail system as noted in Goal TRL-1 should be discussed. As mitigation for these impacts a policy should be included that ensures wildlife habitat will be protected, will not be fragmented, habitats for native wildlife and special status species will not be degraded, and that adequate study and environmental review will be conducted before any new trails are built.

The Plan's emphasis is on promoting and expanding agriculture. The EIR must identify and evaluate impacts that are not recognized in the Plan. These impacts include removal of native vegetation along creeks and grazing land, destruction of wetlands by removing vegetation and diverting water. Locally grown foods has many benefits, these benefits do not avoid or mitigate the habitat and water quality impacts of agricultural production. One such impact which should be discussed in the DPEIR is the cumulative loss of water that would occur under policies encouraging the development of new water sources to enable row crops to increase.

Aquiculture has significant environmental impacts and, therefore, should not be encouraged. It covers mudflat/intertidal habitats eliminating foraging habitat for migratory shorebirds and possibly impacting fish. Audubon Canyon Ranch Biologist John Kelly should be contacted for data on the impacts of aquiculture from studies he has done on Tomales Bay.

**c) Introduction of new species of plants or animals , alterations that would result in a barriers to migration, dispersal or movement of animals.. This should be checked Significant.**

BIO 1.5 encourages the used of native plants or non-native plant species that are “compatible” with indigenous plants. What does compatible mean? Species thought to be benign could turn out to be invasive. To ensure this does not result in a significant impact, should only allow non-natives that are known to be non-invasive.

BIO 1-6 This is a rather passive approach to invasive species that could lead to continued expansion. We suggest a more pro-active removal program of highly invasive exotic plants be established at least in cooperation with the Marin County Open Space District.

Fragmentation would only be minimized under Bio 1.d and, therefore, could result in barriers to migration dispersal and the movement of animals between habitats. Discuss the possibility of avoiding fragmentation so that a corridor and link between habitats is preserved.

Trails are the removal of vegetation. Would be area of disturbance that would reduce plant diversity and allow for the invasion of non-native invasive species.

Program BIO 4.c would encourage the invasion of invasive psyches by allowing for removal of native plants other than woody species thereby opening up areas for exotic species to invade. An alternative program is needed.

## ALTERNATIVES

We emphasize the need to explore three additional alternatives also addressed in the

- 1) Increased agricultural acreage. Marin’s 60 acre Agricultural zoning was bold for its time, but is now on the low end. Agricultural protections could be significantly improved with larger zoning. One example of improved zoning is Alameda County’s Ag zoning which provides for 120 and 200 acre zoning.
- 2) Expanded Baylands Protection Corridor that also includes the baylands in Southern Marin. While these baylands may appear isolated if one is only looking for adjacent undeveloped baylands, they are connected by the Bay tidal and in many instances a fringe of marsh along the filled land. These lands should be awarded the same protections as baylands in the northern part of the County.
- 3) A No-rail Alternative. A rail line would induce growth to pay for the system and would result in adverse impacts to bayland/tidal marsh habitats because the line traverses the Bay edge in Marin and part of Sonoma County.

Thank you for considering our comments.

Sincerely,



Barbara Salzman  
President



March 31, 2004

Mr. Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

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**Re: Comments on the Marin Countywide Plan Update 2004 Draft's  
Transportation Section of the Built Environment Element**

Dear Mr. Haddad:

The Marin County Bicycle Coalition (MCBC) appreciates the opportunity to submit comments on the Marin Countywide Plan Update 2004, in preparation for its EIR phase.

The MCBC is a non-profit organization that was founded in 1998 to promote safe bicycling for everyday transportation and recreation. We promote bicycling as a way to improve public health, increase recreational opportunities, decrease traffic congestion, improve the environment, and provide benefits for public safety.

MCBC's specific interests are to ensure maximum accessibility and safety accommodations throughout the County for bicyclists and pedestrians. The following comments are recommended refinements to the draft language.

Comments on the Key Trends and the specific policies for each Plan Goal follow in numerical order, as they appear in the draft report. Where we are recommending text changes, the original text is ~~struck out with a line~~, and the proposed text is *added in italics*.

**Specific Comments:**

**1. Key Trends (p 3-138) People walk and ride bicycles less in the USA.**

We have two requests for this section:

- A) Please remove the statistic that 5% of trips in Marin are made by walking and bicycling. This is for "commute trips" only, and is not comparable to the other data which indicates ALL trips. It is not appropriate to mix methodologies for data collection, and commute trips only represent about 23% of all trips.
- B) We request that statistics for recreational bicyclists be included to supplement the information on bicycle commuter trips. Recreational riders comprise a substantial percent of the traffic on Marin roads, especially on weekends, and their use of the roadways needs to be acknowledged and addressed in a pro-active manner.

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**Organizational  
Affiliates**

*Bicycle Trails Council of Marin*  
*Bike the Bridge! Coalition*  
*Marin Cyclists*  
*Regional Bicycle Advocacy Coalition*  
*Single Cyclists*  
*Tam Valley Bike Club*  
*Transportation Alternatives for Marin*  
*Trips for Kids*  
*Velo Club Fairfax*

**2. Key Trends (p 3-139) County residents are making more automobile trips than ever.**

Please add: *Congestion management must respond with pedestrian and bicycle friendly facilities, rather than simply trying to move more cars faster. Solutions to reduce the use of automobiles include expanded bus service on secondary roads (free to students), new bicycle and pedestrian infrastructure, added traffic calming elements, etc.*

**3. Key Trends (p 3-140) Fuel consumption and transportation costs are high and increasing.**

Please add: *In direct response to high fuel costs, pedestrian and bicycle infrastructure improvements offer low cost infrastructure solutions to the County that increase mobility and improve public safety at low cost to the users.*

**4. Key Trends (p 3-140) Where are drivers going?**

Please correct the statistic to state that “40 percent of all trips in the United States cover TWO miles or less.”

**5. Key Trends (p 3 – 140) Figure 3-23:** Please note if these daily trips generated are on a weekday or weekend.

**6. Key Trends (p 3-141) Figure 3-24:** Please note the overall percentage of trips in Marin County that are work related trips. Nationwide, only about 23% of trips are actually work related. It is important to clarify this information, as it then becomes more clear that to relieve traffic, we must focus on much more than the work commute.

**7. Key Trends (p 3-143) Will traffic levels of service (LOS) be adequate in Marin?**

Please add: *The use of the Level of Service (LOS) to determine the effectiveness of roadways and intersections is limiting for user groups other than motor vehicles, such as pedestrians, bicyclists and transit users. Today, there are most likely many intersections and roadway segments that are currently at LOS E and below. Additional measurement systems that reflect circulation by the other user groups is critical to include, otherwise future infrastructure work will address improving the roadway system solely for moving motor vehicles and will neglect improvements that move pedestrians and bicyclists safely and efficiently.*

**8. Goal TR-1 (p 3-146) Safe and Efficient Movement of People and Goods**

TR-1.2: ~~Maintain~~ *Balance* Service Standards. ~~Establish~~ *Develop* level of service standards for vehicles on streets and highways *that consider and are balanced with the* and performance standards for transit, bicycle, pedestrian and other modes of transportation.

TR-1.4: Share the Costs for Improvements. Require new development to pay its fair share of the transportation system improvements it necessitates *and to implement those improvements prior to development as a way to mitigate traffic.*

TR-1.5: Keep Rural Character in West Marin. Maintain roads in West Marin as two-lane routes, with the possible additions of *allowed being* bicycle lanes, multi-use pathways, turn lanes at intersections, and turnouts for slow-moving traffic.

TR-1.c: Promote Transportation Alternatives. Work with local government, business, *the National Parks Service* and environmental groups to encourage use of transit, vanpools, carpools, bicycles and walking for commuting, *recreation and tourism*...

TR-1.e: Adopt Vehicle Level of Service Standards. Adopt peak-hour *or peak period* vehicle Level of Service (LOS) D or better for urban and suburban arterials and LOS E or better for freeways and rural expressways. *Balance the need to meet these LOS standards with the movement of other transportation modes including transit, bicyclists and pedestrians.*

TR-1.f: Analyze Multi-Modal Performance. Add: *The pedestrian and bicycle performance standards need to include measurable levels of safety and time of travel between destinations for these users by which the facilities are assessed.*

TR-1.i: Adopt Flexible Parking Standards. Amend the Development Code and ...or provide direct *bicycle and pedestrian* access to multi modal transit hubs *or locations that provide adequate, safe bicycle parking and changing areas.*

TR-1.k: Update Transportation System Modeling. Maintain transportation system modeling capability for the purpose of providing estimates and projections of trip generation, transportation demand (*for categories including commuting, tourist and recreational use*), and vehicle LOS on the road network and transit routes within the modeling system, and incorporate multi-modal performance measures and indicators ~~as feasible~~. *Insure that transportation modeling includes the needs of bicycles and pedestrians.*

## **9. Goal TR-2 (p 3-150) Increased Bicycle and Pedestrian Access**

TR-2.1: Improve the Bicycle and Pedestrian Network. Add: *Agreed-upon standards include those from Caltrans, AASHTO, and the MUTCD.*

TR-2.2 (p 3-151): Provide New Bicycle and Pedestrian Facilities. ~~Where appropriate,~~ *Require new development to provide trails or paths for use by bicycles and/or on-street bicycle and pedestrian facilities, or bank such mitigation towards larger local projects. Adopted the Marin County Pedestrian and Bicycle Master Plan (2001) by reference as part of the Countywide Plan update to help guide the implementation of bicycle and pedestrian facilities.*

TR-2.3: *Create a Public Review Process for Transportation Infrastructure Projects: Require transportation projects to be approved by the Marin County Planning Commission. Note: The City of Palo Alto recently changed the name of their Planning Commission to be the Planning and Transportation Commission, in order to expand its scope to fulfill this described function. As this plan states, transportation and land use are inextricably linked. New housing projects must go through the Planning Commissions and a public hearing prior to implementation, however, roadway and transportation projects have traditionally not been required to do this. This provision in the Countywide Plan would bring all transportation projects to the Planning Commission for public review on the design and conceptual plans. The details would need to be worked out as to the exact process for public review, as some transportation projects go through an extensive environmental review/public process for State and Federal requirements. It would*

also be important to ensure expediency and efficiency in developing a new public review of transportation projects.

**Page (3-151)** Why is this important? During recent years, there has been insufficient emphasis on accommodating pedestrians and bicyclists in new development projects. Roadway designs ~~should strive to~~ *must* adequately serve all types of users. Encouraging non-automobile travel will expand options for commuting (and potentially employee productivity) and reduce environmental impacts...

TR-2.a: Encourage Bicycling. Work with local ~~advocacy~~ *community* groups to encourage...

TR-2.b: Adopt Standards for Pedestrian and Bicycle Access. Amend the County Code to include standards for the provision of facilities to *safely* accommodate pedestrians and bicycles, including in the design of roadways, and to require new development and redevelopment projects to address, ~~where appropriate~~ bicycle and pedestrian access, *per the 1974 Bikeway Policy adopted by the Marin County Board of Supervisors...* (Note: a copy of this 1974 policy has been attached for reference).

TR-2.c: Support Bicycle Stations and Consider Attended Parking. Encourage the development of bicycle stations ...Bike stations are full-service bicycle facilities providing secure and guarded “valet” bicycle parking in addition to other possible amenities, such as showers *or bicycle rentals and repairs*.

TR-2.d: Fund Projects. ...and apply, ~~where feasible~~, a portion of traffic mitigation fees toward improvements that will increase bicycle ~~commuting~~ *transportation* and mitigate congestion.

TR-2.e: Prioritize Completion of the North-South and East-West Bikeways. Work with ~~local~~ *all* jurisdictions (*Caltrans, MTC, GGNRA, NPS, Marin County, BCDC, local cities and towns, etc*) to identify gaps...

TR-2.g: Add Bicycle Lanes. Identify roads with shoulders wide enough to be designated as bicycle lanes and ~~where feasible~~, stripe and sign appropriate roadway segments as bike lanes and bike routes.

TR-2.h: Encourage Innovative Bicycle Lane Design. ...communities throughout Europe and the U.S.A., such as: ~~painted red~~ *colored* bike lanes, signage, lighting and other safety features (*i.e. traffic calming elements: speed humps, tabled crosswalks, tabled intersections, bulb outs, and roundabouts*).

TR-2.i: Renovate Tunnels Along the Planned North-South Bikeway into Multi-Use Pathways. ~~Support, if feasible, the Work to reopening of~~ *reopen* the California Park Hill Tunnel ... and the Camino Alto Tunnel provides a direct, nearly level link between Mill Valley, ~~and Corte Madera and points beyond, along the Highway 101 corridor. This would satisfy a huge latent demand for bicycle and pedestrian infrastructure.~~



TR-2.k: Explore Funding Options: Please add: *A public process should be used to select which projects should be pursued for funding as well as the project design.*

TR-2.l: Consider Pedestrian Needs. ...and work with Safe Routes to Schools to encourage the creation of a countywide school crossing guard program *and implement needed infrastructure improvements along routes to schools including traffic calming, sidewalks, bicycle lanes, multi-use pathways, crosswalk improvements, intersection redesign, etc.*

TR-2.m: Consider Non-motorized Access in Transportation Projects. Include safe and convenient bicycle and pedestrian access ~~where feasible~~, in all transportation improvement projects *or as mitigation, if not feasible on a particular project, that can be banked and installed on other projects*, and request that Caltrans...

### **10. Goal TR-3 (p 3-154) Adequate and Affordable Public Transportation**

TR-3.5: Support Bicycle Access with All Transit Systems. Ensure that all new and existing transit systems provide for the storage of bicycles on transit as well as at transit centers, *and that safe and convenient bicycle and pedestrian access to transit hubs along local roads is provided. This is called "Safe Routes to Transit."*

TR-3.d: Upgrade and Create Intermodal Hubs. ... are comfortable and convenient for pedestrians, bicyclists, transit users, and drivers; and, ~~where feasible~~ provide secure bike parking. *Other services that transit providers should endeavor to provide include: ...*

TR-3.f: Coordinate Paratransit. ~~Encourage~~ *Require* the Transit District to provide information and ...

### **11. Goal TR-4 (p 3-157) Protected Environmental Resources**

TR-4.3: Increase Clean-Fuel Vehicle Use. ~~Encourage~~ *Require* government agencies to ~~switching~~ *switch* from conventional cars and transit vehicles to zero or low emission vehicles.

TR-4.b: Recycled and Resource Efficient Materials. Use resource efficient materials such as rubberized asphalt concrete and pervious pavement in road repair and construction ~~where feasible~~.

TR-4.c: Support Green Fuels. Work with advocacy groups to promote the use of hybrid and low-emission vehicles and clean fuels (including biodiesel) ~~as feasible~~ based on cost and availability, set targets for increasing the proportion of clean-fuel vehicles in the County fleet, and ~~encourage~~ *require* transit agencies *that are based in Marin* to increase their use of clean-fuel vehicles *to the same degree*.

#### **Page 3-158: How Will Success Be Measured?**

The measurements of success for the number of bikeway miles are completely insufficient. It would be go against the previous policies drafted in this plan to approve of such low targets for improving the bikeway system. The Marin County Bicycle Coalition recommends the following changes:

Miles of Class I Bicycle Pathway

Non-Binding Targets: Increase by 5 times by 2010, and 10 times by 2015

Benchmark: 3.5 miles of Class 1 in 2000

Miles of Class II Bike Lanes (remove the words "or better")

Non-Binding Targets: Increase by 5 times by 2010, and 10 times by 2015

Benchmark: 2.25 miles of Class 2 in 2000.

*Add a New Category*

Miles of Class III Bicycle Routes

Non-Binding Targets: Increase by 5 times by 2010 and by 10 times by 2015

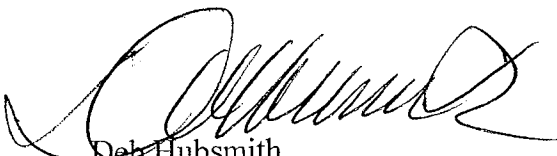
Benchmark: 3 miles of Class 3 (signed bicycle routes) in 2000.

\* \* \* \* \*

The Marin County Bicycle Coalition is available to answer any questions you have regarding our comments, and welcome your feedback. You can reach me at 415-456-3469 x1#.

Thank you for consideration of our comments. We look forward to hearing back from you and to increasing safe and aesthetic opportunities for people to enjoy Marin County on foot and by bicycle.

Sincerely,



Deb Hubsmith  
Executive Director

## A Bikeway Policy for Marin County-1974

In 1974, the Marin County Board of Supervisors adopted a document entitled "A Bikeway Policy for Marin County" in which the Board emphasized the need for "safe accommodation for bicycling in all public streets and roads."

The policies called for the County to:

1. Require new road construction and repair projects to be designed to safely accommodate bicycles as well as motor vehicles;
2. Integrate bicycle planning into transportation planning and construction;
3. Provide recreational bikeways along scenic routes and connections between recreation areas;
4. Develop uniform standards for bikeway design, construction, signing and safety devices;
5. Support bicycle traffic safety education and skills training programs; and,
6. Support statewide and local legislative efforts to establish bicycle safety rules, and support enforcement and education programs which may be necessary.

\* Taken from *The Bicycle Plan for Marin County*, adopted by The Marin Board of Supervisors December 2, 1975, which was provided by Steve Pettele, Department of Parks, Open Space & Cultural Services.

1600 Broadway, Suite 300  
Oakland, CA 94612-2100

t. 510.452.9261  
f. 510.452.9266

www.savesfbay.org

March 31, 2004

Mr. Tim Haddad  
Environmental Coordinator  
Marin Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

**RE: NOP for the Marin County Countywide Plan Update**

Dear Tim:

On behalf of Save The Bay's 10,000 members, I would like to submit the following comments on the Notice of Preparation (NOP) for the Draft Environmental Impact Report for the Marin Countywide Plan Update 2004 (CWP).

Save The Bay has a long-standing and well known record of fighting to protect and enhance the natural resources of San Francisco Bay, and to increase public access to the waterfront. Along with the need to provide increased public access to the shoreline and accommodate recreational activities in the park there is also an urgent need to replace the Bay's lost wetlands and shoreline habitat critical to the survival of the Bay's fisheries, wetland plant communities, and Bay-dependent wildlife.

Save The Bay has been involved over the years in various efforts to protect the marshes and wetlands along the Bay in Marin County, including at the Bahia development, Bel Marin Keys, Hamilton Air Force Base, and the St. Vincent/Silveira property. Our organization is currently partnering with the U.S. Fish and Wildlife Service to protect and restore the Marin Islands National Wildlife Refuge and State Ecological Preserve.

**Baylands Corridor**

Save The Bay strongly supports the designation of a fourth - corridor, the Baylands Corridor, along the shoreline of San Francisco and San Pablo Bays. This is a critical step for the long-term preservation of this unique habitat and landscape in Marin.

1. The NOP states that the Baylands Corridor "encompasses tidelands, marshes, and diked lands along the Bay shoreline designated to provide for increased protection of environmental characteristics of the historic bay margins." The *Baylands Ecosystem Habitat Goals* (1999), developed by the San Francisco Bay Area Wetlands Ecosystems Goals Project, cites additional habitats that are essential to the diversity and sustainability of the Baylands ecosystem, including: upland transitions, oak woodlands, and mixed evergreen forests.



We recommend that the Draft EIR of the CWP 2004 identify key characteristics of the Baylands Corridor, including specific habitat types described in *Habitat Goals*, and analyze an alternative that extends the boundary of the Baylands Corridor to include these additional habitats.

2. The *Baylands Ecosystem Habitat Goals* also recommends the creation of an upland buffer adjacent to the Baylands boundary, in order to minimize the negative effects of adjacent land uses on the bayland. It recommends “a minimum buffer width of 300 feet” (*Baylands Ecosystem Habitat Goals*, p.164).

We recommend that the Draft EIR of the CWP 2004 analyze the creation of a 300-foot buffer surrounding the Baylands Corridor.

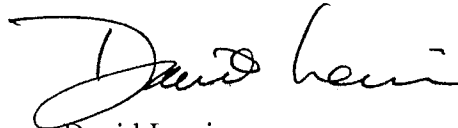
### **Determination of a Focused EIR**

The NOP declares that the County Environmental Coordinator has determined that a Focused EIR is required for the Marin Countywide Plan Update 2004. According to Section 15178 of the California Environmental Quality Act (CEQA) Guidelines, the Focused EIR shall “analyze only the subsequent project’s additional significant environmental effects.” A focused EIR would not require analysis of cumulative impacts or growth-inducing impacts of the project, information that is necessary for a full public evaluation and informed decision-making in Marin County. A full EIR would include important information on impacts of the plan to the Baylands Corridor

We recommend the preparation of a full Draft EIR for the CWP 2004 that includes analysis of cumulative and growth-inducing impacts of the plan on the newly created Baylands Corridor.

I appreciate your consideration of these comments for inclusion in the Draft EIR for the 2004 Update of the Marin Countywide Plan.

Sincerely,



David Lewis  
Executive Director



March 31, 2004

Mr. Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

RE: Comments on the Marin Countywide Plan Update 2004 Drafts  
Transportation Section of the Built Environment Element

Dear Mr. Haddad:

Transportation Alternatives for Marin ("TAM") appreciates the opportunity to submit comments on the Marin Countywide Plan Update 2004 prior to the EIR phase. TAM is a 501(c)(3) non-profit whose primary purpose is to promote pedestrian and bicycle transportation in Marin County. We have worked extensively with the County in the past.

Our comments are as follows:

1. TR-2.m. TAM supports the language in Section TR-2.m. However, we would like to add a new section that reads, in part: "Any time Caltrans or the County does renovation work on any Highway 101 interchange in Marin County, complete safe pedestrian and bicycle access will be built in during such renovation, which will provide secure, separate and safe pedestrian and bicycle transportation in all four directions. (For example, where Highway 101 is heading along a North-South axis and the interchange is being worked on, this would mean that the interchange would be constructed at that time to accommodate pedestrians and cyclists safely from the north, south, east or west. The interchange would be designed in such a manner that children could safely use such areas.)"
2. It should be a policy, in any situation where there is a jurisdictional issue regarding planning, building or maintenance of the primary north-south or east-west pedestrian and bicycle arteries, that the County accept responsibility for the maintenance of the completed project and act as the lead agency in planning and development.
3. On page 3-158, How Will Success be Measured?, in regards to miles of Class I bicycle pathway and miles of Class II bicycle pathway, the increase of 1.5 times by 2010 and 3 times by 2015 for Class I mileage and the increase by 2 times by 2010 and 4 times by 2015 for Class II mileage simply seems like a very low target. Particularly in consideration



**T**ransportation **A**lternatives for **M**arin

Mr. Tim Haddad  
March 31, 2004  
Page 2

of the Class I projects that are currently under planning right now in the County, and in particular when considered with that all portions of the North-South right of way are either being planned or built at the current time, with the exception of the Alto Tunnel. More realistic figures for the amount of mileage for each of these categories should be added.

Thank you for your consideration of these comments. Please let us know if there are any questions that we can answer or provide any additional input.

Respectfully submitted,

Patrick Seidler  
President

Rick W. Johnson  
P.O. Box 981  
Inverness, CA 94937

2004 MAR 30 P 12:14

MAR 30 2004  
COUNTY DEPARTMENT

March 29, 2004

Tim Haddad  
Marin County Community Development Agency  
Marin Civic Center, Room 308  
San Rafael, CA 94903

Re: Scoping for Countywide Plan EIR

Dear Mr. Haddad,

The Countrywide Plan is a remarkable document with excellent goals and candid descriptions of problems in the county. And, there are many policies which will help solve the problems. Yet, there are some areas where I believe the plan will have significant negative environmental impacts, especially in comparison to alternative policies. I have read the scoping comments from the EAC, and agree with those points. In addition, I wish to add some items and expand on some points considered by the EAC.

#### **Effective Growth Management.**

The CWP states on page 3-22 the Goal CD-5: "Control growth so that transportation, water, and sewer and wastewater facilities and other infrastructure components remain adequate to serve housing and job development that meets County goals." Does the plan really accomplish this goal? I do not think so; it seems to me that the CWP policies tend to extend the type of growth which has happened in the past.

The uncontrolled growth of market rate housing has led to the conditions we see:

From the plan Page 3.3: Investment in transportation systems has focused primarily on mobility by private automobile which resulted in congested highways and little provision for alternative means of transportation.

Investment in housing has focused on the construction of low-density and expensive single-family houses, often inadequately connected to older neighborhoods and downtowns. This type of development has consumed relatively large amounts of land and water to house a small number of residents, is affordable only to those with high incomes, and generates a significant proportion of vehicle trips countywide.

Investment in retail and office space has primarily resulted in low density, single-use buildings, each surrounded by surface parking.



Page 4-12, an estimated 44 percent of Marin workers commuted to jobs in other counties in 2000, while residents of other counties held 32 percent of the jobs in Marin. While Marin's job and housing ratio has improved, the ratio is misleading in two ways. First, as noted in the plan, many households need two incomes to afford to live in the county; Marin is not unique in that regard. But, a second problem is that many of the new service and retail jobs do not pay enough so that employees can live in Marin near the jobs.

In figure 3-17 on page 3-97, indicates that the county intends to exceed ABAG minimum housing unit requirement by 81% and in the above moderate income category, the county will exceed those minimums by 123%, over twice the growth needed. I think the county does need to build housing, but the real need is for affordable housing.

The CWP will contribute to further sprawl. In a chart handed out along with the plan showing housing units by county planning area, growth will be highest outside the core cities:

Planning area	Growth from existing number of housing units to plan build out
1 Novato Environs	20.8%
2 Las Gallinas	31.9%
3 Central San Rafael	29.2%
4 Upper Ross Valley	18.7%
5 Lower Ross Valley	31.3%
6 Southern Marin	23.9%
7 West Marin	50.3%
All unincorporated	31.1%*
Incorporated cities	7.7%
Whole county	14.9%
* Plus an additional 4.4% in banked affordable units to be built in the city corridor.	

The plan has some provisions to address these problems, especially in promoting mixed use, European style urban facilities, and more affordable housing. But the CWP has no direct growth management plan. Do we need an urban growth boundary? Do we need a slow growth, permit allocation system for market rate housing outside the urban growth boundary until such time as traffic and water supplies meet all around needs? Should these policies also apply to the cities in Marin and if so, let's consider the legislation or referendums necessary to establish consistency and success in meeting the goal of effective growth management.

### **Water supplies**

On Page 3-179, "Water providers are anticipating increased demand". The CWP assumes the demand will be met with new supplies. The CWP must consider and emphasize water conservation instead. There will be serious negative impacts from the

CWP relying on a pipe line and extraction of additional water from the Russian river. Consider the impacts on the Russian river environment, impacts from constructing the pipeline, and growth inducing impacts in Marin. Also, conduct an EIR on the impacts of a desalination plant.

### **Transportation**

It is hard to determine if the county's transportation capability will be adequate for the county's growth. On Page 3-142, the CWP indicates the lack of funding for transit. The EIR can evaluate which alternatives will have the most significant and least significant impacts.

The SMART train and associated bike corridor is likely to have significant negative impacts on sensitive habitats and will add unnecessary noise in the new Bayland Corridor. Its purpose is to speed the flow of workers into the County. A better alternative is to develop shuttle bus services which take advantage of the existing road system and allow people to move from neighborhoods to retail, service, and employment locations. These buses do not all need to be full size transit buses; there can be a mix of full size buses and smaller shuttle buses, like the West Marin Stagecoach. Such a transit system can directly help balance jobs and housing within Marin County.

### **Watersheds**

The CWP does not provide sufficient policies to achieve the goal of protecting watersheds. Residential units, paving and agricultural activities on steep slopes and ridge lines contribute to excessive erosion and runoff. The plan should prohibit damaging activities and encourage remediation of problems.

As suggested by the EAC, the county should add a new Policy WR 1.4 on page 2-48 to protect upland vegetation to promote infiltration and to reduce erosion. In the inland and coastal corridors, do not allow building and access driveway construction on slopes over 18% or on ridgelines. Promote restoration and correction of erosion problems associated with agricultural roads and grazing, and existing residential development on slopes over 18%.

There are precedents for this type of policy. In Alameda County the voters adopted a general plan provision for the rural eastern part of the county, outside the urban growth boundary, as follows: "In no case shall required housing be built on or which protrudes over hilltops or ridgelines, on slopes of more than 20%, critical wildlife habitat, or within 100 feet of a riparian corridor." The Marin CWP does not have such protection for ridgelines and steep slopes in the inland and coastal corridors.

The steepness of a slope can be evaluated as follows, according to the United States Department of Agriculture's Soil Conservation Service:

Nearly level (0-2%). Has no limitation on its uses. Any limitations are the result of other factors.

Gently Sloping (3%-6%). Desirable for almost any type of development; may have erosion problems; limitations are due mostly to factors other than slope.  
Moderately Sloping (6%-12%). May have severe erosion problems.  
Strongly Sloping (12%-18%). Has severe limitations for all types of construction.  
Steep Slopes (18% and over). Undesirable for most development.

## **Noise**

On page 3-166, Key trends, the Plan should acknowledge the extreme impact of noise in spoiling natural soundscapes to the detriment of humans and wildlife. The transportation and growth plans of the CWP have a significant negative noise impact.

In the policies on 3-174 add a new policy NO-1.5 to identify and protect representative areas for preservation of natural quiet and soundscapes, to the best of our abilities. Some of these should be in the San Francisco Baylands and city corridor. We should not give up. This may be quixotic, but it will be well worth the effort to establish some sanctuaries of natural quiet and sound.

Prohibit small jets at Gness Field, and restrict general aircraft flights over the designated quiet spaces.

Add a policy NO-1.6 to work with appropriate agencies to prohibit low level flights along the coast, as these flights cause undue disturbance of marine mammals (harbor seals) and human visitors.

## **Baylands Corridor**

On page 2-36, the baylands corridor is defined as “All currently designated lands (as shown in map) in the Bayfront Conservation Zone – comprised of the Tidelands Subzone, the Diked Bay Marshland and Agricultural Subzone, and the Shoreline Subzone (see Map 2-5).” I don’t know if parcels zoned for urban uses such as industrial, residential, or recreational/commercial are excluded from the corridor. If so, that will cause significant negative impacts with a cookie cutter destruction of habitat. There should be a policy to remove urban land use zoning from within the baylands corridor.

## **Invasive plants and animals**

The approach taken to Policy 1.6 in the CWP will have a significant negative impact because the plan seems ineffective in addressing the problem. As an example of how weak the plan is consider the program Bio-1.e to make a list of undesirable species. That is a nice idea but of limited effectiveness. The real need is to have programs and actions which will address the problem directly. The county needs an aggressive program of a private/public partnership to remove the most invasive exotic species and control their spread. It could be somewhat akin to the program for fencing of riparian habitats in agricultural lands. The county must take the lead to remove exotics along roadways. Roadways have become a corridor for propagating broom throughout the county. If this

issue is neglected in this general plan, it will be an insurmountable problem by the time of the next general plan update. We do not need a fifth corridor in the general plan, namely the "Broom Corridor".

### **Rezoning agricultural lands**

Regarding page 2-129, AG-1.h Assess Density in Agricultural Districts.

"Conduct an assessment of lands within A-20 or smaller zoning districts to determine which are appropriate for agricultural production. Consider rezoning those that are not suitable for agricultural production to the RAZ or ARP districts." This policy will have significant negative impacts unless there is considerably more control placed on the process as follows:

- a) No increase in base density of the zoning
  - b) Density should use the least dense limit e.g. 1 unit per 30 areas
  - c) Other applicable controls protecting sensitive habitat and watersheds
  - d) The same limit on residential size of 3000 sq. ft. as for agricultural lands.
- There should not be a provision for a higher level exception to 5000 or 6000 feet since there is no corresponding agricultural benefit to be gained through an agricultural stewardship plan.

AG-1.h may be appropriate, but this policy should not be an excuse for or an incentive for conversion of agricultural land to residential land. The areas under consideration are far from urban services of water, fire, sewer, and transportation and are not suitable for higher density development.

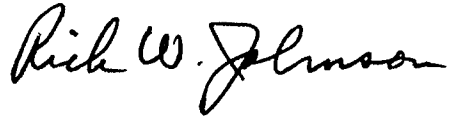
Incidentally, I could not find any A-20 zoning on the maps in the CWP. I could see AG1, AG2, and AG3. And, some of those have incorrect information in the legends on maps; maps 7.7.1, and 7.6 shows AG1 and C-AG1 with density of 1 unit/1-9 acres while the other maps show AG1 with a density of 1 unit/31-60 acres.

### **Sustainability.**

As pointed out by the EAC, the best model in the plan is on p.1-7. It is the pyramid with natural resources at the base. This model is best because it represents the nature and relations of the three elements of this plan (natural resources, built environment, socioeconomic). The three rings introduced on page 1-4, called Venn Diagrams, can easily be misunderstood. The rings suggest that one could wander into say the economy/equity area and ignore environmental protections. In fact, the only sustainable things which can be done outside the environmental "ring" are things which are neutral to the environment. If the county replaces all those rings with the pyramids, you can still use shading to show the focus of a program. It will then be apparent that all elements of the plan relate to sustainability.

In summary, the CWP as it is written now may cause significant negative impacts, and I encourage you to do a thorough EIR on these topics. Thank you for considering my comments.

Sincerely,

A handwritten signature in black ink that reads "Rick W. Johnson". The signature is written in a cursive style with a large, prominent "R" and "J".

Rick W. Johnson

cc Catherine Caufield, EAC; Barbara Salzman, MAS; Gordon Bennett, EAC and Sierra Club

Cela O'Connor  
P.O. Box 116  
Bolinas, CA 94924  
Fax 415-868-2496  
email oconnor@linex.com

March 31, 94924

Tim Haddad  
Environmental Coordinator  
Community Development Agency  
3501 Civic Center Drive, Room 308

RE: Notice of Preparation for the Countywide Plan Update

Dear Mr. Haddad,

This communication will address environmental impacts as related to streams, riparian habitat and wetlands.

The NOP recognizes that there will be Potentially Significant Impacts Unless Mitigated in the Biological Resources Section of the NOP related to sensitive resources. The EIR should evaluate the impacts of any and all land use policies and programs in all zoning districts that adversely impact SCA's and wetlands and apply mitigations whenever and wherever possible to enhance and/or restore fully functioning riparian systems and wetlands.

The following items are areas of special concern:

1) Close attention should be paid to adverse impacts to wildlife that depend upon transition zones from wetlands into uplands for their life cycle and behaviors. Setbacks to wetlands should be adequate to insure an uninterrupted transition into uplands to avoid adverse impacts to the baylands wildlife.

2) Evaluate impacts to wetland habitat less than 5 acres in the City Centered Corridor by not applying 100ft. setbacks to parcels over one-half acre. Retention of the 100ft. buffer on smaller parcels would allow greater mitigation during development to protect sensitive habitat values.

3) Estimate impacts of loss of riparian habitat and streams where applicable due to construction of dams for public benefit such as Alpine Lake Dam, Kent Lake Dam, Nicasio Lake Dam, Soulehule Lake Dam. This would be helpful to educate the public on the importance of conserving, enhancing and restoring remaining riparian habitat and streams wherever and whenever possible countywide even if it is in their own backyard or field.

4) The Final Impact Report for the 1994 Countywide Plan, Section I, Page 118 declares that "In addition, there are no regulations or policies which address the removal of vegetation or trees on specific properties prior to development. This impact is identified as a significant impact prior to mitigation (my emphasis) since there are no mechanisms to protect these special biological communities in the Countywide Plan." The evaluation of the adverse impacts which may occur do to any agricultural assessor activity which would remove vegetation within an SCA or wetland or wetland setback needs to be addressed in the EIR.

5) The impacts to streams and ground water levels of unregulated riparian water use, both residential and agricultural, needs to be addressed.

6) The full protection of the Stream Conservation Area took place upon the adoption of the 1994 Countywide Plan through Program EQ-2.3a Protection of Stream Conservation Area. The county chose not move aggressively to implement protection through the established permit review process. An assessment of the negative impacts to

the riparian systems as a result of this decision, should be addressed at this time within the EIR.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cella O'Connor".

Cella O'Connor

MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION

PUBLIC SCOPING SESSION

ENVIRONMENTAL IMPACT REPORT FOR THE  
MARIN COUNTYWIDE PLAN UPDATE 2004

WRITTEN COMMENT FORM

March 4, 2004

Name/Affiliation: Nicholas Salcedo, (Resident, Homeowner, Tax Payer  
Address: 87 Berens Dr Community Volunteer)  
City: Kentfield, CA Zip Code: 94904 Telephone:  
415-485-0554

Please provide comments and concerns regarding the environmental effects of the proposed Plan or the environmental process below.

In the spirit of thinking global, and acting local, I have a concern that the proposed plan could have a potentially significant adverse environmental impact by allowing a wetland to be designated as residential. I believe this can be easily remedied by designating the wetland parcels "OS." (APN 074-111-13, 074-112-27, owned by the CA State Lands Commission). Please see attached letter and maps for more detail.

I recognize this may be small compared to the larger County wide planning study; however, if others can add detail and refinement to the process, it will only make for a better document. Thank You. *Nicholas Salcedo*

Please use backside of page for additional comments, if needed. This comment form for the scope of the EIR may be handed in at the scoping session to County Staff or mailed to the attention of Tim Haddad, at the Marin County Community Development Agency - Planning Division, 3501 Civic Center Drive, Room 308, San Rafael, CA 94903, prior to March 17, 2004. Comments by FAX or E-mail may not be able to be confirmed as officially received and accepted before the end of the comment period deadline. Commentors are advised to mail written comments postmarked on or before March 17, 2004.

The draft plan is posted on the County's website at [www.future-marin.org](http://www.future-marin.org) and is also available for review at all public libraries and the CDA office. Plan copies in CD format or hard copy are available by calling the CDA office at (415) 499-7874 or (415) 499-6269 between the hours of 8:00 AM and 4:00 PM, Monday through Friday.



Nicholas Salcedo  
87 Berens Drive  
Kentfield, CA 94904

March 5, 2004

Marin Community Dvlp. Agency, Planning Div.  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

ATTN: Tim Haddad

SUBJECT: Recommend Designation of Wetland Parcel(s) (074-111-13, 27) as  
Open Space instead of Residential

Dear Mr. Haddad:

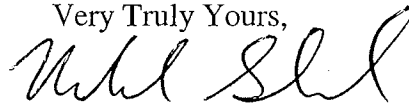
Thank you for the opportunity to comment on the *Draft Countywide Plan*. First, let me commend you and all who worked on a very thorough yet relatively user-friendly document considering its scope – a job well done. I do, however, have one relatively small comment, or recommendation, which is that a wetland that includes endangered species habitat owned by the California State Lands Commission (APN 074-111-13, 27), located adjacent to a natural remnant of lower Corte Madera Creek, be designated as “open space (OS)” instead “residential (SF6)” (see attached maps).

I was pleased to see plenty of language in the Plan that recognizes the importance of wetlands and includes policies aimed at protecting, enhancing and restoring them. It also includes similar language regarding endangered species and their habitat. A quick review and analysis of the Plan identified such language, some of which I attached. An open space designation for this wetland would make the Plan internally consistent with its Natural Systems policies (i.e. BIO 3.1, 3.c.c, OS 3.c, among others), would make it consistent with the OS designation of a near by wetland (Creekside Park) and would make it consistent with Larkspur’s open space designation for adjacent wetlands.

I believe this simple change would benefit to the environment by replacing a land use designation (SF6) that is more likely allow a significant environmental impact, with another land use designation (OS) that is better suited for environmental protection. In other words, allowing this wetland and endangered species habitat to remain in a residential designation would only facilitate possible environmental damage, where an open space designation would further environmental protection while improving the Plan and its related environmental review and approval.

Thank you for your consideration and I hope the County can make this change.

Very Truly Yours,



NICHOLAS SALCEDO

Attachments

cc: Supervisor Hal Brown  
State Lands Commission  
Michelle Rodriguez, County Planning  
John Wooley, Public Works



## NATURAL SYSTEMS ELEMENT



Clapper Rail

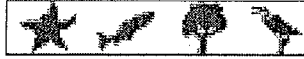
© Don Freundt

### 2.4 Biological Resources

#### Background

Marin is home to a number of diverse and important natural communities, from coastal marine environments to bay marshlands and mudflats, riparian habitats, and an upland mosaic of forests, woodlands, grasslands and chaparral (see Map 2-1). Detailed information and maps of these ecosystems, their associated sensitive biological and wetland resources, and a summary of resource-protection regulations can be found in the Biological and Wetland Protection Technical Background Report (see Appendix).

Wetlands on APN 074-111-13,27 have habitat that look identical to that shown in the photo above. (NS) 3-5-04



## NATURAL SYSTEMS ELEMENT

species. The creekside should be kept free of developments that would contribute to siltation and loss of navigational use in the stream channels. This area contains McInnis County Park and undeveloped, diked baylands with restoration potential.

- ◆ Novato Creek to Black Point is an important tidal marsh that contains habitat for endangered and migratory species, and a valuable flood ponding area. Large areas have been acquired.
- ◆ Petaluma River. Marshes, river bank areas and wildlife refuges should be preserved in cooperation with Sonoma County. The State and Open Space District have acquired significant wetland areas between Rush Creek and Basalt Creek.

OS-3.c

*Buffer City-Centered Corridor Streams and Creeks.* Support efforts to restore, enhance, and maintain natural vegetation and other habitat values along streams in the City-Centered Corridor, and maintain strict controls and high environmental standards in these zones:

- ◆ Mill Valley Area Creeks. Local jurisdictions should provide adjacent parks and regulate development to protect streamside vegetation along Arroyo Corte Madera del Presidio, Old Mill, Cascade, Homestead, and Coyote Creeks.
- ◆ Corte Madera Creek. Although much of this creek has already been lined with concrete, a landscaped bicycle path now extends from the Larkspur ferry terminal through the lower Ross Valley. The California Clapper Rail inhabits marshes along this creek.
- ◆ Miller Creek from Highway 101 to Big Rock should provide a continuous natural strip through Marinwood and



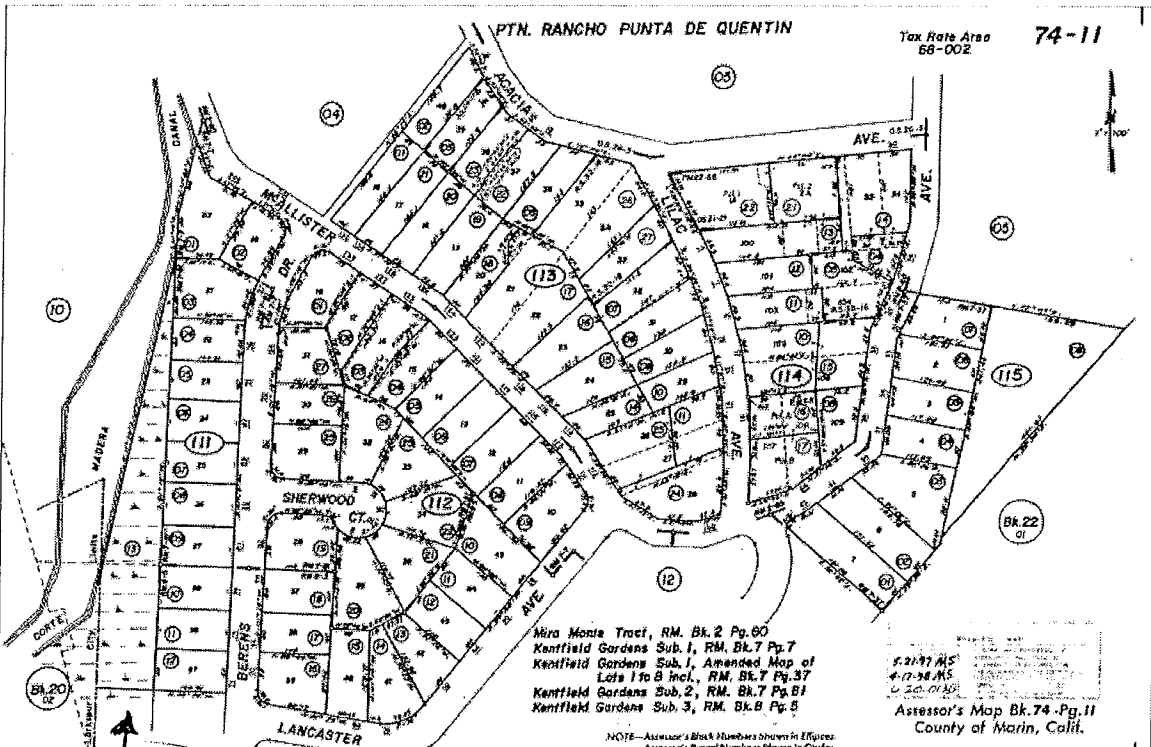
Portion of Land Use Map  
for Kentfield, as proposed  
in 02/04 Draft Countywide Plan



Area recommended  
for designation as  
Open Space (i.e.  
remove Residential  
designation)

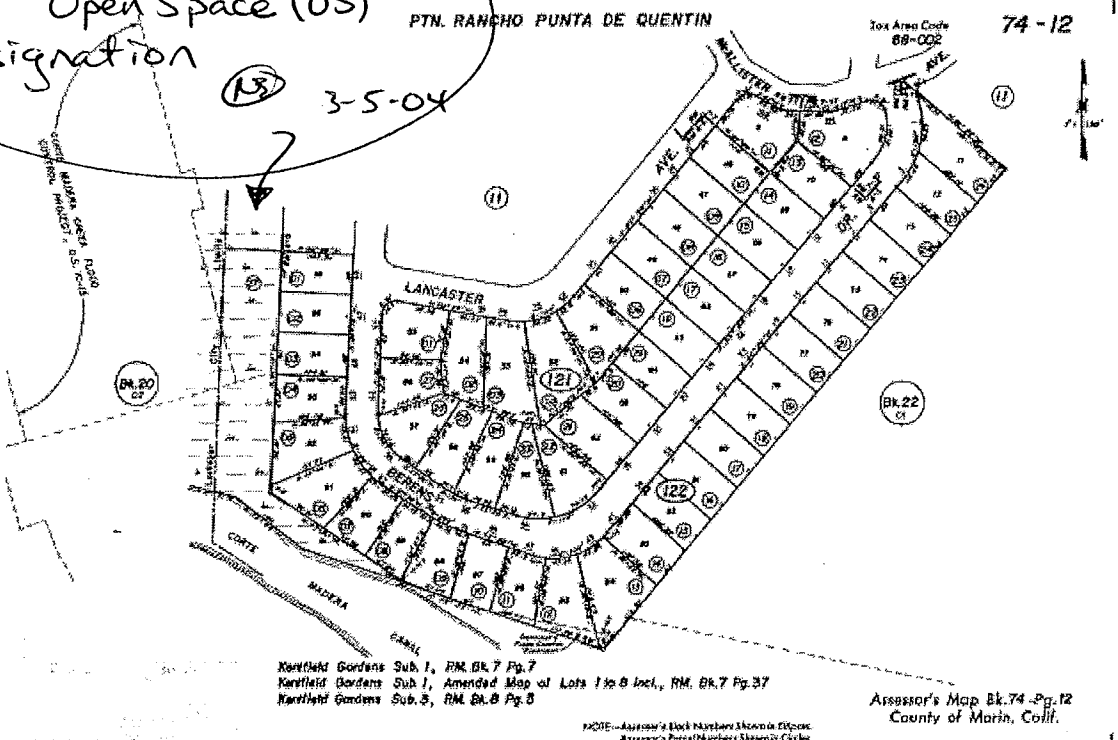
OS

3-5-04



parcels that are recommended for an "Open Space (OS)" designation

115 3-5-04



COUNTYWIDE PLAN EIR SCOPING SESSION

MARCH 4, 2004

(These minutes represent a summary of the issues raised in the scoping session and are not intended to be a verbatim transcript of the proceeding.)

Introduction to the scoping meeting was provided by Tim Haddad, Environmental Coordinator. He noted that although not normally a question and answer process, due to the limited number of speakers wishing to comment at this meeting, he would like to keep the process less formal and would try to provide some opportunity for limited questions and answers. The comments received tonight however, would be included in an issues list in the EIR appendix and answers to the issues raised addressed in the EIR, to the extent they were environmental concerns under CEQA and not issues responding to the merits of the Plan or the adequacy of the proposed Plan policies or components.

Judy Binsacca, League of Women Voters

9 Tower Point Lane

Tiburon, CA

The Draft Plan states that the Baylands corridor was established to reinforce and expand the conservation zone protection, etc. When an attempt was made to replace the conservation zone with the Baylands corridor in 1996, CDA challenged the scientific adequacy of the proposed corridor map because it did not fully indicate the data source used to substantiate data to establish the boundaries. CDA continued to say that in order to include the additional area, field studies would need to be conducted to provide justification. She questioned what scientific data had come up in the intervening eight years to justify replacing the conservation zone with the Baylands corridor.

Tim Haddad: The intent of the Bayland Zone is to encompass and incorporate the Bayfront conservation zone. Doesn't think there are any cases where the area will be less, but in some cases will probably be somewhat more. How do we figure out what more to do? It's based on some specific data that we have had since the last time around. There is a database of the conservation zone, we also have an extensive Geographic Information System that we've been building for a number of years now, and have utilized overlays to see how well we're capturing the historic (zones).

Dave Coury, Housing Council, Lifehouse Mercy

3312 Paradise Drive

Tiburon, CA 94020

The process issue is that the Plan itself is not in the shape that it must be to be considered as a project under CEQA. It is a draft and I would like to underscore that. I totally applaud the County for using sustainability as its overarching principal; the interactions among the environment, housing and culture need to be advanced. As we go forward in the process of the EIR, those kinds of relationships will need to be more fully brought out. In particular, will there

be a set of alternatives? As with other plans, will there be a range of other possibilities? For example, in terms of the use of the 1800 homes that are being displaced because of habitat?

Would like to see incentives in the Plan for infill housing, public and special needs housing. One of the goals of the General Plan is to set the overarching structure for zoning. Unless that's there in the Plan, it's hard to do an EIR on it. There are holes in the Plan, and the EIR process is premature because of that. Changes to the Plan will need to be developed.

Will there be other aspects of the Plan that would be studied as part of the EIR to determine sensitivities? How will the changes to the Plan be integrated into the EIR process? My hope is to stress the interactions within each section and among the sections.

Tim Haddad: The CWP EIR will be written on the Draft CWP as a programmatic EIR. CEQA allows an iterative process. The Plan can be informed by the Environmental Review process. Environmental Review will look at building policies in the Draft Plan and will address potential impacts at the level of detail that is in the Plan itself. There are provisions within the Environmental Quality Act that specifically provide for that process. CEQA provides for a programmatic EIR and that the degree of specificity in the EIR is commensurate with the degree of specificity in the underlying project. So on a Plan, a more general, conceptual document of goals and policies, programs, etc, the environmental review is focused on the level of detail that is in that Plan. Then as succeeding activities are undertaken, whether they be zoning, community plans, or even construction projects, they may be required to have more detailed environmental review in a supplemental or subsequent EIR or Negative Declaration.

Supplemental EIRs address in more detail activities as they are known. This is absolutely allowed by the Environmental Quality Act. Regarding alternatives, the Environmental regulations require that you look at a Plan or project from the standpoint of no project. In the case of a Plan, if there is no project that would update the previous 1994 Plan, then the '94 policies and programs would remain in place. We'll look at the impacts of continuing with build out under the '94 Plan policies. We'll also look at a variation of the no project alternative for a conceptual alternative that would essentially freeze development at current levels, without any further commercial or residential development beyond that presently existing.

We will also look at four additional alternatives. In fact, those alternatives have already been looked at and incorporated into our planning process. They were used to inform what we've identified as our preferred alternatives in the CWP. Those alternatives include an environmental alternative, housing vitality alternative, economic alternative, and transportation alternative. If you look through the CWP document, you can see what those alternatives are, what the concept of the alternative Plan policies would be and how they compare to the preferred Plan that we're now proposing. We will evaluate the impacts of those alternatives together with the no project alternative in this EIR, and will identify the environmental superior alternative as required by CEQA. If you would like more detail on the CEQA requirements for a Plan, the state CEQA guidelines are on the state website at [www.ceres.ca.gov](http://www.ceres.ca.gov). Section 15146 discusses the degree of specificity required for a General Plan EIR.

Dave Coury response: Is not sure he is satisfied that the changes that will be happening to the Draft CWP will be integrated into the FEIR. As a representative of the Housing Council, he

hopes there will be a chance to improve on the alternatives. The Housing Council is not happy with the housing alternatives.

Tim Haddad: There may be changes in Plan policies that result in issues on how those policies effect the environment but the Plan EIR is a programmatic EIR that looks at the policy concepts broadly. It would be hard to envision changes that would be so different from the draft Plan policies that it would raise new or more severe impacts than what's been looked at in the EIR. If there are new or more severe impacts, there are rules in CEQA that provide a recipe for addressing that issue. If there are significant changes in the project that result in significant new impacts before the EIR is completed, then the draft EIR has to be re-circulated for further comment. When you review the EIR, you will have an opportunity to let us know if you think there are significant new impacts because of any significant policy changes. In regards to the alternatives, you have the opportunity today and through March 31 when the NOP comment period ends, to tell us if you think there is an alternative that needs to be tested for purposes of reducing impacts on the environment that should be included in the EIR, because a fundamental purpose of environmental review, is to evaluate alternatives that would reduce impacts of the project as proposed this EIR. An EIR doesn't look at every possible alternative, but at a range of reasonable alternatives that have potential for reduction of impacts on the environment. I think the issues you raise are important, but are really about the merits of the Plan, the project itself. It would be prudent for you to bring up these issues at one of the many scheduled CWP workshops. With respect to the EIR, you should know that you can't measure precisely the impacts of an alternative Plan concept or how it may affect specific areas in the county. That is more specific than analysis of Plan alternatives as required by CEQA.

Nona Dennis, Community Marin Group  
69 Marlin Avenue  
Mill Valley, CA

Community Marin group: Represents Community Marin comprised of Marin Conservation League, Sierra Club Marin Chapter, Marin Audubon Society and Environmental Forum of Marin. First of four concerns is the relationship between CEQA and sustainability. There are statutory limitations and guidelines that make it very difficult for CEQA to address the issues (for which there are no standards), and which have significant impacts (like socio-economic issues, energy). It will be necessary to really stretch to adequately address sustainability.

Introduction definitions sets up premises that are not carried through the document. For example, metals, man-made chemicals, reducing carbon dioxide, etc. are not mentioned in the Plan. The EIR will need to take into account that sustainability will be very difficult to address.

Potentially significant impacts could result from build-out, but is not addressed the same way as other categories are. Impacts on agricultural resources and the surrounding community, and use of non-renewal resources need to be added to the list of potential impacts. Sub-alternatives need to be considered: commercial development, build-out with increase in jobs. Most growth is in cities and towns – alternatives should be based on a significant reduction of new commercial development inside the cities.



There should be a build-out alternative without San Quentin. The boundaries of the Baylands protection corridor should include a more expansive boundary, at least as described ten years ago. Should analyze both larger and smaller agricultural alternatives.

Concerned about habitat with no special designation. The lack of official status should not exclude them from impact analysis as native habitat.

Effects of the agriculture policies on the natural environment and species should be analyzed in the EIR. Surface water for agriculture can create on-site cumulative impacts of small water conservation in the SCA that should be analyzed in the EIR. Development of surface water supplies should be considered.

Population projections in the Plan and Initial study are inconsistent. In most sections of the Initial Study, the premise is that build-out will have potential significant impact unless mitigated.

Margaret Jones, League of Women Voters  
280 Madrona  
Belvedere, CA 94920

A long list of questions presented, which covered primarily housing and transportation. Ms. Jones read letter. SEE ATTACHED LETTER (Attachment "A").

Tim Haddad: Some of the speakers' comments went to the Plan itself and he encouraged people to raise those issues at the CWP workshops or to bring them to the attention of decision makers for consideration. Some issues were beyond the scope of environmental review for the CWP and were really related to policies - programs, goals, and objectives of the Plan itself. For example, CEQA does not require evaluation of economic impacts.

Roy Chernus, Legal Aid of Marin  
30 N. San Pedro Rd., Suite 220  
San Rafael, CA 94903

Believes Draft Plan is not quite good enough on the issue of housing. To reach a sustainable future for Marin County, you have to acknowledge that right now we are unsustainable. There are too many people who are treating their homes as temporary piggy banks so that they can cash out and move some place else. Consequently they are not connected to the community, equity, or the future of the land.

In the intersection of the economy, equity and the environment, we have stressed for too long, economy which has lead to unsustainable Marin. We have done well with the environment, but have not done well with housing for people who work here, which has created traffic jams every single day in Marin. For the future of Marin to be sustainable, we must build more environmentally sensitive housing which must be high density, affordable, and we need to do it sooner rather than later.

Gordon Bennett, Sierra Club  
40 Sunnyside Drive  
Inverness, CA 94937

Regarding the issue of process, he referred to Tim's announcement that there would be an additional two-week comment period to respond to the DEIR. But the Plan wasn't out to the public until March 1; he thought CEQA required 30 days from that date and he would like another two weeks beyond March 31.

He referred to Michele's mention that the Plan proposed to reduce commercial build out by 650,000 square feet. As some of your drafts acknowledge, that reduction is actually due to a Fish & Wildlife Services purchase of lands around Novato. In fact, the Plan results in almost a 60% increase in commercial square feet over the build out in the County. We have an issue with environmental justice and believe there is a jobs/housing imbalance and the way to address it is to rezone some of this commercial build out to be affordable housing. You've put affordable housing on top of the commercial build out, so you've tried to mitigate the impact from the build out, but have not addressed the current imbalance.

Regarding environmental issues, there are still significant problems in the Streamside Conservation Area. One example is that you have an exception to full compliance with the SCA if development on any portion of a parcel outside of the SCA would have greater impacts. We've had problems with this language in the old CWP because what that doesn't account for is that a person can come back and add 500 feet in one year, 750 feet in the next year, and 1000 feet in the next year. When these projects come through, the burden falls on the environmental groups to try to prove there's no impact. The Plan doesn't say where the burden should be – it should be on the developer, not on us.

The Draft Plan says that the SCA should not involve animal confinement. That's unclear language. If a pasture is entirely within the SCA except for one fencepost, does that mean it's outside the SCA or not?

Roy Chernus: There are specific aspects of the policies that are outside of the Housing Element that need to be implemented and examined in this EIR.

Tim Haddad: I think there's always a concern about how the conceptual policies are going to actually play out on the ground, but you can't speculate beyond what the Plan proposes to do, because the Plan does not propose to provide that level of detail at this point in time.

Roy Chernus: That's a big problem. One of the obstacles in building affordable housing is the necessity to go for a general plan amendment. If the Plan doesn't support affordable housing, then the policies should take more sensitive habitat for less, or building will be made more difficult. The Plan should be more specific, so therefore the EIR could analyze and provide more specificity on the policies so that affordable housing has an equal opportunity.

Tim Haddad: They are important concerns, and are issues that need to be addressed, but are about the merits of the Plan itself. The EIR is going to track what the Plan proposes. If there are

changes in the Plan, then the EIR will address them. CEQA rules require that the EIR address impacts of the Plan at the same level of specificity as the Plan policies. If the Plan became more specific, then we would have to revise the EIR to address the new specificity in the Plan, and might have to re-circulate it - there is a process that provides for that.

Nona Dennis: The NOP says that a “focused EIR is required” – is that a mistake?

Tim Haddad: It's kind of semantics. In my view all EIR's are focused on the most important or controversial issues. The EIR will address all of the 15 topical issues required by CEQA. Our job under CEQA is to try to not just evaluate the effects of the Plan on the environment generally, but to evaluate the proposed Plan policy's impact on the current environment as it exists right now. We also have to consider the incremental change in the environment that could result from the currently proposed policies in comparison to the previous plan policies. We're going to be doing both, at a level of specificity equal to the specificity of the Plan itself, which is probably the best we can do with respect to analyzing the effects of policy concepts.

***RESPONSES TO AUGUST 2005 NOP AND  
DISPOSITION OF NOP RESPONSES***

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## **Written Responses to the August 2005 Notice of Preparation**

Marin County prepared a revised Notice of Preparation (NOP) for the Countywide Plan Update EIR in August 2005 and sent it to government agencies, special service districts, organizations, and individuals with an interest in or jurisdiction over the project in order to provide early consultant on the scope of the EIR. The NOP was sent August 24, 2005.

Exhibit 2 presents a summary of the public comments received on the NOP during the review period together with an indication of where each issue is addressed in this EIR. In a limited number of instances the specific comment is not addressed in the EIR. In these instances, the reason why the comment is not addressed is provided.

The comments letters received on the NOP follow **Exhibit 2**.

### **Exhibit 2 Disposition of 2005 NOP Responses**

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<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
09/22/2005	Mai-Liis Bartling National Park Service – GGNRA	Concerned with impact of CWP Update on lands managed by NPS	Land use conflicts will be discussed in Section 4.1 Land Use Population and Housing. Other issues relate to merits of the CWP and not scope of EIR.
		Impact of CWP on lands, resources and visitor experience in the areas that NPS manages.	Land use conflicts will be discussed in Section 4.1 Land Use Population and Housing. Other issues relate to merits of the CWP and not scope of EIR.
10/05/2004	Nancy Hornor National Park Service - GGNRA (attached to NPS letter)	Provided comments on the Draft CWP Update	This comment is on the merits of the CWP and not the scope of the EIR.
08/23/2005	Scott Morgan State Clearinghouse	Transmittal letter for State comments.	No action necessary.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
09/09/2005	Timothy Sable Department of Transportation	Traffic impacts – address existing conditions, trip generation of the proposed project, impact of CWP buildout only	Section 4.2 Transportation
		Discuss adequacy of proposed trails and bicycle lanes	Section 4.2 Transportation
		Significance thresholds, mitigations measures and procedures for transportation impact analysis	Section 4.2 Transportation
09/21/2005	Dennis O’Bryant Department of conservation	Requests discussion of existing agricultural land based on Important Farmland Map. Discuss impacts on agricultural land and Williamson Act Lands.	Section 4.8 Agriculture
09/01/2005	Robert Floerke Department of Fish and Game	Project may result in changes to fish and wildlife resources, a de minimis determination not appropriate, environmental filing fee required.  Discussed need for streambed Alteration Agreements (SAA)	Section 4.6 Biological Resources
09/23/2005	Richard Dinges Stinson Beach County Water District	Provided suggested approaches to onsite wastewater system testing	This comment is on the merits of the CWP and not the scope of the EIR.
		Concern with elimination of Local Coastal Program update.	LCP Update not a part of the CWP Update.
09/22/2005	Linda Johnson Tamalpais Community Services District	Provided comments on the Draft CWP Update	This comment is on the merits of the CWP and not the scope of the EIR.
09/22/2005	Jennifer Blackman Bolinas Community Public Utility District	CWP needs to reference applicability of LCP to area.	LCP Update not a part of the CWP Update.
		Need to discuss water issues.	Section 4.9 Water Supply and Demand
11/04/2005	Robert Brown, AICP City of San Rafael	Traffic modeling for the EIR should include local road impacts leading to and including the freeway on- and off-ramps.	Marin Travel Model will be basis of EIR traffic analyses. Analyses will include some local streets and intersections.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
09/20/2005	Lynne Ohlson San Rafael Police Department	Initial Study correct in assumption that there will be impact on police protection.	Section 4.10 Public Services
		Provided comments on Draft CWP Update.	This comment is on the merits of the CWP and not the scope of the EIR.
09/22/2005	Eric Steger Marin County Department of Public Works	Impact to county road system.	Section 4.2 Transportation
		Impact to Marin County Airport and Airport Land Use Plan.	Section 4.1 Land Use, Population, and Housing
09/16/2005	Ken Robbins Marin County Department of Public Works, Airport Division	Concurs with Initial Study findings regarding Marin County Airport.	No response required.
09/20/2005	Steve Phelps Marin Municipal Water District	Presented comments regarding Trail Element and maps in Draft CWP Update.	This comment is on the merits of the CWP and not the scope of the EIR.
09/20/2005	Tallia Hart San Rafael Chamber of Commerce	Raised several concerns regarding affordable housing and the impact of the Draft CWP Update on ability to produce affordable housing.	The physical impacts of housing consistent with the Draft CWP Update, including the Housing Overlay District are evaluated in the EIR. Social economic impacts of housing beyond scope of EIR.
		Raised concerns regarding the impact of allowing or not allowing development on St. Vincent's / Silveira properties.	EIR will evaluate potential impacts associated with three development options for St. Vincent's / Silveira properties.
09/20/2005	Tirrell Graham Strawberry Recreation District	Concerned about impact on Strawberry community by inclusion in Baylands Corridor.	Section 4.6 Biological Resources will discuss Baylands Corridor.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
		Concerned with impact of additional housing units in Strawberry	EIR will evaluate impact of additional housing at a program level.
		Agrees there should be no change to the Richardson Bay Heliport.	No response needed.
09/21/2005	Maureen Gaffney Access4bikes	Expressed interest in expanding the trails element for all user groups.	This comment is on the merits of the CWP and not the scope of the EIR.
09/22/2005	Ann Thomas Citizen Advocates for Preservation of St. Vincent's/Silveira	Description of St. Vincent's / Silveira site is incorrect in Revised Draft CWP.	This comment is on the merits of the CWP and not the scope of the EIR.
		Requests that an additional option be added for evaluation in the EIR.	Two of the alternatives provide for no large-scale development at site.
		Requests that items 1(d) and 1(e) in initial study (Land Use and Planning) be designated potentially significant unless mitigated.	Section 4.1 Land Use, Population, and Housing
		Requests that item 6(a) in initial study (Transportation / Circulation) be designated significant.	Section 4.2 Transportation
		Requests that items 7(a), (b) and (c) in initial study (Biological Resources) be designated as significant.	Section 4.6 Biological Resources
09/22/2005	Community Marin 2003	Raised issue of CEQA and sustainability. To be consistent with the sustainability theme of the CWP Update the scope of the EIR must be expanded so that sustainability principles are comprehensively addressed.	Sustainability is a theme of the CWP Update. To the extent that it is relevant to individual impact sections it will be discussed in EIR.



<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
		<p>Raised issues regarding revisions in 2005 CWP Update and EIR analysis.</p> <p>Local Coastal Plan</p> <p>Baylands Corridor</p> <p>Residential Building Size</p> <p>St. Vincent's Silveira – wants additional option preservation in perpetuity</p> <p>San Quentin State Prison – wants a “No Project” option</p>	EIR will discuss the various options associated with these issues as they are included in the CWP Update.
		Presented information regarding findings of the Initial Study.	Information presented in comment letter will be consulted during preparation of individual sections of the EIR
09/22/2005	Catherine Caufield The Environmental Action Committee of West Marin	Supports scoping comments submitted by Community Marin 2003 group.	Comment noted.
09/21/2005	Sandra Guldman Friends of Corte Madera Creek Watershed	<p>Raised issues regarding biological resources and water resources regarding:</p> <p>Bike and pedestrian pathways</p> <p>Clearing stream obstructions</p> <p>Evaluation of stream protections</p> <p>Water allocations</p>	Sections 4.5 Hydrology, Water Quality, and Flood Hazards and 4.6 Biological Resources
09/15/2005	Perry Newman League of Women Voters Marin County	Wants to know how CWP increases coordination among county agencies?	This comment is on the merits of the CWP and not the scope of the EIR.
		Raised issues regarding housing impacts, including housing the county's own workforce, providing a housing / job balance and affordable housing.	Potential physical impacts associated with housing will be addressed in their respective EIR chapters.
		Raised issues regarding the housing overlay designation	This comment is on the merits of the CWP and not the scope of the EIR.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
		Raised transportation issues including gap closure project, beneficial impacts on traffic resulting from adding workforce housing close to jobs, impact of Safe Routes to Schools, etc	Section 4.2 Transportation will analyze direct traffic impacts (such as gap closure project) other issues are comments on the merits of the CWP and not scope of EIR.
		Raised issues regarding baylands corridor, justification for going up to Highway 101, need for minimum 300-foot buffer on large undeveloped parcels.	Section 4.6 Biological Resources
		Raised issues regarding St. Vincent's / Silveira – justification for Agricultural and Environmental Resource Area designation, is minor amount of affordable and market-rate housing sufficient, potential for agricultural on site, source of ridge- and upland-greenbelt boundary, etc,	EIR will evaluate various alternatives for St. Vincent's / Silveira properties.
09/22/2005	David F. Coury	Enclosed letter from Housing Council concerning the CWP update.	Comment noted.
		Wants EIR to capture the environmental benefits of affordable housing, especially relative to the sort of housing which may otherwise be built as part of the 1,800 housing units from the Coastal Corridor and Inland Rural Corridor – smaller footprint, less impact on traffic.	To the extent that the 1,800 housing units are relocated to the City-Centered Corridor this will be reflected in the traffic analyses (4.2 Transportation). Specific impacts associated with affordable housing would not be available from traffic model.
09/20/2005	Kimberly Carroll Marin Housing Council	Raised a number of issues regarding the Affordable Housing Overlay Zone	This comment is on the merits of the CWP and not the scope of the EIR.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
		Wants EIR to analyze the reduced impacts of building affordable housing compared to market-rate housing.	The physical impacts of housing consistent with the Draft CWP Update, including the Housing Overlay Designation will be evaluated in the EIR. Social economic impacts of housing beyond scope of EIR.
09/22/2005	Barbara Salzman Marin Audubon Society	CWP should answer the question of what is the value of Marin's natural habitat to native species as well as to species that depend on our habitats for overwintering and to sustain them during migration.	This comment is on the merits of the CWP and not the scope of the EIR.
		Raised questions regarding CWP discussions and policies in several areas including: Biological Resources Native Habitats Sensitive Biological Resources Wetlands Streamside Conservation Areas Baylands Option Water Resources Air Open Space Trails	Comments regarding policy review are comments on the merits of the CWP and not the scope of the EIR. Sections 4.5 Hydrology, Water Quality, and Flood Hazards and 4.6 Biological Resources will evaluate the environmental consequences of the CWP's proposed policies.
		The EIR should discuss an alternative that would focus Marin's agricultural production on dry crops or crops that do not require irrigation or development of additional water supplies.	Section 4.9 Water Supply and Demand will discuss agricultural water use.
		St. Vincent's/Silveira – an alternative that is the purchase of the properties should be included.	EIR will evaluate various alternatives for St. Vincent's / Silveira properties.
		Gnoss Field Area – discuss potential impacts of developing the properties south of the airport on tidal marsh and native species.	Section 4.6 Biological Resources

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
09/22/2005	Deb Hubsmith Marin County Bicycle Coalition	How can implementation of the recommended bicycle and pedestrian policies help to advance the CWP's goals for improving traffic circulation and better air quality?	Section 4.2 Transportation
09/21/2005	Maureen Gaffney San Francisco Bay Trail	Incorporate a discussion and analysis of the adopted Bay Trail Plan and Policies, Bay Trail alignment, and Bay Trail Design Guidelines in relation to the proposed CWP, and how our goals and policies might be affected by the three different Baylands Corridor options.	Section 4.1 Land Use, Population, and Housing will discuss consistency with plans.
		EIR should provide detailed information on any proposed changes to any existing or planned Bay Trail segments.	No specific changes to any existing or planned Bay Trail segments are proposed by CWP Update.
9/22/2005	Kenneth J. Fox Tomales Bay Association	Needs to be an analysis for directing a study of cumulative effects of the county's inactions and failure to implement the <i>1994 CWP</i> and how the changes to the plan will affect what should have been already implemented from the <i>1994 CWP</i> .	This issue is beyond the scope of a program level EIR on CWP Update.
		What are potential effects of changes in the permit requirements for agricultural operations and changes in uses from one type to another in sensitive environments such as wetlands and SCAs?	This issue is generally beyond the scope of a program level EIR on the CWP Update. To the extent that comments are relevant to the EIR they will be evaluated in the appropriate section of the EIR consistent with a program EIR.
		What are the direct and cumulative effects of changes or deletions to the mandatory programs as set forth in the <i>1994 CWP</i> .	This issue is generally beyond the scope of a program level EIR on the CWP Update. To the extent that comments are relevant to the EIR they will be evaluated in the appropriate section of the EIR consistent with a program EIR.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
		What are the cumulative effects past, present and future of the failure to enact those mandatory programs of the <i>1994 CWP</i> and changes effects by the current plan.	This issue is generally beyond the scope of a program level EIR on the CWP Update. To the extent that comments are relevant to the EIR they will be evaluated in the appropriate section of the EIR consistent with a program EIR.
10/31/2005	Kenneth J. Fox Tomales Bay Association	Provided comments regarding specific proposed CWP policies.	This comment is on the merits of the CWP and not the scope of the EIR.
09/22/2005	David Schonbrunn Transportation Solutions Defense and Education Fund	EIR should analyze a No Project Alternative that represents the continuation of trends created by previous CWPs. Wants to model Marin's cities at sketch planning level as if their future growth were consistent with the Draft CWP.	EIR will evaluate several alternatives – including No Project / No Action.
		Wants an alternatives analysis similar to what was done for the <i>1994 CWP – Community Development Element Technical Report #3, Alternative Scenarios and Evaluation</i>	EIR will use results of County's Marin Travel Model.
		Wants a sensitivity analysis of the implications of different levels of transit service, and different radii from a transit node.	EIR will use results of County's Marin Travel Model.
		Provide a sensitivity analysis of the implications of Program <b>TR-1.i.</b> (deals with parking ratios)	EIR will use results of County's Marin Travel Model.
		Wants sub-alternative in the Transportation section: eliminate item 2 on Map 3-6a, the Novato-Petaluma highway widening.	EIR will use results of County's Marin Travel Model.
09/21/2005	Robert M. Allen Marlene B. Allen	Wants fully developed waterfront not included in the Baylands corridor. Disagrees with Item VI 1e in Initial Study.	Section 4.6 Biological Resources
06/23/2005	Ms. J. Annes	Wants a two-year moratorium on all large development projects.	This comment is on the merits of the CWP and not the scope of the EIR.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
09/28/2005	Walt Bilofsky	Concerned about impact of the Baylands Corridor on his home and others in Paradise Cay.	Section 4.6 Biological Resources
09/22/2005	Diane Bolman	Wants a two-year moratorium on all large development projects.	This comment is on the merits of the CWP and not the scope of the EIR.
09/20/2005	James & Trina Currier	Strawberry's waterfront should not be included in the Baylands corridor. Disagrees with Item VI 1e in Initial Study.	Section 4.6 Biological Resources
09/22/2005	Miriam Doody	Strawberry should be excluded from the Baylands corridor.	Section 4.6 Biological Resources
09/21/2005	Catherine Dunlap	Strawberry should be excluded from the Baylands corridor.	Section 4.6 Biological Resources
09/22/2005	Leslie Ferguson-Dietz	Strawberry should be excluded from the Baylands corridor.	Section 4.6 Biological Resources
09/10/2005	Al Goerndt	Objects to "automatic" use permit exemption given to Dog Hobbyists.	This comment is on the merits of the CWP and not the scope of the EIR.
09/22/2005	Rick W. Johnson	Watersheds- agrees with goal to protect upland vegetation. What program will implement goal?	This comment is on the merits of the CWP and not the scope of the EIR.
		Effective Growth Management – raises concerns regarding water supplies, sprawl and SMART train.	This comment is on the merits of the CWP and not the scope of the EIR.
		Noise – raises concerns about the need to minimize noise.	This comment is on the merits of the CWP and not the scope of the EIR.
		Invasive non-native plants and animals – Need to control invasive plants and animals	This comment is on the merits of the CWP and not the scope of the EIR.
		North Marin Open Space – CWP has a gap in planning for open space in North Marin.	This comment is on the merits of the CWP and not the scope of the EIR.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
09/21/2005	Margaret Kettvnen Zegart	Commentor raised detail comments for both the Draft CWP and the Initial Study related to Planning Area 6, Richardson Bay – Almonte in the Tamalpais Planning and the adjacent larger community, Tam Valley.	Comments are a mixture of comments on the merits of the CWP and detailed comments on the initial Study. To the extent that comments are relevant to the EIR they will be evaluated in the appropriate section of the EIR consistent with a program EIR.
09/22/2005	Jack Krystal	Objects to a Baylands Corridor which would affect the only remaining undeveloped waterfront property south of the Richardson Bay Bridge.	This comment is on the merits of the CWP and not the scope of the EIR.
08/04/2004	Jack Krystal	Provided comments on the Socioeconomic Element of the CWP.	This comment is on the merits of the CWP and not the scope of the EIR.
09/28/2004	Jack Krystal	Comments by Mr. Krystal at 09/28/2005 joint hearing of Planning Commission and Board of Supervisors. Raised concerns regarding lands at the heliport.	This comment is on the merits of the CWP and not the scope of the EIR.
10/28/2005	Bruce Lowry	Concerned that area of Tam Junction on the North/East side of Shorelines Highway is under consideration as a zone for affordable housing.	EIR will evaluate impact of additional housing at a program level.
09/19/2005	Marjorie Macris	Requested that scoping meeting for the draft CWP be held before the Planning Commission rather than the Environmental coordinator.	Comment noted.
06/28/2005	Anne Merrifield	Supports a two-year moratorium on all large development projects that required general plan amendments	This comment is on the merits of the CWP and not the scope of the EIR.
09/22/2005	Cela O'Connor	EIR should include differences regarding environmental protection between the environmentally sensitive areas such as wetland and riparian systems in the Coastal Zone clearly identified by the Coastal Act compared to elsewhere in the Coastal Corridor.	Potential impacts to wetlands and riparian systems will be addressed in Sections 4.5 Hydrology, Water Quality, and Flood Hazards and 4.6 Biological Resources.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
		Concerned with exception to full compliance with the 100-foot wetland development setback.	Potential impacts to wetlands will be addressed in Section 4.6 Biological Resources.
		Concerned with impact of agricultural activities on areas within SCA or wetlands.	Potential impacts to wetlands will be addressed in Section 4.6 Biological resources.
		Agriculture should require a development permit, as required by the 1994 CWP. CDA has not enforced this permit requirement. What are impacts of this lack of oversight?	EIR is only required to address potential impacts of the proposed project.
		Until recently CDA has not implemented the requirement to implement policies of the SCA through permit review process (Program EQ-2.3a). What is impact of past, present, future and cumulative impacts to the “irreplaceable” resource due to lack of diligence on the part of the CDA to implement this Program?	Impacts to lands within the SCA will be analyzed in Section 4.6 Biological Resources. EIR will not evaluate whether or not CDA staff properly enforced previous programs.
10/31/2005	Cela O’Connor	Draft CWP proposes four options to limit residential building size in agricultural areas but failed to list those options regarding the criteria to establish maximum dwelling size.	This comment is on the merits of the CWP and not the scope of the EIR.
		Concerned with lack of environmental protections for the SCAs and wetlands in regarding to the new Title 22 adopted by the BOS in June 2003. Concerned with removal of vegetation in sensitive areas (within SCA) to satisfy demands of agricultural.	Impacts of agricultural within the SCA will be evaluated in Section 4.6 Biological Resources.
11/25/2005	Cela O’Connor	Provided recommendation regarding Section 22.44.035 of the Marin County Development Code, Agricultural Zoning Regulations in regard to Stream Conservation Areas and wetlands.	This comment is not about the scope of the EIR.
07/28/2003	Cela O’Connor	Raised questions about action of the Board of Supervisors on June 24, 2003 to identify any significant impacts to SCAs or wetlands that may occur from agricultural uses.	This comment is on the merits of the CWP and not the scope of the EIR.



<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
10/27/2005	Robert A. Raudso	Expressed concerns about the environmental issues related to high density housing adjoining Bothin Marsh.	EIR will evaluate impact of additional housing at a program level.
09/20/2005	Joanna Ruddle	Expressed concerns related to the impact of the Housing Overlay in the Tamalpais Planning Area.	EIR will evaluate impact of additional housing at a program level.
09/22/2005	Leslie A. Solmes	Object to having their property (or any property) on Richardson Bay in the Baylands Corridor.	Section 4.6 Biological Resources will discuss Baylands Corridor.
02/23/2005	Michael and Nancy Wylie	Oppose an Indian casino or any other development at St. Vincent's.	This comment is on the merits of the CWP and not the scope of the EIR.
07/06/2005	Ruth Zamist	Supports a two-year moratorium on all large development projects that require general plan amendments.	This comment is on the merits of the CWP and not the scope of the EIR.
09/22/2005	Stephen L. Kostka Bingham McCutchen	Alternatives analysis in the EIR must include a reasonable range of feasible alternatives. Wants an alternative that keeps all of St. Vincent's within the City-Centered Corridor. Also wants alternatives to reflect those alternatives set forth in the St. Vincent's/Silveira Task Fore Recommendation.	Alternatives will evaluate a reasonable range of development for the St. Vincent's / Silveira properties.
		EIR must fully evaluate impacts of displacing growth. Evaluate potential for growth-displacing impacts if sites, such as San Quentin, are not able to accommodate the anticipated growth, thereby forcing growth into other areas.	EIR will evaluate impacts of growth projected by CWP. Alternatives will evaluate different levels of growth.
		Evaluate impacts of converting prime agricultural land. Will CWP policies result in the conversion of more viable agricultural land elsewhere to compensate for the loss of development potential on St. Vincent's?	Section 4.8 Agriculture
		Evaluate significant land use changes in the Las Gallinas Planning Area.	Section 4.1 Land Use, Population, and Housing

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
		Must evaluate whether the project will have a significant impact on park and recreational facilities. Evaluate potential environmental consequences of devoting even more resources to further open space acquisition as compared to applying those resources toward acquiring, creating and maintaining active park and recreational opportunities.	Section 4.10 Public Services
		Explain the basis for disallowing an increase in the number of allowable housing units. Draft CWP recommends no net change in the number of allowable housing units at buildout. What is potential for indirect impacts that could result from limiting the number of housing units in the county in this fashion.	EIR will evaluate impacts of growth projected by CWP. Alternatives will evaluate different levels of growth.
		Analyze full scope of potential geophysical impacts of the project. Analyze the direct and indirect	Section 4.7 Geology
09/21/2005	Aimi Dutra Krause Dutra Materials	San Rafael Rock Quarry submitted an Amended Reclamation Plan (ARP04) for the Quarry to the County. ARR04 is a reasonably foreseeable future project. EIR needs to include the development of the Quarry consistent with potential land uses and development locations and intensities described in ARP04.	Comment noted – CWP, and EIR, assumes continuation of activities at the quarry.
		Raised several questions regarding inconsistencies in the mapping of the quarry especially in relation to the Baylands Corridor.  EIR needs to take into account the boundaries and uses of the Quarry consistent with existing conditions and ARP04.	This comment is generally regarding the merits of the CWP. Baylands corridor will be analyzed in Section 4.6 Biological Resources.
10/25/2005	Robert W. Floerke California Department of Fish and Game	Complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threaten, and locally unique species and sensitive habitats, should be provided.	Section 4.6 Biological Resources

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
11/1/2005	Linda Jackson City of San Rafael	Include an analysis of the effect of the CWP and its alternatives on State transportation facilities and the County's primary arterials and primary roads in central San Rafael, as shown on Map 3-8. Specifically proposed traffic impacts of 350 units at the San Rafael Rock Quarry.	Marin Travel Model will be basis of EIR traffic analyses. Analyses will include some local streets and intersections.
10/25/2005	Harry Blake County Service Area #29 Advisory Board	Concerned about impact that the Baylands Corridor would have on dredging if Paradise Cay were to be included in that corridor.	Section 4.6 Biological Resources
10/25/2005	Katie Crecelius Marin Environmental Housing Collaborative	Expressed concern that the potential for 10 million square feet of commercial/industrial development will have impacts on traffic and the need for workforce housing.	County's traffic model assumes buildout of unincorporated area plus the cities. Results will be reported in Section 4.2 Transportation.
		Generally supports housing Overlay Zone.	This comment is on the merits of the CWP and not the scope of the EIR.
10/31/2005	Todd Steiner Salmon Protection and Watershed network	<p>Raised questions regarding baseline conditions.</p> <p>A baseline that assumes that septic systems are always functioning properly, or that pesticides and other toxic substances are lawfully used and disposed of, would not adequately represent current conditions.</p> <p>A baseline that assumes that grading, paving, tree-cutting, and other activities that affect runoff and infiltration are performed in compliance with existing ordinances that are properly enforced would not represent current conditions.</p>	Consistent with CEQA Guidelines, EIR will assume existing conditions as they exist at the time of the NOP.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
		<p>Water – raised questions regarding cumulative impacts of development on absorption rates, drainage patterns, and runoff rates.</p> <p>Exposure of wildlife habitat to water-related hazards resulting from development.</p> <p>Issues regarding discharge of pollutants</p> <p>Impacts to changes in the amount of surface water in any water body or ground water, changes in flow of surface or ground water and reduction in the amount of water otherwise available.</p>	<p>On a program level water quality issues will be discussed in 4.5 Hydrology, Water Quality, and Flood Hazards.</p>
		<p>Biological Resources – scope should not be confined to special status species. Analysis should not assume that the survival of species can be assured simply by maintaining the current state of the environment.</p>	<p>Section 4.6 Biological Resources</p>
10/24/2005	Marjorie Macris Sierra Club Marin Group	<p>Expressed concern that the potential for 10 million square feet of commercial/industrial development will have impacts on traffic and the need for workforce housing.</p>	<p>County’s traffic model assumes buildout of unincorporated area plus the cities. Results will be reported in Section 4.2 Transportation.</p>
		<p>Draft CWP treats all non-residential structures on agricultural zoned land as agricultural rather than commercial/industrial. Cites impacts of “agricultural diversification”.</p>	<p>Sections 4.1 Land Use, Population, and Housing and 4.8 Agriculture.</p>
		<p>Most projected commercial growth is inside cities and the CWP effects only unincorporated areas. Wants EIR to analyze potential of joint city-county planning to reduce the traffic and other impacts resulting from the projected commercial/industrial development.</p>	<p>EIR will focus on impacts of implementation of CWP, which covers unincorporated areas. As appropriate cumulative impacts will consider impacts of development in the cities.</p>

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
		If the Local Coastal Plan is not going to be updated at this time how and where in West Marin will proposed CWP update apply. Should be we assume the EIR will not apply to any areas within the LCP.	CWP applies in all unincorporated portions of Marin County. EIR will analyze impact of implementing CWP.
		EIR should explain the rationale for Baylands Corridor Option 2. Also wants to study a western Baylands corridor along Tomales Bay.	Section 4.6 Biological Resources
		EIR should examine impacts of estate-type residential development on the visual character of Marin’s rural areas and on continued economic viability of maintaining these lands in agricultural production.	On a program level will be addressed in Section 4.8 Agriculture.
		For St. Vincent’s/Silveira wants a fifth option, uses limits to those already existing on the developed portions of the two properties.	Alternatives will evaluate a range of development options for St. Vincent’s / Silveira properties.
		For San Quentin questions any alternative to expansion of Death Row. No Project for San Quentin should include continuation of the prison, with a new Death Row facility.	Comment noted.
		Wants biological resources to consider impacts to all natural communities – not just special-status species. Raised questions about effectiveness of policies that protect only to the extent “feasible”. Raised questions about other polices such as streamside protection.	Section 4.6 Biological Resources
		The proper CEQA baseline should be existing conditions.	Consistent with CEQA Guidelines section 15125 the environmental setting (or baseline) will be described as at the time the NOP was published.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
10/31/2005	Trip Allen	Concerned about cumulative effects of developments in City of San Rafael, especially traffic along Pt. San Pedro Road.	As appropriate cumulative impacts will consider impacts of development in the cities.
		CWP servers to marginalize small parcel wetlands.	Section 4.6 Biological Resources
		Concerned about expansion of invasive Atlantic Spartina grass/	Section 4.6 Biological Resources
		Green Building will be a significant benefit to Marin residents.	This comment is on the merits of the CWP and not the scope of the EIR.
10/26/2005	Walter Bilofsky	EIR needs to address the impacts of light pollution	On a program level, light pollution will be addressed in Section 4.12 Visual Resources.
10/27/2005	Judy Binsacca	What evidence has been developed to justify replacing the Bayfront conservation Zone (BCZ) in the current CWP with a baylands corridor.	This comment is on the merits of the CWP and not the scope of the EIR.
		Questions about specific locations of special-status species, how often observed or the last time observed at a location.	This comment is on the merits of the CWP and not the scope of the EIR.
		Wants to know for Exhibit 3 (Map 2-2) which locations have accurate data and which show only potential habitats?	This comment is on the merits of the CWP and not the scope of the EIR.
		Suggests changes to EQ-2.88b	This comment is on the merits of the CWP and not the scope of the EIR.
		What are the criteria for ranking the value of wetlands?	This comment is on the merits of the CWP and not the scope of the EIR.
10/28/2005	Al Goerndt	Raised concerns about noise conditions at Gness airport.	Section 4.4 Noise
10/26/2005	TirreOll Graham Strawberry Recreation District	Impact of adding 269 – 362 additional housing units in Strawberry, most likely at the Strawberry Shopping Center.	EIR will evaluate impact of additional housing at a program level.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
		Concerned with Strawberry's continued inclusion in the Baylands Corridor.	Section 4.6 Biological Resources.
10/28/2005	Patricia Herve	Impact on the marsh along the Almonte Business Section on East Shoreline	Section 4.6 Biological Resources
10/26/2005	Veit Irtenkauf	Concerned about impact of the CWP on the area surrounding the Almonte District and Tam Valley District commercial section, known as Tam Junction.	EIR will evaluate impact of additional housing at a program level.
10/29/2005	Camille Johnson	Impact of development on the southern edge of Bothin Marsh in the unincorporated area of Mill Valley.	EIR evaluates impact of additional housing at a program level.
10/31/2005	Rick W. Johnson	Noise – raises concerns about the need to minimize noise.	Section 4.4 Noise
		Invasive non-native plants and animals – Need to control invasive plants and animals	This comment is on the merits of the CWP and not the scope of the EIR.
		Agricultural diversification is potentially environmentally damaging. EIR could try to define "good" and "bad" diversification from an environmental point of view.	Section 4.8 Agriculture
		Will the Draft CWP provide stronger protection for wetlands and stream side conservation.	Section 4.6 Biological Resources
10/30/2005	Robert E. Johnson	Impact of development on the Bothin Marsh in Mill Valley.	EIR evaluates impact of additional housing at a program level.
10/28/2005	Margaret Kettunen Zegart	Raised an issue that the action of the State Public Works Board on November 4 to approve a reduced Level 4 facility at San Quentin needs to be discussed.	Comment noted – not an EIR issue.

<b>Date</b>	<b>Commentor(s)</b>	<b>Comment or Topic</b>	<b>Response</b>
		Concerned about impact on Area 6, Richardson Bay – Almonte in the Tamalpais Planning area. Protections of the bayfront Conservation zoning have been removed from, rather than incorporated in, the Baylands Corridor. Buildout of area went from 12,546 to 16,072 enabled by Housing Overlay.	EIR will evaluate impact of future development of the CWP buildout at a program level. Site specific analyses as requested in letter beyond scope of program EIR.  Section 4.6 Biological Resources will evaluate Baylands Corridor.
		Concerned with Draft's inaccurate and incomplete circulation element for Southern Marin and its failure to include the interaction of State, federal and County roads and significant adverse impacts for all aspects of circulation for our southern Marin residents by Marin residents and visitors to West Marin destinations.	Results of County's traffic model will be reported in Section 4.2 Transportation.
10/26/2005	Dona Larkin Sustainable West Marin and Community Pathway Committee	Concern over Map 3-9a showing existing pathways in West Marin and the bike shoulder along all of Sir Francis Drake Boulevard.	This comment is on the merits of the CWP and not the scope of the EIR.
10/26/2005	Sharon Rushton Almonte District Improvement Club	Concerned about potential adverse environmental impacts that the proposed CWP would have on the surrounds of Tam Junction, in particular Bothin Marsh and Coyote Creek.	EIR will evaluate impact of future development of the CWP buildout at a program level. Site specific analyses as requested in letter beyond scope of program EIR.
10/26/2005	Penny Wright-Mulligan Paradise Cay Homeowners' Association	Concerned about potential adverse effects resulting from inclusion of Paradise Cay in the proposed Baylands corridor.  Attached detailed analysis of baylands corridor issues related to Paradise Cay.	Section 4.6 Biological Resources





# United States Department of the Interior

RECEIVED

NATIONAL PARK SERVICE  
Golden Gate National Recreation Area  
Fort Mason, San Francisco, California 94123

IN REPLY REFER TO:

L76 (GOGA-PLAN)

SEP 22 2005

Tim Haddad  
Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

*Re: Golden Gate National Recreation Area Comments on the Marin Countywide Plan Update 2005 – Notice of Preparation (NOP for CWP Update)*

Dear Mr. Haddad:

We are writing to provide the comments of Golden Gate National Recreation Area (GGNRA) on the Marin Countywide Plan Update 2005. The National Park Service manages extensive public lands in Marin County, comprising Golden Gate National Recreation Area and Point Reyes National Seashore. We share extensive common boundaries with developed areas of the County, and many of our biological and water resources cross over the boundary. In October 2004, we provided a letter with our comments on the previous draft plan. Please refer to those comments (attached) as well as those contained in this letter.

We have reviewed the July 2005 Revised Initial Study and it notes that the EIR will include many of the issues and impact topics that would concern us. Our concerns relate to how the Update's policy guidelines for future conservation and development in the County and the overall framework and set of goals for countywide development in the unincorporated area of the County could affect the lands, resources and visitor experiences of the areas that we manage.

In addition to the topics included in the Initial Study, or to assure that the issues identified in the Initial Study to be addressed in the EIR consider our concerns, we request that the scope of issues to be evaluated in the Update include:

- Consistency with approved plans and policies of the National Park Service relevant to Marin County;
- Evaluation of impacts of the Update on lands, resources and visitor experience in the areas that we manage, for each applicable impact topic, as well as:
  - the potential for increase in impervious surface and water demand and the potential impacts to lands and water resources within GGNRA boundaries;
  - how policies to reduce wildland fire hazard would preserve adjacent park lands by including mitigation that assures setbacks sufficient to allow defensible space to be located entirely outside of park lands, prohibiting invasive landscaping, and providing irrigated or non-pyrophytic landscaping on new development adjacent to park boundaries;

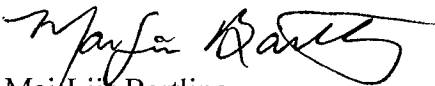
- how the policies would affect congestion on County roads that provide access to GGNRA sites, and promote pedestrian and bicycle access alternatives;
- how the Update's policies would affect potential collaboration between the County and the National Park Service on mutual transportation and congestion management goals;
- preservation of natural soundscapes and dark night skies on park lands adjacent to developed areas of the county;
- Identify opportunities for cooperation and collaboration with the National Park Service and other public land managers to achieve the goals of the plan;
- Evaluate how zoning, including the housing overlay zone, would affect the potential for areas in the vicinity of the Highway 101 and State Route 1 to provide parking for park visitors to access a shuttle serving park destinations;
- Acknowledge the special status of certain public lands within Marin County, including the Golden Gate Biosphere Reserve, a partnership of 13 protected areas in the greater San Francisco Bay area, under the Man in the Biosphere Program of the United Nations, as well as two wetlands (Bollinas Lagoon and Tomales Bay) included on the Ramsar List of Wetlands of International Importance designated by the Convention on Wetlands, signed in 1971, an intergovernmental treaty which provides the framework for national action and international cooperation for the conservation and wise use of wetlands and their resources.

We have reviewed the revised draft Update and would, again, commend you on a thorough, thoughtful and sensitive document. Limited time available for review and substantial modifications to the plan made it difficult for us to fully ascertain whether our October 5, 2004 comments were incorporated. However, it seems apparent that some were not.

Naturally our interest in the plan is to help assure that the relationship between our two agencies is as efficient and productive as possible. As we requested in our October 5, 2004 letter, we would like to meet with you and/or your staff to discuss the draft plan and potential unresolved issues cited in our review comments. We would like to meet at your earliest convenience.

Thank you again for the opportunity to comment. Nancy Hornor, GGNRA Planning Division Chief, will be the contact person for our agency. You can reach her at the above address or at (415)561-4937.

Sincerely,



Mai-Liis Bartling  
Deputy Superintendent

Attachment:  
10/5/04 GGNRA Comment Letter

cc: Alex Hinds, Agency Director  
Michele Rodriguez, Principal Planner



# United States Department of the Interior

NATIONAL PARK SERVICE  
Golden Gate National Recreation Area  
Fort Mason, San Francisco, California 94123

IN REPLY REFER TO:

L76 (GOGA-PLAN)

OCT 5 2004  
Michele Rodriguez  
Principal Planner  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

*Re: Golden Gate National Recreation Area (GGNRA) Comments on the Draft Marin Countywide Plan*

Dear Ms. Rodriguez,

Golden Gate National Recreation Area (GGNRA) commends the comprehensive scope, process, and overall substance of the draft Marin Countywide Plan. This has been an exhaustive effort to identify what makes Marin County distinctive and special to its citizens and visitors to the area. It identifies the natural amenities for which the county is famous – its open spaces, coastland, views, and riparian areas. It addresses the way people live and work in the county. It examines trends, identifies critical goals and policies, and makes implementation recommendations to maintain and enhance the economic vitality, environmental integrity, and quality of life in Marin County. We have reviewed the planning elements and have the following comments:

## GENERAL COMMENTS

### *Economy, Equity, Environment*

We appreciate the plan-wide emphasis on the “economy, equity, environment” model. Public and private sector managers with responsibility for any of these aspects of society have come to recognize that those aspects cannot be managed independently – they are inextricably linked. This approach is a common thread throughout the document and it enriches each element.

### *Format and Understandability*

The plan sets forth clear goals, policies, and ways to achieve them. It is well written, understandable, and logical.

### *Measuring Success*

Monitoring to understand achievement of goals and policies, and results of actions, is an important part of this plan. Measuring the success of the plan and subsequent management is important. The plan characterizes the targets as “nonbinding”, but we could find no discussion

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P. 2

about criteria for modifying targets, or management responses if targets are not achieved. At a minimum, we recommend inclusion of criteria for modifying targets.

### *Process*

The process undertaken to formulate this plan has been transparent and easy to access. It has invited representatives of virtually all dimensions of Marin County citizens, governments, and interests. Those not personally involved have had opportunities to participate and had multiple ways to communicate with staff and working groups. The NPS has a special interest in coordinating with the county before you begin work on the final plan, and we would like the opportunity to meet with the county planning staff to discuss our comments and other planning coordination.

### *Coordination with Other Plans and Planning Efforts*

We are currently working with the county on several planning processes that should be considered in the context of the Countywide Plan Update, including the Comprehensive Transportation Management Plan (CTMP) and the Big Lagoon Wetland and Creek Restoration Plan. We are concerned that there has not yet been adequate coordination between these efforts and your plan update, and would like an opportunity to meet with county planning staff at your earliest convenience, as we have discussed.

## **COMMENTS ON SPECIFIC ELEMENTS**

### *Natural Systems*

The Plan places an emphasis on protecting and enhancing baylands, wetlands, streams, and other sensitive or important natural communities. Protecting wetlands is a high priority. The GGNRA concurs and supports these priorities. Specifically we, endorse the goal to enhance native habitat and biodiversity (BIO-1). Of critical importance are use of native species (BIO-1.5), control of invasive exotics (BIO-1.6), and protection and enhancement of wetland resources (BIO-3). Specific measures such as establishing a 100 foot buffer in coastal recreation and rural inland areas (BIO-3.1), and avoidance of wetlands (BIO-3.b) are measures GGNRA endorses.

Healthy watersheds are a goal of GGNRA. Goal WR-1 and the policies that support it all would further the watershed vision and goals of GGNRA. Likewise the Clear Water goal (WR-2) and supporting policies would be important companions to the GGNRA vision and goals. We would like to call your attention to the Redwood Creek Watershed Vision for the Future, a collaborative public process-developed document that the County participated in along with other land managers in this important watershed. The resulting document provides a foundation for other planning, and the Countywide Plan should be reviewed for consistency with the Vision document's guiding principles and desired future goal statements. A copy is enclosed for your use.

Policy WR-2c calls for septic systems monitoring and maintenance. It implies that further definition of monitoring and maintenance requirements will follow plan adoption. This would be an important step in implementing this policy. Other jurisdictions have linked requirements to physical characteristics as the plan suggests. Other ideas include mandatory inspections and

pumping with any transfer of title. Whatever criteria are used, GGNRA supports subsequent specific county requirements to implement this policy.

### *Natural Systems - Open Space*

Retaining and enhancing the open spaces of Marin County is not just important to the quality of life of Marin residents. It is good for the environment and is an important driver for the local economy. It is the primary character-defining element for the county that attracts people and makes them want to stay. The plan recognizes this in this element and sets forth critical goals for open space protection and integrity. GGNRA concurs with all of the Open Space goals. We offer the following specific comments:

A suggested addition to 2.2 Open Space – “Other important open space lands in Marin are managed by California Department of Parks and Recreation and the National Park Service”.

On pages 2-93 and 2-94, the recommendations for Point Reyes National Seashore are far more extensive than those offered for GGNRA. GGNRA interfaces with much more land under county jurisdiction than the seashore and would seem to merit more attention here. Recommendations should address their compatibility with approved plans for both parks.

Implementation statement OS-1a could be defined further with the addition of national and state parks to the list of coordinating entities. We also suggest adding to that item more specifics about cross jurisdictional management. This would include ensuring that development impacts at parkland/private land interface are minimal, that there are adequate setbacks on the private lands to allow for appropriate fire-safe clearances, and that there are clear and coordinated regulations across adjacent public lands. Implementation statement OS-2a could be enhanced by broadening the list of entities to include local land trusts and Marin Agricultural Land Trust.

### *Transportation*

We encourage the county to continue to collaborate with other agencies to implement transit and alternative access for local communities to popular park destinations where county residents comprise a large portion of users. NPS and the county are cooperating in two important planning processes that will identify a comprehensive set of solutions. The Tamalpais Transportation Improvements project will complete a plan for a trail connection from the Tennessee Valley trailhead on NPS land to the Richardson Bay Trail to encourage non-auto access to this popular park destination. Transit to park lands along the Highway One corridor may also be recommended in the under-development Comprehensive Transportation Management Plan. These are just two examples of ways that the Countywide Plan policies can support the efforts to reduce congestion on roads leading to park destinations and we encourage coordination between your plan update and these efforts.

Pages 3-230 thru 3-233. The discussion of policies for Planning Area #6 seems incomplete. There is no reference to the Manzanita transportation staging facility proposed in the Tamalpais Junction area to serve Muir Woods and Stinson Beach.

In Figure 3-29, data in cells 1 and 19 conflict with data collected for the CTMP, which reflected much higher traffic volumes. Cell #1 CTMP data (collected at six different locations within the

span of roadway listed as the boundaries - which is Shoreline Hwy. between Flamingo Rd. to Sonoma County Line) during the peak season shows volumes that are approximately 280%-800% higher than the DKS volumes. The DKS volumes are 114/103 pk. hr. while the lowest CTMP data is 290/283 (collected north of Stinson Beach).

Cell #19 CTMP data (collected at two different locations within the span of roadway listed as the boundaries – which is Shoreline Hwy. between US 101 and Flamingo Rd) during the peak season show volumes that are approximately 200%-250% higher than the DKS volumes. The DKS volumes are 615/475 pk. hr, while the CTMP data is 1059/988 and 1638/1259.

In implementation items TR-1.c and TR-1.d, the state and federal governments should be added to the list of partners with which to work. The additions should also be made to the table on page 3-159.

The NPS is currently engaged in a transportation plan that is highly likely to result in the implementation of improved bicycle access and travel routes in the Marin Headlands and Fort Baker areas of the Golden Gate National Recreation Area.

As for existing bikeways: the Class 2 bike lanes through the Baker-Barry Tunnel that extend for a short distance on Bunker Road west of the tunnel are not shown.

### ***Socioeconomic***

On pages 4-5, there is a very brief discussion of parks and recreation and their role in the socioeconomic picture of Marin County. We believe the recreation and parkland amenities are critical to the quality of life, and therefore the economy in the county, and this should be underscored in this section. Not many suburban counties are blessed with the extent of national parklands as this one, and it seems that this is a major factor contributing to the desirability of the place in which to both visit and live. The Plan should mention here what percent of the county economy derives from these resources.

On page 4-7, the “Vision” should include natural resources. On page 4-9, although it is covered well elsewhere, we suggest that more attention be given here to the historic dairy and beef cattle industries.

The goals of GGNRA are greatly supported by Goal EC-1 – A Vibrant Economy. GGNRA especially supports green and sustainable practices by industries (EC-1.3, EC-1.k EC1.l and EC1.m), rehabilitation and reuse of existing built areas and brown fields (EC1.h & EC-1.i), and transit-oriented development (EC-1.j). Reuse of these areas reduces pressure to develop intact open space. These reuse candidates are usually proximate to transportation and other developed areas making them highly desirable if developers can be persuaded to rehabilitate them. Business owners, visitors, and residents will all benefit from these plan goals and policies.

On page 4-98, the National Park Service should be listed here as a resource for obtaining assistance – both from the Pacific West Regional Office as well as both parks.

Although the text makes limited reference to “historic trees and rock outcroppings,” there is no mention in the document of the need to identify, evaluate, document and preserve *cultural landscapes*, a resource with which the county is unusually well endowed. This is important as it relates to the need to preserve historic ranching activities in both federal parks, because cultural landscape values provide the primary lasting justification to continue these activities.

### ***Community Participation***

This planning effort has been a model for Goals CP-1 – Broad and Diverse Participation, and the policies that support it. GGNRA strives toward the same goals and policies.

### ***Education***

An addition to the education policies is suggested. EDU-2.4 would address partnering with other education providers to coordinate curricula and scheduling, thereby broadening the education content and resources available to residents and visitors. Implementation details items would follow this policy.

### ***Parks and Recreation***

The Background section should list state and national parks after special districts.

### ***Maps***

Map 3-11b: There are errors on Map 3-11b concerning both existing and proposed bikeways on GGNRA lands (see comments under Transportation).

Map# 7.3. This map does not seem clear as to the extent of federal holdings. A note identifies the beach as “Stinson Beach State Park.” It has been a part of GGNRA since the 1970’s.

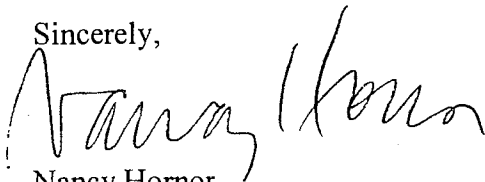
Map# 7.8. This map should show GGNRA holdings east of Shoreline Highway and south of Sir Francis Drake Highway.

Map # 7.9. The Giacomini Ranch should be noted as part of the GGNRA.

Please let us know if you do not have a current map identifying GGNRA lands and we will send you current information.

Marin County staff, volunteer working groups, and the involved public are to be commended for this well thought out and comprehensive plan for the county’s future. GGNRA appreciates the opportunity to comment and looks forward to continued coordination and our forthcoming meeting with your planning staff. If you have any questions, please call me at (415) 561-4937.

Sincerely,



Nancy Hornor  
Chief, Planning Division

Enclosure: Redwood Creek Watershed – Vision for the Future



STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Arnold  
Schwarzenegger  
Governor

Sean Walsh  
Director

August 23, 2005

2005 AUG 25 1:00  
MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY

**Notice of Preparation**

To: Reviewing Agencies

Re: Marin Countywide Plan Update 2005 (General Plan Update)  
SCH# 2004022076

Attached for your review and comment is the Notice of Preparation (NOP) for the Marin Countywide Plan Update 2005 (General Plan Update) draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.


Please direct your comments to:

**Tim Haddad**  
Marin County Community Development Agency  
3501 Civic Center Drive  
Room 308  
San Rafael, CA 94903-4157

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

*for*   
Scott Morgan  
Associate Planner, State Clearinghouse

Attachments  
cc: Lead Agency



**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2004022076  
**Project Title** Marin Countywide Plan Update 2005 (General Plan Update)  
**Lead Agency** Marin County

---

**Type** NOP Notice of Preparation  
**Description** Marin Countywide Plan Update 2005.

---

**Lead Agency Contact**

**Name** Tim Haddad  
**Agency** Marin County Community Development Agency  
**Phone** 415 499-6269  
**email**  
**Address** 3501 Civic Center Drive  
Room 308  
**City** San Rafael  
**Fax**  
**State** CA **Zip** 94903-4157

---

**Project Location**

**County** Marin  
**City**  
**Region**  
**Cross Streets**  
**Parcel No.**  
**Township**

**Range** **Section** **Base**

---

**Proximity to:**

**Highways**  
**Airports**  
**Railways**  
**Waterways**  
**Schools**  
**Land Use** 1994 Marin Countywide Plan

---

**Project Issues** Agricultural Land; Air Quality; Archaeologic-Historic; Coastal Zone; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Cumulative Effects; Other Issues; Aesthetic/Visual

---

**Reviewing Agencies** Resources Agency; California Coastal Commission; Department of Forestry and Fire Protection; Department of Conservation; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; Native American Heritage Commission; Office of Emergency Services; Department of Health Services; Department of Fish and Game, Region 3; Caltrans, Division of Aeronautics; California Highway Patrol; Department of Housing and Community Development; Caltrans, District 4; Regional Water Quality Control Board, Region 2

---

**Date Received** 08/23/2005 **Start of Review** 08/23/2005 **End of Review** 09/21/2005

**NOP Distribution List**

County: MARIN

SCH# 6004022015

Resources Agency

- Resources Agency**  
Nadell Gayou
- Dept. of Boating & Waterways**  
David Johnson
- California Coastal Commission**  
Elizabeth A. Fuchs
- Colorado River Board**  
Gerald R. Zimmerman
- Dept. of Conservation**  
Roseanne Taylor
- California Energy Commission**  
Roger Johnson
- Dept. of Forestry & Fire Protection**  
Allen Robertson
- Office of Historic Preservation**  
Wayne Donaldson
- Dept of Parks & Recreation**  
Environmental Stewardship Section
- Reclamation Board**  
DeeDee Jones
- S.F. Bay Conservation & Dev't. Comm.**  
Steve McAdam
- Dept. of Water Resources**  
Resources Agency  
Nadell Gayou
- \_\_\_\_\_  
Conservancy

Fish and Game

- Depart. of Fish & Game**  
Scott Flint  
Environmental Services Division
- Fish & Game Region 1**  
Donald Koch
- Fish & Game Region 2**  
Banky Curtis

- Fish & Game Region 3**  
Robert Floerke
- Fish & Game Region 4**  
Mike Mulligan
- Fish & Game Region 5**  
Don Chadwick  
Habitat Conservation Program
- Fish & Game Region 6**  
Gabrina Gatchel  
Habitat Conservation Program
- Fish & Game Region 6 I/M**  
Tammy Allen  
Inyo/Mono, Habitat Conservation Program
- Dept. of Fish & Game M**  
George Isaac  
Marine Region

Other Departments

- Food & Agriculture**  
Steve Shaffer  
Dept. of Food and Agriculture
- Depart. of General Services**  
Public School Construction
- Dept. of General Services**  
Robert Sleppy  
Environmental Services Section
- Dept. of Health Services**  
Veronica Rameriz  
Dept. of Health/Drinking Water

Independent Commissions, Boards

- Delta Protection Commission**  
Debby Eddy
- Office of Emergency Services**  
Dennis Castrillo
- Governor's Office of Planning & Research**  
State Clearinghouse
- Native American Heritage Comm.**  
Debbie Treadway

- Public Utilities Commission**  
Ken Lewis
- State Lands Commission**  
Jean Sarino
- Tahoe Regional Planning Agency (TRPA)**  
Cherry Jacques

Business, Trans & Housing

- Caltrans - Division of Aeronautics**  
Sandy Hesnard
- Caltrans - Planning**  
Terri Pencovic
- California Highway Patrol**  
John Olejnik  
Office of Special Projects
- Housing & Community Development**  
Lisa Nichols  
Housing Policy Division

Dept. of Transportation

- Caltrans, District 1**  
Rex Jackman
- Caltrans, District 2**  
Marcelino Gonzalez
- Caltrans, District 3**  
Katherine Eastham
- Caltrans, District 4**  
Tim Sable
- Caltrans, District 5**  
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Mario Orso
- Caltrans, District 12**  
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Cal EPA

Air Resources Board

- Airport Projects**  
Jim Lerner
- Transportation Projects**  
Kurt Karperos
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Mike Tollstrup

- California Integrated Waste Management Board**  
Sue O'Leary

- State Water Resources Control Board**  
Jim Hockenberry  
Division of Financial Assistance

- State Water Resources Control Board**  
Student Intern, 401 Water Quality Certification Unit  
Division of Water Quality

- State Water Resources Control Board**  
Steven Herrera  
Division of Water Rights

- Dept. of Toxic Substances Control**  
CEQA Tracking Center

- Department of Pesticide Regulation**

Regional Water Quality Control Board (RWQCB)

- RWQCB 1**  
Cathleen Hudson  
North Coast Region (1)
- RWQCB 2**  
Environmental Document Coordinator  
San Francisco Bay Region (2)
- RWQCB 3**  
Central Coast Region (3)
- RWQCB 4**  
Jonathan Bishop  
Los Angeles Region (4)
- RWQCB 5S**  
Central Valley Region (5)
- RWQCB 5F**  
Central Valley Region (5)  
Fresno Branch Office
- RWQCB 5R**  
Central Valley Region (5)  
Redding Branch Office
- RWQCB 6**  
Lahontan Region (6)
- RWQCB 6V**  
Lahontan Region (6)  
Victorville Branch Office
- RWQCB 7**  
Colorado River Basin Region (7)
- RWQCB 8**  
Santa Ana Region (8)
- RWQCB 9**  
San Diego Region (9)
- Other** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**DEPARTMENT OF TRANSPORTATION**

111 GRAND AVENUE  
P. O. BOX 23660  
OAKLAND, CA 94623-0660  
PHONE (510) 286-5505  
FAX (510) 286-5559  
TTY (800) 735-2929

RECEIVED

2005 SEP 12 P 4:01

MARIN COUNTY  
COMMUNITY DEVELOPMENT

*Flex your power!  
Be energy efficient!*

September 9, 2005

MRN-General  
MRN000055  
SCH#2004022076

Mr. Tim Haddad  
Marin County  
Community Development Department  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

Dear Mr. Haddad:

**Marin Countywide Plan Update 2005 – Revised Notice of Preparation (NOP)**

Thank you for including the California Department of Transportation in the environmental review process for the proposed plan update. We have reviewed the NOP and have the following comments to offer:

The Draft Environmental Impact Report (DEIR) should include an analysis of the effect this countywide plan update and its alternatives will have on State transportation facilities and include, but not be limited to the following information:

1. Existing Conditions- Current year traffic volumes and peak hour level-of-service (LOS) analysis of affected State highway facilities, including mainline highway segments, ramps, and ramp terminal intersections.
2. Proposed Countywide Plan Update Only with Select Link Analysis – Trip generation and assignment for build-out of countywide plan. Select link analysis represents a project only (in this case, proposed countywide plan update only) traffic model run, where the project's trips are distributed and assigned along a loaded highway network. This procedure isolates the specific impact on the State highway network.
3. Current Countywide Plan Built-out Only – Trip assignment and peak hour LOS analysis. Include current land uses and pending countywide plan amendments.
4. Current Countywide Plan Build-out plus Proposed Countywide Plan Update – Trip assignment and peak hour LOS analysis. Include proposed countywide plan update and pending countywide plan amendments.

5. Include a discussion of proposed trails and ensure that any new trails are linked and continuous with existing trails and bicycle lanes.
6. Mitigation measures should be identified where the countywide plan update would have a significant impact. The Department considers the following to be significant impacts:
  - Off-ramp with vehicle queues that extend into the ramp's deceleration area or onto the freeway,
  - Vehicle queues at intersections that exceed existing lane storage,
  - Traffic impacts that cause any ramp's merge/diverge LOS to be worse than the freeway's LOS, and
  - Traffic impacts that cause the LOS to deteriorate below the LOS E for freeways and LOS D for highways and intersections. If the LOS is already E or F, then a quantitative measure of increased queue lengths and delay should be used to determine appropriate mitigation measures.
7. Mitigation measures should consider highway and non-highway improvements and services. Special attention should be given to the development of alternate solutions to circulation problems that do not rely on increased highway construction. The project sponsor should consider coordinating the following possible improvements with countywide plan "build out", if it is determined in the traffic analysis that they would be warranted:
  - Widening interchange ramps to increase capacity,
  - Modifying ramp terminal intersections,
  - Adding auxiliary lanes between interchanges,
  - Increasing the ramp acceleration or deceleration lane length to improve merge/diverge operations, and
  - Adding signalization and ramp intersection geometric improvements at impacted interchanges
8. The Department concurs with any County efforts to promote regional traffic mitigation fees. Since the County has the authority to approve or disapprove local development projects (rather than the Congestion Management Agency (CMA)) we believe it is the County's responsibility to require developers to pay regional traffic mitigation fees. The fees could be collected on the behalf of the CMA, but ultimately it is the County alone that has the authority to require new development to fund regional transportation mitigation.
9. All mitigation measures proposed should be fully discussed, including financing, scheduling, implementation responsibilities, and lead agency monitoring.
10. The procedures contained in the 2000 update to the Highway Capacity Manual should be used as a guide for the analysis. We recommend utilizing Caltrans' "*Guide for the Preparation of Traffic Impact Studies*" which can be accessed at the following Internet address: <http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

11. On page 6 of 26, Section IV, the California Department of Transportation is omitted on the listing of agencies and organizations with jurisdictional authority or interest. Please add California Department of Transportation to the list.

We look forward to reviewing the DEIR for this project. We do expect to receive a copy from the State Clearinghouse, but in order to expedite our review please send two copies in advance to:

Office of Transit and Community Planning, IGR/CEQA Branch  
Department of Transportation, District 4  
P O Box 23660  
Oakland, CA 94623-0660

Should you require further information or have any questions regarding this letter, please call David M Cortez of my staff at (510) 286-5528.

Sincerely,



TIMOTHY C. SABLE  
District Branch Chief  
IGR/CEQA

c: State Clearinghouse



# DEPARTMENT OF CONSERVATION

## DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEB SITE conservation.ca.gov

September 21, 2005

Tim Haddad  
 Marin County Community Development Agency  
 3501 Civic Center Drive, Room 308  
 San Rafael, CA 94903-4157

Subject: Notice of Preparation (NOP) of a Draft Environmental Impact Report  
 (DEIR) for the Marin Countywide Plan (CWP) Update 2005  
**SCH# 2004022076**

Dear Mr. Haddad:

The Department of Conservation's Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the above NOP and offers the following recommendations for the DEIR with respect to the project's potential impacts on agricultural land. In addition, since the August 24, 2005, notice for comments did not request review comments on the draft plan itself, the Division will be submitting specific comments on the plan addressing land uses on Williamson Act lands under separate cover.

The proposed project involves an update of the Marin Countywide Plan (CWP) which includes an extensive Natural Systems and Agriculture Element. Therefore, the Division recommends that, at a minimum, the following items be specifically addressed in the DEIR to document and treat the project impacts on agricultural land, Williamson Act lands, and agricultural land use. If specific information is not available due to the generic nature of the project, the information can be discussed and addressed in subsequent focused environmental documents at the time of project implementation.

### Agricultural Setting of the Project

The DEIR should describe the project setting in terms of the actual and potential agricultural productivity of the land. The Division's Marin County Important Farmland Map; which defines farmland according to soil attributes and land use, can be used for

this purpose. In addition, we recommend including the following information to characterize the agricultural land resource setting of the project.

- Current and past agricultural use of the project area. Include data on the types of crops grown, and crop yields and farmgate sales values.
- To help describe the full agricultural resource value of the soils on the site, we recommend the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional and state economies. State and Federal agencies such as the UC Cooperative Extension Service and USDA are sources of economic multipliers.

#### Project Impacts on Agricultural Land

- Type, amount, and location of farmland conversion resulting directly and indirectly (growth-inducement) from project implementation.
- Impacts on current and future agricultural operations; e.g., land-use conflicts, increases in land values and taxes, vandalism, etc.
- Incremental project impacts leading to cumulatively considerable impacts on agricultural land. This would include impacts from the proposed project as well as impacts from past, current and probable future projects.

Impacts on agricultural resources may also be quantified and qualified by use of established thresholds of significance (California Code of Regulations Section 15064.7). The Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model, a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website noted later in this letter.

#### Williamson Act Lands

A project is deemed to be of statewide, regional or area-wide significance if it will result in cancellation of a Williamson Act contract for a parcel of 100 or more acres [California Code of Regulations Section 15206(b)(3)]. Since lands under Williamson Act contract exist in the project area, the Department recommends that the following information be provided in the DEIR:

- A map detailing the location of agricultural preserves and contracted land within each preserve. The DEIR should also tabulate the number of Williamson Act

acres, according to land type (e.g., prime or non-prime agricultural land), which could be impacted directly or indirectly by the project.

- A discussion of Williamson Act contracts that may be terminated in order to accommodate the project. The DEIR should discuss the impacts that termination of Williamson Act contracts would have on nearby properties also under contract; i.e., growth-inducing impacts (in the sense that the removal of contract protection not only lifts a barrier to development, but results in higher property taxes, and thus, an incentive to shift to a more intensive land use, such as urban development.)

As a general rule, land can be withdrawn from Williamson Act contract only through the nine-year nonrenewal process. Immediate termination via cancellation is reserved for "extraordinary", unforeseen situations (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855). The County of jurisdiction must approve a request for contract cancellation, and base that approval on specific findings that are supported by substantial evidence (Government Code Section 51282). When a Williamson Act contract cancellation is proposed, we recommend that a discussion of the findings be included in the environmental document for the project. Finally, the notice of the hearing to approve the tentative cancellation, and a copy of the landowner's petition, must be mailed to the Director of the Department of Conservation ten (10) working days prior to the hearing. (The notice should be mailed to Bridgett Luther Thompson, Director, Department of Conservation, c/o Division of Land Resource Protection, 801 K Street MS 18-01, Sacramento, CA 95814-3528.)

- Any proposed changes in land uses for lands under contract. Uses of contracted land must meet compatibility standards identified in Government Code Sections 51238 - 51238.3. Otherwise, contract termination (see paragraph above) must occur prior to the initiation of the land use.
- Any proposed changes in general plan designation or zoning within agricultural preserves affected by the project. Since an agricultural preserve is a zone authorized by the Williamson Act, and established by the local government, to designate land qualified to be placed under the Act's 10-year contracts, uses of agricultural preserve land must be restricted by zoning or other means so as not to be incompatible with the agricultural use of contracted land within the preserve (Government Code Section 51230).



Tim Haddad  
September 21, 2005  
Page 4 of 4

### Mitigation Measures and Alternatives

Feasible alternatives to the project's location or configuration that would lessen or avoid farmland conversion impacts should be considered in the DEIR. The Division has recommended the purchase of agricultural conservation easements on land of at least equal quality and size as partial compensation for the direct loss of agricultural land, as well as for the mitigation of growth inducing and cumulative impacts on agricultural land. We highlight this measure because of its growing acceptance and use by lead agencies as mitigation under CEQA.

Mitigation using conservation easements can be implemented by at least two alternative approaches: the outright purchase of conservation easements tied to the project, or via the donation of mitigation fees to a local organization such as the Marin Agricultural Land Trust. Whatever the approach, the conversion of agricultural land should be deemed an impact of at least regional significance and the search for mitigation lands conducted regionally, and not limited strictly to lands within Marin County.

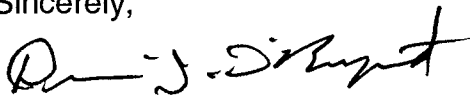
Additional Information about conservation easements is available on the Division's website, or by contacting the Division at the address and phone number listed below. The Division's website address is:

<http://www.conservation.ca.gov/DLRP/>

Of course, the use of conservation easements is only one form of mitigation that should be considered. Some of the policies included in the Natural Systems Element can also be referenced as mitigation measures in the DEIR.

Thank you for the opportunity to comment on the NOP. If you have questions on our comments, or require technical assistance or information on agricultural land conservation, please contact the Division at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0850.

Sincerely,



Dennis J. O'Bryant  
Acting Assistant Director

cc: Marin County RCD  
P.O. Box 1146  
Point Reyes Station, CA 94956



DEPARTMENT OF FISH AND GAME

<http://www.dfg.ca.gov>

POST OFFICE BOX 47  
YOUNTVILLE, CALIFORNIA 94599  
(707) 944-5500

September 1, 2005



2005 SEP -2 P 2:02  
CALIFORNIA DEPARTMENT OF FISH AND GAME

Mr. Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

Dear Mr. Haddad:

Marin Countrywide Plan Update 2005  
Marin County  
SCH 2004022076

The Department of Fish and Game (DFG) has reviewed the document for the subject project. Please be advised this project may result in changes to fish and wildlife resources as described in the California Code of Regulations, Title 14, Section 753.5(d)(1)(A)-(G)<sup>1</sup>. Therefore, a de minimis determination is not appropriate, and an environmental filing fee as required under Fish and Game Code Section 711.4(d) should be paid to the Marin County Clerk on or before filing of the Notice of Determination for this project.

For any activity that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed, DFG may require a Streambed Alteration Agreement (SAA), pursuant to Section 1600 et seq. of the Fish and Game Code, with the applicant. Issuance of SAAs is subject to the California Environmental Quality Act (CEQA). DFG, as a responsible agency under CEQA, will consider the CEQA document for the project. The CEQA document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for completion of the agreement. To obtain information about the SAA notification process, please access our website at [www.dfg.ca.gov/1600](http://www.dfg.ca.gov/1600); or to request a notification package, contact the Streambed Alteration Program at (707) 944-5520.

If you have any questions, please contact Mr. Jeremy Sarrow Environmental Scientist, at (707) 944-5573; or Mr. Scott Wilson, Habitat Conservation Supervisor, at (707) 944-5584.

Sincerely,

Robert W. Floerke  
Regional Manager  
Central Coast Region

cc: State Clearinghouse

<sup>1</sup> <http://ccr.oal.ca.gov/>. Find California Code of Regulations, Title 14 Natural Resources, Division 1, Section 753



# STINSON BEACH COUNTY WATER DISTRICT

3785 Shoreline Highway P.O. Box 245  
Stinson Beach, CA 94970  
Phone: (415) 868-1333 Fax: (415) 868-9417  
Web site <http://stinson-beach-cwd.dst.ca.us>



September 23, 2005

Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA. 94903  
Attn: Mr. Tim Haddad, Environmental Coordinator

Re: Marin County Wide Plan Draft 2005 - Comments

Dear Mr. Haddad,

Upon review of the Draft County Wide Plan dated July 2005, we have several comments noted below regarding apparent omissions. We also include several suggested approaches to onsite wastewater system testing which have proven very useful to us and which we believe might benefit all of West Marin, and in particular to Stinson Beach.

- Section 2-53, Natural Systems/Water Resources – the seasonal wastewater trends (data-sets) from County / Federal Lands and SBCWD. We request that this data be included.
- Section 2-57, PoliciesWR-2, Desired outcomes, WR-2.2 Reduce Pathogens, Sediment and Nutrient levels – We recommend that the County review the SBCWD adaptive approach to onsite wastewater management as a possible model for the unincorporated areas of Marin County.
- WR-2.5 Take part in Water Quality Education – The SBCWD has an educational program, a watershed inspection program, and a continual groundwater/surface water testing and inspection program to test and monitor onsite wastewater systems.
- Section 2-58 WR-2a Update Standards – The SBCWD requires that the Wastewater Policy be reviewed annually and that a complete review be conducted every three years.
- WR-2a, WR-2d Research and Implement Safe and Alternate Waste Options – The SBCWD has a model the County can use or modify for their use.
- Section 2-59, WR-2e through WR2-k - The SBCWD has a well thought-out onsite wastewater inspection program that addresses the issues covered in these sections. We recommend that this program be referenced in the County Wide Plan.
- Section 3-187 Public Facilities and Services – Regarding communities; water capacity – The SBCWD might also be referenced for having a program for alternative Wastewater Systems.

Our strongest concern is the apparent elimination of update and review of the current local Coastal Program (April 1, 1980). This is a drastic change from the February 16,

## Board of Directors

**President**  
Jim Zell

**Vice-President**  
Scott Tye

**Directors**  
Elizabeth Sapanai  
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Joseph Veit

**Treasurer**  
Barbara Boucke

**Secretary/General  
Manager**  
Richard A. Dinges

**District Counsel**  
Ray McDevitt Esq.

RECEIVED  
STINSON BEACH COUNTY WATER DISTRICT  
SEP 23 2005 12:12:57  
COMMUNITY DEVELOPMENT

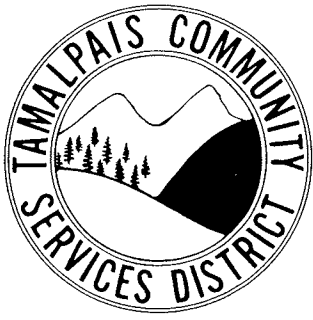
2004 proposed review of the County Wide Plan, page 3 of 23. In the July, 2005 revised plan update, the Local Coastal Plan (LCP) is apparently no longer a part of the project description and that implies the LCP will not be analyzed in the EIR. We believe this change would undermine the mandate of the Coastal Act.

I wish to discuss these matters with you, at your earliest convenience. Please call me when you receive this. Thank you in advance.

Sincerely

  
Richard A. Dinges  
General Manager

cc. Board of Directors



# Tamalpais Community Services District

305 Bell Lane, Mill Valley, CA 94941 • 415 388-6393 • Fax: 415 388-4168  
info@tcsd.us • www.tcsd.us

20 SEP 26 12 21

COMMUNITY DEVELOPMENT

September 22, 2005

Mr. Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive  
Room 308  
San Rafael, CA 94903-4257

Subject: Public Comments regarding the Draft Marin County General Plan.

Dear Mr. Haddad:

We are pleased to submit for your review and consideration comments on the August 2005 proposed Marin Countywide plan.

The Tamalpais Community Services District Board of Directors has carefully reviewed the proposed plan and share the attached list of comments.

We appreciate the work that went into preparing this document and would invite the Community Development Department to consider holding a public hearing or meeting in the TCSD Community Center, when public hearings on the plan are held.

Thank you.

Sincerely yours,

A handwritten signature in black ink that reads "Linda Johnson".

Linda Johnson, Director  
Tamalpais CSD Board of Directors



## Comments (page 1 of 3)

**Ref. OS-2.2** Continue to acquire and otherwise preserve additional Open Space County wide.

We strongly support the continual efforts to acquire:

- Wolfback Ridge to Tennessee Valley
- The ridges above the Tamalpais Valley.

### **Ref. Map 3-2b**

We question the designation and use of the housing overlay designations within the Tam Valley as they are sites that are flood prone, are already developed and would increase significantly the traffic impacts on our already crowded two-lane road network.

### **Ref. CD-4.a.** Built Environment (pp 3-22)

We agree with the plan recommendation to update the Community Plan for the Tam Valley. It is nearly 13 years old and needs this badly. The concept of using the Watershed protection approach is excellent, but any development action will still require individual environmental reviews.

### **Ref. CD-6 (e)**

We support the LAFCO reviews and updates of various Spheres of Influence. These reviews must be broadly focused and not built around a single service such as the recent Southern Marin LAFCO study.

The unincorporated areas of Southern Marin hold some of the most valuable open space in the entire bay area. The preservation of this is critical as the existing public infrastructure is limited and must not be taxed beyond what it can carry.

### **Ref. 3-5**

We are very pleased and support the outline and guiding principals including CD-4 and CD-5. We hope these guiding principals can be integrated into the new Tamalpais Plan. The plan, which is discussed on pp 3-43 remains incomplete though, as it fails to list any projected benchmarks. As these are developed, we urge that they be carefully considered and then incorporated into our Tamalpais Plan.

**Comments** (continued - page 2 of 3)

**Ref. PP 3-57**

These are excellent principals for the integration into our Tam Valley Plan.

**Ref. Map 3-6b**

Proposed Transportation Improvements. Key projects listed in the plan under transportation include:

19- We oppose the installation of additional signals on State Highway 1 between Flamingo Rd. and Hwy 101 until alternatives are studied that include additional bike and pedestrian ways.

20- We support the replacement of the Tennessee Valley Bridge.

21- We support access management plans from Hwy 101 to Stinson Beach. That roadway is very curvy and dangerous given the traffic load it carries.

We support the improvements along Tennessee Valley Road that improve safety access to the Golden Gate, Mt. Tam and Stinson Beach areas. Of particular need is a corridor for Bike and Pedestrian use.

22- We continue to support regional bus service to the Tam Valley area communities off the Hwy 101 corridor.

**Ref. Map 3-9b**

This map fails to reflect proposals to extend the Bike Lanes up the Tennessee Valley Road corridor to connect to the existing GGNRA trails. It also fails to suggest a linkage along Shoreline Blvd. to facilitate patronage at local community businesses. Many people already ride along that crowded corridor, and not even a bike lane exists to protect them.

Marin Avenue is a major connector roadway for the dozens of roads that intersect throughout the hillsides of the Tam Valley. It also is a major "safe route" to the Tam Valley Elementary School and must be better identified to ensure safety for children and others who walk and ride along it.

**Ref. TR-3**

We support increased Bus Service to Tam Valley between Mill Valley and local Park and Ride lots along Hwy. 101.

**Comments** (continued – page 3 of 3)

**Ref. 3-37 (pp 3-160)**

We very much supported this excellent table.

Finally, we have not added our comments to the issues and review conducted by Margaret Zegart. We support her concern regarding the removal from the plan of the Richardson Bay marsh protection zoning. We are worried these have been replaced by the drive to add additional affordable housing to the plan.

Her comments are included with our statements.

Thank You for the time you took in reviewing these comments.



# BOLINAS COMMUNITY PUBLIC UTILITY DISTRICT

BCPUD BOX 390 270 ELM ROAD BOLINAS CALIFORNIA 94924 TEL 415 868 1224



September 22, 2005

2005 SEP 23 P 3 12

Tim Haddad  
Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Drive  
Room 308  
San Rafael, California 94903-4157

MARIN COUNTY  
COMMUNITY DEVELOPMENT

Re: Revised Notice of Preparation – Marin Countywide Plan Update 2005, SCH #2004022076

Dear Mr. Haddad:

I am writing with respect to your memorandum of August 24, 2005, soliciting input concerning the scope of issues to be addressed by the Community Development Agency (“CDA”), as lead agency for the Marin Countywide Plan (“CWP”) Update 2005 environmental review. The Bolinas Community Public Utility District (“BCPUD”) requests that the CDA consider the following issue in the Environmental Impact Report (“EIR”) which will be prepared for the CWP Update 2005:

The draft Marin CWP Update 2005 appears to reference the LCP and/or West Marin community plans in only a few places within the Built Environment Element, such as the following:

Page 3-249: “Designate Lands in the Coastal Zone. The Local Coastal Program (LCP) shall govern land use in the Coastal Zone. Community plans in the Coastal Zone shall be subject to LCP policies and reflect community concerns and values.”

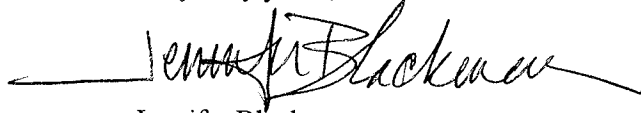
BCPUD recognizes that the LCP is not going to be analyzed in the EIR because the LCP has not yet been updated. However, the LCP as well as West Marin’s local community plans, are essential to the management of appropriate development in the Coastal Zone, as well as to the management and sustainability of the many sensitive resources of the West Marin coastline and its various related tributaries, riparian zones, and wetlands. Accordingly, the CWP Update 2005 should be very clear that the LCP, as well as applicable local community plans, are the governing policies for the lands in the Coastal Zone, notwithstanding the CWP Update 2005 or its “corridor” concept. The BCPUD is concerned is that CWP Update 2005 may not be sufficiently clear in this regard if other elements and sections of the CWP Update 2005—apart from the above-referenced mentions in the Built Environment Element—do not specifically reference the LCP or applicable West Marin community plans.

BCPUD respectfully requests that the CDA include the above-described concern within the scope of the issues to be addressed in its environmental review of the Marin CWP Update 2005. BCPUD is pleased to note that the issues otherwise within its jurisdiction have been designated in the Revised Initial Study (July 2005) as issues to be addressed in the EIR; namely, all of the issues specified under Section VI(4) relating to Water. BCPUD looks forward to reviewing the draft EIR when it is issued.

Tim Haddad  
September 22, 2005  
Page Two

Please contact me if you have any questions about this letter.

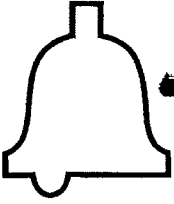
Very truly yours,

A handwritten signature in black ink, appearing to read "Jennifer Blackman". The signature is written in a cursive style with a long horizontal line extending to the left.

Jennifer Blackman  
General Manager

cc: Board of Directors, BCPUD

CITY OF



*Accepted LATE*  
**San Rafael**

*Mayor  
Albert J. Boro*

*Council Members  
Paul M. Cohen  
Barbara Heller  
Cyr N. Miller  
Gary O. Phillips*

2005 NOV 8 1:52  
MARIN COUNTY  
COMMUNITY DEVELOPMENT

November 4, 2005

Mr. Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

**Re: Draft Marin County Plan Update – Notice of EIR Preparation**

Dear Tim:

Thank you for including the City of San Rafael in the environmental review process for the draft Marin Countywide Plan. We have only one concern that we would like addressed in the EIR.

The August 2005 Draft of the Countywide Plan includes Policy PA-3.2 regarding future land use for the San Rafael Rock Quarry (referred to as the Point San Pedro Quarry in the Plan). The policy states that a Specific or Master Plan will be required to determine residential densities and commercial floor area, but then goes on to state, "For traffic modeling purposes, up to 350 dwelling units were identified as indicated in the approved Peacock Gap Neighborhood Plan."

Please be aware that the Peacock Gap Neighborhood Plan, adopted in 1980, is no longer effective, and has been incorporated into the new General Plan 2020. I have attached the current policy wording concerning this site, which does not refer to a specific number of housing units for redevelopment.

We have previously requested that traffic modeling for the EIR include not only impacts on the freeways, but also local road impacts leading to and including the freeway on- and off-ramps. This data could be provided through use of the City's traffic model, much as we utilized the County's traffic model in analyzing traffic impacts of San Rafael's General Plan 2020 on the regional traffic network. It is our belief that 350 housing units could not be constructed at the San Rafael Rock Quarry, replacing quarry operations, and remain in compliance with the City's traffic congestion (Level of Service) limitations.

If the County determines that it will not assess local street impacts of such redevelopment, we request that the language of Policy PA-3.2 be revised so as not to

suggest that traffic implications of the referenced level of development were modeled for local roadways.

Should you wish to discuss utilizing data from the City's traffic model, please contact me at 485-3090.

Sincerely,

A handwritten signature in black ink, appearing to read 'RMB', with a long horizontal flourish extending to the right.

Robert Brown, AICP  
Community Development Director

cc: City Council  
Planning Commission  
City Manager  
City Attorney

## PEACOCK GAP

This neighborhood is developed with single-family homes, condominiums, and the Peacock Gap Golf and Country Club. The private country club has an 18-hole golf course, driving range, clubhouse, and pro shop. Architectural styles vary depending on the age of the single-family home and condominium developments in the neighborhood. The hills located above the developed area of the neighborhood provide an important visual backdrop, as well as trails and access to the adjacent China Camp State Park. The San Rafael Rock Quarry and McNear Brickworks are located in the southern portion of the neighborhood, along the Point San Pedro Peninsula.

## Neighborhood Economy and Culture

### NH-143. San Rafael Rock Quarry and McNear Brickworks.

The San Rafael Rock Quarry is currently operational, but its future is unclear at this time. The property owner has expressed an interest in continuing operations, but approval of an updated Reclamation Plan has not yet been obtained from the County. If operations cease during the timeframe of this plan, consider annexation and allow redevelopment of the San Rafael Rock Quarry and McNear Brickworks, taking into account the following factors:

- a. Consider the County's approved reclamation plan in future land use considerations. The current reclamation plan indicates a mixture of single-family and townhouse units, a marina, commercial recreation or hospitality and neighborhood-serving commercial uses. A revised reclamation plan is anticipated during the timeframe of this General Plan.
- b. Consider redevelopment of the site only if traffic capacity is available and can meet the City's level of service standards, including all intersections to and from the Downtown and freeway on- and off-ramps. Expand Pt. San Pedro Road past Riviera Drive to four lanes if needed for traffic capacity.
- c. Create a public use park band along the shoreline, at least 100 feet in width, linking McNears Beach Park with the public walkway along Pt. San Pedro Road.
- d. Reopen the saltwater marsh to tidal action. Protect the freshwater marsh.
- e. Protect freshwater ponds.
- f. Preserve the site's woodland areas and incorporate some of the historic brick works into the project design.
- g. Consider redevelopment of the site at one time to eliminate incompatibilities between the existing operation and redevelopment uses, except for the development of a possible high-speed waterway transit stop.

**NH-143a. Rock Quarry Plan.** Participate in preparation of a new reclamation plan and environmental impact report through the County of Marin, which should form the basis of future land uses and possible annexation.

Responsibility: Community Development, Public Works

Timeframe: Ongoing

Resources: Staff Time

### Vision of Peacock Gap

Little change is expected in the residential portion of the neighborhood. Should closure of the San Rafael Rock Quarry occur, the property may be annexed to the City as part of the land use entitlement process. A Reclamation Plan is under review by the County, with opportunities for involvement by area residents and the City.



Police Department

John Rohrbacher, Chief of Police

San Rafael

Mayor  
Albert J. Boro

Council Members  
Paul M. Cohen  
Barbara Heller  
Cyr N. Miller  
Gary O. Phillips

September 20<sup>th</sup>, 2005

Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, California 94903-4157

Re: Marin Countywide Plan Update 2005

Dear Mr. Haddad,

At the request of Chief John Rohrbacher, I have reviewed the draft update of the 1994 Marin Countywide Plan as it relates to public safety services and have the following observations, suggestions and requests.

The Revised Initial Study is correct in the assumption that Police protection has the potential to be significantly impacted unless mitigation measures are taken at the time of development. It has been the experience of all municipal agencies that development brings an increase not only in area to be served but also in activity which ultimately leads to the need for additional police services. The cost for those services can be reduced by careful planning and codified mitigation efforts.

Review of the Draft Marin CWP Goals, Policies and Procedures section for Public Safety leads to several specific comments.

- **PS1.2 Improve Infrastructure to Discourage Crime.** Remedy any public facilities with problems that might encourage criminal activity

This section could be strengthened significantly by revising PS-1.c from:

- *Ensure Adequate Lighting.* Upgrade street lighting in urbanized areas where specified by community plans to ensure neighborhood safety needs, provided unnecessary light and glare is avoided.

to:

- *Target environmental improvements in areas where poor design is aiding the generation of crime, the fear of crime and anti-social behavior.* Upgrade street lighting, landscaping and security efforts in urbanized areas where specified by community plans to ensure neighborhood safety needs, provided unnecessary light and glare is avoided.

And add:

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MARIN COUNTY COMMUNITY DEVELOPMENT

- PS-1.f *Enhance personal and property safety through development guidelines and regulations, including use of crime prevention through environmental design (CPTED) concepts or principles.* Certain community design approaches can prevent crime by addressing conditions that create public safety concerns. **CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)** involves designing or modifying the physical environment in a way that reduces opportunities for crime and for the fear of crime. Not only can CPTED be cost-effective, but it can also foster a greater sense of community.

Lighting is only a small piece of the crime prevention arsenal of effective tools to reduce crime and the fear of crime. The practice of CPTED in all development review will greatly enhance the safety of all new buildings and revision of existing structures and spaces; roadways and pedestrian walkways as well as open space and park areas.

- PS-2.2 Reduce Recidivism. Reduce the incidence of crimes by the mentally ill by continuing to support the support and Treatment After Release (STAR) and mental health court programs.

My only comment, is, in light of reduced funding for STAR and the implementation of Proposition 63 funding, is STAR the correct referent? I think that Bruce Gurganus, Director of the Division of Community Mental Health Services would be the best person to check on that wording.

- Table 4-11 Relationship of Goals to Guiding Principles looks incomplete, PS-4 is blank but could be checked under #2, 3, 4, and 7. PS-1, PS-2 and Ps-3 could all be checked under #2 and 10.

Should you have any questions regarding this comment or require additional information, contact me at the address below or at my desk 415-458-5301. I look forward to participating in the EIR process for the plan and providing information in general on the affect of anticipated development may have on San Rafael Police services.

Sincerely,



Lynne Ohlson  
Management Analyst

**INTER-OFFICE MEMORANDUM**  
**DEPARTMENT OF PUBLIC WORKS**

DATE: September 22, 2005

TO: Tim Haddad

FROM: Eric Steger *ES*

RE: Comments on Notice of Preparation for  
Marin Countywide Plan update 2005

Thank you for the opportunity to comment on issues to be included in the subject environmental review. The Countywide Plan (CWP) policies and implementing programs guides the conservation and development of Marin County with planning for sustainable communities as a framework. Two key components of our County's infrastructure that the Department of Public Works (DPW) manages are the County maintained road system and the Marin County Airport. They are essential components that provide efficient and effective transportation, and would be crucial in providing effective response and aid to the community in the event of a disaster.

DPW concurs with the Initial Study findings under Transportation/Circulation (Item 6a.) and Public Services (Item 11b.) that there are potential significant impacts unless mitigated for traffic congestion and roadway levels of service, as well as potential impacts on maintenance of the County road system, and that additional analysis is needed. DPW has developed traffic and maintenance data on the County's roads which we can share with the environmental study consultant.

We also concur with the Initial Study findings under Transportation/Circulation, Item 6e, that there could be significant impacts on our transportation and air traffic systems. In particular, the environmental study should evaluate the effects of the proposed CWP policies on the Airport Land Use Plan. The Airport Land Use Plan policies specify that the future land use in the airport environs should be consistent with aviation activities, and should incorporate airport growth and preservation.

ResponseCWPNOP2005Draft.doc

c. Supervisor Cynthia Murray  
Farhad Mansourian  
Bob Beaumont  
Jeff Ralwes  
Craig Tackabery  
Saaid Fakharzadeh  
Michele Rodriguez



INTER-OFFICE MEMORANDUM  

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DEPT. OF PUBLIC WORKS – AIRPORT DIVISION

To: Tim Haddad, Community Development Agency

Cc: Jeff Rawles, Deputy Director-Public Works

Date: 16-September-05

From: Ken Robbins, Airport Operations Coordinator

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Re: Marin Countywide Plan Update-Revised Notice of Preparation

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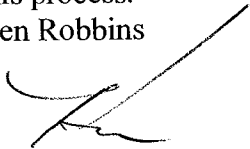
Dear Tim,

I have reviewed Revised Notice of Preparation, dated 24-Aug-05 and find the document to be consistent with past versions in reference to the airport. It remains my understanding that the existing Airport Master Plan will continue as the general policy document for the airport.

I agree with the position of noise contours remaining valid as projected in the Airport Master Plan.

Thank you for the consideration of yourself and the staff of Community Development in this process.

Ken Robbins



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2005 SEP 22 A 11:51  
MARIN COUNTY  
COMMUNITY DEVELOPMENT



# MARIN MUNICIPAL WATER DISTRICT

220 Nellen Avenue Corte Madera CA 94925-1169  
www.marinwater.org

September 20, 2005

Mr. Tim Haddad  
Community Development Agency  
3501 Civic Center Drive, Room #308  
San Rafael, CA 94903-4157

SUBJECT: Trail Element and Maps in the Revised 2005 Draft of the  
County Wide Plan

Dear Mr. Haddad:

Thank you for the opportunity to review and comment on the Revised 2005 Draft of the County Wide Plan. The Marin Municipal Water District (district) submitted comments earlier on the Open Space Element and the trails maps in the proposed County Wide Plan back on September 8, 2004 (attached). Our staff has reviewed the document once again. We note and appreciate that most of our comments were incorporated into the revised draft. However, the district still has concerns about the document showing existing trails around Nicasio Reservoir.

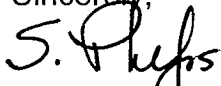
The district's focus remains on the protection of water quality. First, we do not currently recognize or maintain any trails around Nicasio Reservoir. Secondly, we believe that the identification of trails around Nicasio reservoir is premature without careful examination of the impacts of proposed routes on water quality. Therefore, and as requested earlier, we request that the line work around the reservoir on Map 2-19b and Map 2-19d be removed so it shows no existing trail or no proposed trail.

In addition, and while not as important as the above comment, district staff believes that Policy OS-2.5 (pg 2-124), and the changes made from the earlier proposed draft to the current revised draft regarding the Marin Municipal Water District, are somewhat unclear. The district's lands include approximately 18,500 acres that comprise the Mt. Tamalpais Watershed area, and another approximately 2,500 acres around Nicasio and Soulajule reservoirs. Our September 8, 2004 letter contains language that you may find useful in describing the district's lands. For the sake of simplicity, bullet number one would be more accurate if the language referencing Kent Lake and Carson Creek drainage were deleted because these areas only represent a fraction of district lands. Further, district staff believes there may be an error in bullet number five, "Ridgeland Defining the San Geronimo Valley," in that it is San Geronimo Ridge, not Pine Mountain Ridge that defines San Geronimo Valley.

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COMMUNITY DEVELOPMENT  
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Again, thank you for the opportunity to comment on the latest revised draft of the Countywide Plan. Overall, the plan represents a tremendous effort and will be an extremely useful document in helping guide the sustainable conservation and development of the County into the future. We hope our above comments are acceptable and useful as you move toward finalizing the plan. If you have any questions regarding this matter please feel free to call me at (415) 945-1100, or Casey May, Superintendent of Watershed Resources at 945-1179.

Sincerely,

A handwritten signature in black ink that reads "S. Phelps". The signature is written in a cursive style with a large, prominent "S" and "P".

Steve Phelps  
Manager, Facilities and Watershed

Attachment

cc: Michelle Rodriguez, Marin County Community Development

2005 SEP 22 P 3:11

MARIN COUNTY  
OFFICE OF COMMUNITY DEVELOPMENT

September 20, 2005

Mr. Tim Haddad  
Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Dr., Room 308  
San Rafael, CA 94903-4157

RE: NOP for the CWP Update 2005

Dear Mr. Haddad:

The members of the San Rafael Chamber of Commerce Workforce Housing committee have participated in the development of the countywide plan (CWP) for over three decades. Based on that long history and our member-adopted positions, we are raising the following issues for the EIR scoping session.

The development of required or allowed numbers of affordable housing is affected by the discretionary ability of staff and/or approving bodies to eliminate units or delay processes in response to public pressure or personal agendas. Analyze the impact of zoning which will require minimum numbers of units.

Analysis of the impact of any issues relating to housing/jobs balance should take into account the fact that the HUD numbers are based on incomes of people already living in the county rather than the salaries of those working here (and thus needing housing here)

As a part of analyzing the impacts of the production of affordable housing apparently allowed by the CWP and zoning, review the effect that the costs of development (land costs, permitting, architectural costs (for multiple re-designs during the approval process, EIR costs, construction costs, and carrying costs during the approval period) to determine the reasonable feasibility of building that housing.

What are the impacts on our society and on our economy of failing to make available housing which is affordable to members of the workforce like secretaries, store clerks, construction workers, teachers, most public service employees, agricultural workers, manufacturing / production personnel, etc.?

What are the impacts on road wear of not providing housing for those who work here but, because of the lack of inventory or of affordability of housing, must live outside the county and commute in? How will necessary maintenance be paid for?

What are the impacts on air quality of the traffic caused by those who work here but, because of the lack of inventory or of affordability of housing, must live outside the county and commute in?

How many units can the Housing Overlay Designation are reasonably expected to produce during the planning period?

Would expansion of the areas included and/or the density allowed or required by the Housing Overlay Designation result in an incrementally significant increase in units?

Can affordable housing be built at all without government (including local government) subsidies?

What would be the pollution impacts of the proposed agricultural use of the Saint Vincent - Silveira properties?

Evaluate the visual impact from the highway of development of the Saint Vincent's parcel in the configuration proposed in the application to the City of San Rafael and/or the pending application to the County.

The EIR should analyze whether athletic facilities (without buildings) would have an adverse effect on scenic vistas in the SVS view corridor.

Evaluate the comparative impacts on traffic of the construction of large houses and of smaller and affordable housing.

When evaluating the effect of the CWP, include analysis of the effect of the proposed implementing ordinances in enabling or preventing the policies from being effectively carried out.

Again, we appreciate you taking the time to review our concerns.

Best Regards,



Tallia Hart  
President/CEO

# STRAWBERRY RECREATION DISTRICT

118 East Strawberry Drive / Mill Valley / California 94941-2594  
Tel # (415) 383-6494  
Fax # (415) 383-6635

Website: strawberry.marin.org  
E-mail: strawberry-recreation@msn.com

September 20, 2005

Mr. Tim Haddad  
Marin County Community Development Agency – Planning Division  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

RE: Notice of Preparation of an EIR for the Marin Countywide Plan Update

Dear Mr. Haddad:

At our September 14, 2005 Board Meeting, the Directors of the Strawberry Recreation District voted unanimously to reply to the Notice of Preparation. As the following comments indicate, we are very concerned that all of Strawberry's waterfront is still included in the Baylands Corridor. We are also very concerned about the traffic impact of additional housing being imposed upon Strawberry and have comments regarding the Richardson Bay Heliport.

## **Baylands Corridor**

We strongly disagree with Item VI 1e in the Land Use and Planning Section (page 9) of the Notice of Preparation. In response to the question "Result in substantial alteration of the character or functioning of the community, or present or planned use of an area?" it states that there is a "Less Than Significant Impact." The NOP offers this rationale: "The Draft 2005 CWP would retain established community patterns. Further, the plan was developed with considerable public participation and adoption of the plan incorporates public input and acceptance through the public review process. Therefore, the adoption of this plan would not result in substantial alteration or conflict with the functioning of the community."

We strongly disagree. Although there was considerable public participation (for some of us, only *after* this new Baylands Corridor was conceived), participation certainly does not imply acceptance. Our residents attended hours of meetings and provided written and public comment. Yet, our waterfront, including privately owned tide lots with docks, is still included in this Corridor, the purpose of which is to "provide for increased protection of environmental characteristics."

We feel that the adoption of this plan has the potential to restrict our access to our channel and our dredging rights (already subject to rigorous environmental review by multiple agencies) and will result "in substantial alteration and conflict with the functioning" of the Strawberry Community. Therefore, the proper answer to this question, for Strawberry, is "Potentially Significant Unless Mitigated" and by "mitigated" we mean all Strawberry waterfront should be removed from the Baylands Corridor.

Strawberry's inclusion in the Baylands Corridor is also potentially impacted under Item 13a Aesthetics/Visual Resources (p. 23), so it should be reviewed for Strawberry. This section states "Substantially reduce, obstruct, or degrade a scenic vista open to the public..." and includes a rating of "Potentially Significant Unless Mitigated." We agree with this rating. The Strawberry Recreation

District owns a public dock on the dredged Strawberry Channel. Should inclusion in the Baylands Corridor preclude the Strawberry Community from dredging, the public will be denied its opportunity to launch and operate small boats.

At the September 28, 2004 joint meeting of the Planning Commissioners and Supervisors several Planners and Supervisors stated that developed waterfront communities, such as Strawberry, Paradise Cay, Bel Marin Keys, and Santa Venetia, should be excluded from the Baylands Corridor. One year later, it appears that these sentiments have either changed or have been ignored because the waterfront and docks in these neighborhoods *are still in the Corridor*. Who is listening to us or, more to the point, who is listening to us and correcting the problem?

### **Additional Housing Units**

We agree with Item 2b in the Population and Housing Section (page 10) that the shifting of housing units could be "Potentially Significant Unless Mitigated." According to the Housing Overlay, Strawberry would be allocated a minimum of 169 additional units and an additional 100 – 193 units, depending upon the density option selected for the Silveira property. Strawberry already has traffic congestion and speeding problems so it is imperative that the EIR analyze the impact of this housing on Strawberry's northbound and southbound freeway exits and major roads including the Frontage Road, East Strawberry Drive, Belvedere Drive, Reed Boulevard, and Ricardo Road.

We also agree with Item 6a in the Transportation/Circulation Section (page 14) that the increase in vehicle trips or traffic congestion could be "Potentially Significant Unless Mitigated." This needs to be studied for Strawberry.

Regarding Item 6d in the Transportation/Circulation Section, Insufficient parking capacity on-site or off-site (page 15), we feel that the "Less Than Significant Impact" understates the problem. We feel that, for Strawberry, the correct response is "Potentially Significant Unless Mitigated." Any additional housing in Strawberry, including second units, should require sufficient off street parking.

In addition, there must also be sufficient infrastructure within Strawberry to support additional units (Item 11a – 11e Public Services and Item 12a – 12f Utilities and Service Systems).

### **Richardson Bay Heliport**

Our Board finds the noise level of the Richardson Bay Heliport to be minimal. The draft of the Countywide Plan assumes use of this heliport at its current level. We wish to be notified if the use estimates are changed so we can comment on potential impacts.

We appreciate the tremendous effort you and your staff have put into this planning effort. Please contact me (383-4773) or [jyacht@aol.com](mailto:jyacht@aol.com) if you need additional information.

Sincerely,



Tirrell B. Graham  
Chair



September 21, 2005

Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-6269

**Re: Notice of Preparation (NOP) for the Marin Countywide Plan (CWP)**

Dear Mr. Haddad:

Access 4 Bikes (A4B) is a non-profit group of Marin citizens whose mission is to establish equal access for bikes on the public trails of Marin County and beyond. Thank you for the opportunity to provide comments on the NOP for the Marin Countywide Plan EIR.

A4B is pleased to see in the trails element of the CWP a commitment to "expand the Countywide Trail System....for all user groups, as appropriate" (Goals, Policies, and Programs, Policy TRL-1.2), and in TRL-1.4, a commitment to "Coordinate Trail Planning: Promote collaboration among public land management agencies, non-governmental organizations, and private landowners to implement the...Trails Plan..."

In general, A4B is interested in the following four review categories identified in the initial study:

- Land use and Planning
- Geology
- Transportation/Circulation
- Biology

In particular, A4B is interested in being involved in discussions relating to erosion, siltation, impacts to vegetation, trail maintenance, realignment or closure, and the siting of new trails. It is important that the County noted equity of access to open space as a key goal in the Countywide Plan—A4B is committed to these same goals and looks forward to working with the County on the environmental review of this important plan. Please send correspondence to: Access4Bikes, PO Box 150772, San Rafael, CA 94915-0772.

Sincerely,

Maureen Gaffney  
Access 4 Bikes  
Board of Directors

Cc: Marin County Board of Supervisors  
Access 4 Bikes Board of Directors

2005 SEP 22 1:33  
RECEIVED  
MARIN COUNTY  
ENVIRONMENT



# **CITIZEN ADVOCATES for Preservation of St. Vincent's/Silveira, Inc.**

P.O. Box 4442, San Rafael, CA 94913

September 22, 2005

Tim Haddad, Environmental Coordinator  
Marin Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

RECEIVED  
2005 SEP 22 P 2:20  
MARIN COUNTY  
COMMUNITY DEVELOPMENT

Dear Mr. Haddad:

Re: Revised Draft Countywide Plan Initial Study/EIR Scoping

## **CWP General Comments**

The description of the St. Vincent's/Silveira site and the proposed options for study described in the Revised Draft CWP need correction and clarification.

The two sites (p. 3-215) consist of approximately 1,100 acres, not 1,230 acres. The CWP should note that approximately 130 acres of St. Vincent's was conveyed to State Lands as part of a title settlement agreement.

The options described in the Revised Draft (pp 3-220/221) are not clear and do not correspond with the options described in the Initial Study. Option 4 is identical to Option 3 except for the phrase "a range consisting of....221 through" What is the difference between a maximum of 500 dwelling units and a range of 221 through 500 dwelling units? These options appear to be identical and if they are not their descriptions should be more accurately stated.

## **Revised Initial Study/EIR Scoping**

### *St. Vincent's/Silveira Options*

Discrepancies between the St. Vincent's/Silveira described in options in the Revised Draft and in the Initial Study (pp. 4/5) should be corrected and the text changed as appropriate.

- In Option 2 it is not clear what the changes in Ridge and Upland Greenbelt designation are.
- Option 3 in the Initial Study refers to 350 dwelling units, but the Revised Draft says 500 units.
- Option 4 in the Initial Study says this is for a maximum of 500 units, but the Revised Draft has the phrase "a range consisting of a combined total of 221 through 500..."

**Citizen Advocates for Preservation of St. Vincent's/Silveira (CAPS) requests an additional option added for evaluation in the EIR. Consistent with TR-1.2 (p. 3-149) and CD-6.1 (p. 3-25/26), please include as an option the purchase of most or all of the undeveloped portions of St. Vincent's/Silveira properties, using a combination of public and private funds. This option would allow continued use/reuse of the existing church/school complex and could allow limited mixed use development at a residential density of 1 unit per 10 acres (total of 110 units) in the area just north of the existing H-complex with the same provision that non-residential uses would be allowed to the extent that they do not exceed the peak hour trip generation projected for the residential use.**

*Land Use and Planning*

1.(d) and (e). (p. 9-26). Development allowable at St. Vincent's/Silveira, particularly under Option 4 (or 3 depending on resolution of wording inconsistencies), along with associated transportation changes (projects #8 and #9, Revised Draft p 3-142) would substantially alter the character and functioning of the north San Rafael community. The addition of 500 housing units could generate up to 5,000 new car trips daily. A senior care facility for an unspecified number of residents with associated medical, housekeeping, recreational, administration and personal care employees would generate additional traffic. In addition to traffic that would funnel through the Marinwood interchange, development would irrevocably and substantially alter the character of this major historic resource, community separator and habitat area.

**CAPS requests that 1(d) and (e) be designated as *potentially significant unless mitigated* rather than *less than significant impact*.**

*Transportation/Circulation*

6.(a). Highway 101 through Marinwood already operates at Level of Service (LOS) D during the PM peak and the traffic generated by development option 3 or 4 would cause inevitable deterioration, which is inconsistent with the stated goal of not lowering Levels of Service. Residents would leave the site for work, school, recreation, shopping and personal services. Even if a limited number of jobs were available at the proposed senior facility or other commercial development on site, there is ample evidence that job-related trips are only a small factor in transportation demand.

**CAPS requests that 6(a) be designated as *significant impact* rather than *potentially significant unless mitigated*.**

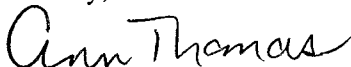
*Biological Resources*

The St. Vincent's/Silveira sites are a major habitat area and travel corridor for wildlife. The size of the two properties (1,100 acres of uninterrupted habitat) and their linkage to adjacent tidal marsh at Bel Marin Keys and Hamilton Field to the north constitutes much of their habitat value. We do not see how the habitat destruction that would result from development associated with the range of possible uses itemized in the Revised Draft for these properties could be mitigated to preserve this characteristic.

**CAPS requests that 7 (a), (b) and (c) be designated as *significant impact* rather than *potentially significant unless mitigated*.**

Thank you for this opportunity to comment.

Yours truly,



Ann Thomas

President

Citizen Advocates for Preservation of St. Vincent's/Silveira

September 22, 2005

Mr. Tim Haddad  
Environmental Coordinator  
Marin Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

2005 SEP 22 A 10:41  
COMMUNITY DEVELOPMENT  
RECEIVED

**SUBJECT: Scope of Environmental Impact Report: Draft 2005 Countywide Plan Update**

Dear Mr. Haddad:

The following comments respond to the Notice of Preparation (NOP) for the Draft Environmental Impact Report being prepared for the subject Update (hereafter "2005 CWP" or "Plan"). These comments, which are intended to assist you in defining the scope of the DEIR, are submitted by the preparers of *Community Marin 2003*, representing Marin Conservation League, Sierra Club Marin Group, Marin Audubon Society, and the Environmental Forum of Marin. Each of these organizations may also submit individual written comments. Beginning with general comments on the environmental implications of sustainability and specific revisions contained in the Draft 2005 CWP Update (Pages 4 and 5 of the NOP), our comments then follow the order of Issues in the Initial Study.

**I CEQA and Sustainability**

At the outset, we repeat a statement submitted for the previous NOP for the 2004 CWP Update concerning the relationship between CEQA and sustainability as the overarching theme of both 2004 and 2005 CWPs. CEQA was adopted 35 years ago before the term sustainability had entered the environmental vernacular. Although many of the policies that preface the statute and Guidelines are "sustainable" in effect, the CEQA Guidelines continue to reveal major gaps in the capacity of EIRs to address essential features of sustainability. These include, for example, air pollutants that compose greenhouse gases, for which no standards have been established; socioeconomic issues whether or not they may result in physical effects; native (non-Special-Status Species) wildlife species that constitute basic components of ecosystems and perform essential ecosystem services; energy and use of natural resources as potentially significant; measures of "ecological footprint"; and long-term impacts on future generations. The subject Initial Study outlines a typical scope for an EIR on a general plan. To be consistent with the sustainability theme of the CWP Update, the scope of the EIR must be expanded so that sustainability principles are comprehensively addressed.

**II Revisions Included in the Draft 2005 CWP Update (NOP Pages 4 and 5)**

*Local Coastal Plan*

- If the Local Coastal Plan is not going to be updated at this time, please clarify how and where in West Marin the proposed 2005 CWP Update will apply. Shall we assume that the existing LCP will continue to apply for an undetermined period? If so, can we assume that the EIR will not apply to any areas within the LCP?

### *Baylands Corridor*

- Three options for the proposed Baylands Corridor are described in the 2005 CWP. We assume that the designation of San Francisco Bay includes Richardson Bay where the Corridor is mapped. The rationale for drawing the western boundary of the Corridor in all three cases is described generally as including areas 300 feet landward of the historic bay marshlands to provide a setback from human activities. This rationale, as it applies to the Las Gallinas Planning Area, should be amplified in the EIR to explain that the purpose of extending the boundary west to Highway 101 is to include a large 100-year floodplain, associated wetlands and riparian areas, and nesting, roosting and foraging habitat that are integral to the baylands ecosystem. This combination of habitat resources has been largely eliminated elsewhere in the County.
- The EIR should also clarify what kind of protection bayfront parcels under two acres will receive, since they are proposed not to be included in the Baylands Corridor. There appears to be no mention in the Draft 2005 CWP of the existing Bayfront Protection Zone (BPZ) and whether its provisions would continue to apply to these small but sensitive parcels. This would be a major omission for open water, rocky shoreline, beaches, and other non-wetland/bayland habitats. It would leave these important habitat types with no protection in the county at all. The loss of protections for these areas should be addressed under Biological Resources, Item 7.b. below.

### *Residential Building Size in Agricultural Areas*

- Four options are presented with criteria for establishing maximum dwelling unit sizes. These options were not developed through public process, that is, not through commentary before the Planning Commission. Option 3, Item e. would limit any one dwelling to 4,000 sq. ft., with a combined total maximum of 6,000 sq. ft. Community Marin recommends "maximum size of 4,000 sq. ft. for residences and their associated non-agricultural accessory structures." This option also should be included in the EIR.
- For all options, the EIR should thoroughly examine the impacts of estate-type residential developments on the visual character of Marin's rural agricultural regions and on the continued economic viability of maintaining these lands in agricultural production.
- See also Comments under *I.c.*, below

### *St. Vincent's/Silveira Land Use*

- Four development designation options are presented for St. Vincent's/Silveira properties. It is impossible to discern the effective differences between Options 3 and 4, since both appear to limit residential units to 500. The possible outcomes of these two options must be clearly distinguished for impact analysis in the EIR. In addition, a 5<sup>th</sup> option must be analyzed in the EIR, *viz.* the preservation in perpetuity of these properties, premised on the availability of public and/or private funds to acquire lands as open space, with uses limited to already developed portions of the two properties. Note that this option was included in the San Rafael Advisory Task Force report but has been given essentially no public attention

### *San Quentin State Prison*

- The 2005 CWP states on Page 3-231 that in 2003 the San Quentin Reuse Advisory Committee recommended approval of a Vision Plan for San Quentin to provide direction for possible future use of the site. The Vision Plan for San Quentin has never been subjected to full public review nor been adopted by any jurisdiction. (The charette process through which the Vision was developed received no formal discussion in public hearings before the Planning Commission or Board of Supervisors.) Nonetheless, the Vision Plan is presented in the 2005 CWP as a land use concept supported by a series of Goals. Two options will be analyzed in the EIR. We have two major concerns. First, we do not believe that a general environmental review in conjunction with the 2005 CWP EIR will provide a definitive basis for decisions. Redevelopment of San Quentin under either option should have complete and full environmental impact analysis. Second, in the environmental analysis of these two options, we question using the present levels of energy, water, traffic, and other environmental parameters as appropriate baseline for analysis. Developing and urbanizing the site within the parameters of not exceeding existing levels of energy and water use and generating no greater traffic impacts would not be sufficient justification for proposed urban development without further detailed analysis.
  
- A third option should be included in the EIR as a “No Project” option; that is, that the site continues to support San Quentin Prison. This would change a number of planning assumptions, including housing, commercial development, and transportation and transit oriented development.

### **III Initial Study Issues**

#### *1. Land Use and Planning*

- a) The Initial Study states that the Draft 2005 CWP is internally consistent among policies and programs within each of its elements. We question that this is always the case. For example, inconsistencies and conflicts may arise between promoting diversification of agriculture and preserving native wildlife habitats and species. The I.S. acknowledges that the Draft 2005 CWP may have some inconsistencies with City plans. This is particularly evident in the failure of 2005 CWP to account for projected commercial development in the plans of incorporated communities. The traffic analysis in the EIR must include the cumulative traffic impacts of planned commercial development in cities as well as in the County. (See also Transportation and Circulation, 6 (a) and Social and Economic Effects, 15, below.
- b) We agree that the EIR should evaluate impacts of development under Draft CWP2005 on other applicable plans and policies, but do not agree that the 2005 CWP is in all cases internally consistent.
- c) “Affect agricultural resources, operations, or contracts. . .?” This is the only entry in the Initial Study that concerns agriculture. One of the goals of 2005 CWP is to preserve agricultural lands and resources. While this is a laudable goal, a number of related issues must be addressed in the EIR. They are as follows:
  - In promoting diversification of agriculture, what are the potential impacts of conversion from a largely grazing economy to seasonal food crops, such as permanent vineyards or orchards? Impacts could include erosion

on steep hillsides and altered hydrology, compaction of soils in riparian areas, pollution of streams from agricultural chemicals, and loss of natural soil nutrients.

- What would be the cumulative impacts of further development of local water sources for irrigated agriculture – e.g., small wells and retention facilities, changes to groundwater – on Streamside Conservation Areas and the wide variety of wildlife that are dependent on riparian areas?
  - What are the impacts of “adding value” to agricultural production and thereby dispersing commercial and small-scale industrial development into agricultural districts?
  - What would be the potential benefits (impacts) of larger agricultural zoning districts (e.g. A-120, Ag-200), such as applied in other Bay Area counties, as well as a smaller alternative (A-20) as compared to A-60? The fact that there have not been any recent applications for subdivision of agricultural parcels does not preclude that from happening in the future under A-60 zoning.
  - As suggested above, what are the impacts of the continuing trend toward estate-type residential developments in agricultural areas on agricultural communities and character?
- d) See (e)
- e) Both (d) and (e) should be shown as *potentially significant unless mitigated* rather than *less than significant impact*. We question the statements that the Draft 2005 CWP would not make a major land use plan changes nor would result in substantial alteration of the character or functioning of the community or present or planned use of an area. Proposed designations/uses of both St. Vincent’s/Silveira and San Quentin represent significant changes to existing physical arrangement and character of communities and, therefore, should be analyzed in the EIR.
- f) This item should be shown as *potentially significant unless mitigated* rather than *less than significant impact*. Notwithstanding the numerous policies in the 2005 CWP designed to conserve and develop parks and to increase acquisition of open space, anticipated growth and development under the Plan will result in increased pressures for active recreational facilities, and will exacerbate existing conflicts among users of open space lands and between users and wildlife. The EIR must acknowledge that these conflicts are caused in large part by the attractiveness of Marin County to both local and non-local users – that in enhancing its own open space and recreational amenities, Marin County has become a destination for many visitors, with attendant impacts. These impacts must be evaluated in the EIR. To relieve some of these pressures on open space and habitat lands, one mitigation could be an increase in urban parks and recreational facilities in already developed communities that fall short of meeting the Quimby standard.

## 2. *Population and Housing*

- a) This item should be shown as *potentially significant unless mitigated* rather than *less than significant impact*. The explanation for this item is very confusing and should be clarified. The assertion that population increase in density under the 2005 CWP would not exceed official population projections and therefore is less than significant amounts to a self-fulfilling prophecy and does not follow the logic used throughout the Initial Study: that future population and development under the 2005 CWP (*whether official or*

*not*) carries potentially significant impacts. For example, it fails to consider the option under which San Quentin would be developed as an urban village, whether over the entire site or in a shared use scenario – nor does it consider the various development options proposed for St. Vincent’s/Silveira properties.

- b) We agree that even though growth resulting from Draft 2005 CWP would not exceed official growth expectations, there is potential for growth inducing impacts, including extension of major infrastructure in what is currently the City-Centered Corridor, notably in the area around Gness Field, on St. Vincent’s/Silveira properties, and at San Quentin.
- c) This item should be shown as *potentially significant unless mitigated* rather than *less than significant impact*. The 2005 CWP policies address but do not go far enough in retention of existing smaller housing stock. In particular, the Plan does not place sufficient restrictions on the continuing trend toward enlargement of small homes, a trend that is rapidly replacing modest neighborhoods. This trend should be addressed in the EIR.

3. *Geophysical* No comments

4. *Water*

- a) Changes in absorption rates, drainage patterns. . .No comment
- b) EIR analysis of exposure of people or property to hazards such as flooding should include the potential impacts of sea-level rise. This topic is discussed in considerable detail in 2005 CWP but is not mentioned in the Initial Study.
- c) In discussing the discharge of pollutants into surface and ground waters from future development, the EIR analysis should not assume as a baseline that all existing septic systems operate properly or are consistently monitored and regulations enforced. While 2005 CWP policies would appear to address this problem, the EIR should analyze the potential for cumulative impacts due to limited or non-compliance. Operations of landscapers and nurseries should also be addressed in the EIR.
- d) “Substantial change in the amount of surface water or ground water. . .through direct withdrawals. . .;” should include the cumulative impacts on Stream Conservation Areas of small local surface and ground water withdrawals and small in-stream impoundments in agricultural areas.
- e) Substantial changes in flow of surface or ground waters. . . See Comment 4 (d) above.
- f) The statement that future development consistent with Draft 2005 CWP would increase the demand for water, but that adoption of the Plan would not directly lead to such increases is a strange line of reasoning. As future development increases the demand for water, the impacts of possible new sources – e.g., desalination, as well as increased conservation, should be analyzed in the EIR. Seeking additional major groundwater sources is not practical in Marin County. The EIR should also address the benefits (impacts) of better coordination among water districts in the County.

5. *Air Quality*

- a) CEQA requires that only those air pollutants currently regulated must be analyzed in an EIR. The EIR will analyze the impact of these emissions from future development. Greenhouse gases are not regulated. Nonetheless, the EIR should analyze the impact of CO2 and other greenhouse gases as

they would result from future development and associated transportation. The Draft 2005 CWP contains policies to reduce these emissions. The analysis of impacts on global warming and mitigations contained in Plan policies is highly relevant to the discussion of sustainability in the EIR.

- b) Expose sensitive receptors to pollutants. . . No comment
- c) This item should be shown as *potentially significant unless mitigated* rather than *less than significant impact*. As discussed above, climate change is now central to any discussion of sustainability. As such, it must be included if the EIR is to be consistent with the overarching theme of the 2005 CWP.
- d) Create objectionable odors. No comment

6. *Transportation and Circulation*

- a) Substantial increase in vehicle trips, levels of service. . . This item should be shown as *significant* rather than *potentially significant unless mitigated*. The Transportation section (Draft 2005 CWP Figure 3-36) indicates that 11 key roadway locations already operate at Level of Service E or F, while the County's Congestion Management Agency's policy is to ensure LOS D or E. The figure 3 – 36 shows only the weekday PM peak LOS. To fully evaluate impacts, weekday AM peaks should be included in the study as well as weekend AM and PM peaks. Different traffic impacts are related to AM versus PM peak uses. Several trends contribute to congestion and should be discussed in the EIR:

- Recreational uses have been mentioned as a significant impact. Thus weekend AM and PM peaks for recreational uses also need to be analyzed.
- Any future development consistent with the Draft 2005 CWP, even with mitigation, will lead to cumulatively considerable impacts that cannot be fully mitigated. Roadways with LOS D and F will continue to be "grandfathered" at current levels in order for Marin to receive outside funding. Mitigation measures that suggest lowering these LOS standards will not be effective. Since virtually any new development will push traffic levels beyond recommended levels, the Draft 2005 CWP will not be internally consistent unless reduction of jobs and housing also occur. The EIR should evaluate added congestion resulting from the 10 million square feet of additional commercial and industrial space. (Draft 2005 CWP Figure 3-1) To the extent that this new space is located on vacant land away from major transit corridors, it creates an even greater congestion burden. See also Social and Economic Effects, Item 15, below.
- The EIR should also evaluate the congestion caused by peak period intercounty employees. (48% of Marin workers work outside of Marin and 37% of Marin workers come from outside of Marin. Because most of these are Home-to-Work trips or Home-to-School trips, they occur during peak period.
- County residents are making more trips and families own more cars per household than in previous years. Analysis should relate this key trend to traffic impacts and discuss possible mitigations.

- b) Traffic hazards related to design. SMART rail will require multiple at-grade crossings at major intersections. The EIR should evaluate the added hazards of having vehicles and pedestrians passing over railroad crossings, should the commuter rail and freight systems be implemented. Potential safety and



accident information should be fully analyzed relating to location and type of railroad crossings.

- c) Emergency access also should be listed as *potentially significant unless mitigated*. A helicopter landing site for emergency evacuation of the injured from recreational areas in Marin should be analyzed. An emergency evacuation plan from Marin and though Marin also needs to be evaluated. Congestion on 101 frequently is at gridlock. Emergency vehicles are unable to reach hospitals, people are trapped in traffic attempting to get to medical care, and fire trucks are unable to assist other fire agencies in other communities. How can this be mitigated? The EIR should evaluate how congested and obstructed roads prevent people from escaping wild fires, floods and other calamities. Infill within established residential communities and remotely located employment centers add to this congestion.
- d) Insufficient parking. This should be listed as *potentially significant unless mitigated*. The housing element suggests that parking lots around commercial and job locations would be alternative sites for housing. If new transit alternatives are not achieved and people continue to rely on the auto for independent travel, and the parking lots have been minimized, will there be sufficient parking available for users, particularly around transit hubs and transit oriented development? As well, Marin increasingly is becoming a magnet for recreational use. How will the county, cities and various park services be able to accommodate and or mitigate their parking needs?
- e) Impacts upon existing transportation systems, including rail, inter- and intra-county transportation systems, and waterborne or air traffic systems. The description in the Draft 2005 CWP paints an unrealistic picture of transportation. The passage of Measure A to provide funding for transportation improvements is far short of funding the necessary transit and roadway improvements that are mentioned in the Transportation section. This raises a number of issues that should be thoroughly analyzed in the EIR:
  - Bus services are not being expanded, but rather are being cut (routes, frequency, reliability). What are the impacts of reducing this local transportation system? The EIR should evaluate what happens to ridership levels if frequency of service declines and areas for service become more limited and cost of ridership increases. How will this affect the multimodal approach and CWP goals of TOD? Will there be adequate feeder bus service for the SMART rail system to make it a functioning multimodal system?
  - What would be the beneficial as well as adverse impacts of a multi modal TOD. To what degree can TOD and multimodal transit mitigations be used without compromising the cumulative LOS standards of a local community. How dense a project would a transit hub have to be in relation to its surrounding community without imposing significant community and traffic impacts?
  - Will commuters potentially leave their automobiles at home and use transit and the rail? Will SMART be a viable traffic mitigation to relieve congestion? The impacts and the viability of maintaining concurrently regional rail, ferry and express bus services from Marin to Sonoma as well as Sonoma to Marin should be analyzed. Will people get out of their autos to sustain ridership on all three regional transit modes? Will riders shift from bus to rail transit? If so what

numbers and how will this affect bus ridership and its ability to sustain its frequency and service?

- There are physical and financial interactions between transit systems which service the same potential riders. If a given number of riders are dispersed between multiple systems, the farebox recovery is reduced so that service cutback must be made. Thus overlapping, competing transit systems can result in reduced overall transit ridership. Overlapping systems also compete for governmental subsidies and grants, resulting in overlapping systems being suboptimal. Thus the EIR should evaluate the total transit ridership with and without the proposed SMART commuter rail system, as this rail system will compete for the same transit riders.
- With limited funding to achieve the County Capital Improvement Program, infrastructure improvements proposed to mitigate impacts may not be feasible. This should be considered when addressing mitigations to maintain or even reach LOS levels. Can the Plan reach all of its goals with the extreme shortage of transportation dollars?

7. *Biological Resources*

- a) This topic is deficient in its failure to include impacts to the diverse natural communities of Marin County, emphasizing instead special status species and their habitats. While these are of great importance, the EIR should analyze as potentially significant the impacts of future development on natural communities *in addition* to those cited in the Initial Study (viz. riparian areas, baylands, tidelands, and wetlands). Impacts on native (non-special status species) wildlife should receive greater attention in the EIR. These are among the most basic components of our ecosystem, performing essential services that contribute to the support of the ecosystem upon which we all depend. Without sufficient protection, even more common wildlife species will also become endangered.
- b) See 7 (a) above
- c) The EIR should acknowledge that many “new species” (exotics), both plants and animals, are already well-established in Marin County, and analyze the impacts of further spread of such species as the result of future development.

8. *Energy and Natural Resources*

- a) We agree that future development consistent with the 2005 CWP would result in increased energy needs in the County. In keeping with one of the core principles of sustainability, the EIR should fully examine this topic, not simply in relation to the capacity of providers and infrastructure to supply energy (the typical approach in EIRs), but rather in relation to the 2005 CWP commitment to promote an energy conserving philosophy in the County and to implement green building and energy policies and programs. For example, it would be useful to know what the effects would be if these measures were not implemented, in order to develop a better understanding of the costs to the County of failing to pursue and adopt the measures. This would be akin to a “No Project Alternative” analysis
- b) This item should be shown as *potentially significant unless mitigated* rather than *less than significant impact*. Closely related to energy as a core principle of sustainability is the use of non-renewable resources in an

efficient manner. The analysis in the EIR should discuss the impact of future development on use of materials in construction and energy production.

- c) Loss of significant mineral resources. No comment

9. *Hazards*

- a) Accidental explosion, release of hazardous substances. No comment
- b) Interference with emergency response plan or evacuation plan. See Transportation and circulation, 6 (c), above.
- c) Creation of health hazard. No comment
- d) Exposure to existing sources of potential health hazards. No comment
- e) Draft 2005 CWP policies in Section 2.6 of the Natural Systems and Agriculture Element are designed to reduce the risk of fires, particularly those originating in wildlands. While practical from a human perspective, vegetation clearing around structures effectively eliminates habitat for ground dwelling birds and other wildlife. The EIR should analyze the potential conflict between measures that call for clearing vegetation for all new development and the needs of wildlife.

10. *Noise*

- a) Substantial increases in existing ambient noise levels... The proposed SMART commuter rail system passes through residential and commercial areas. The EIR should evaluate the added noise levels resulting from the proposed SMART system.
- b) Exposure to people to... Ditto "a" above.

11. *Public Services*

No comments

12. *Utilities and Service Systems*

- a) Power and natural gas. See comments under Energy in item 8 (a) above
- b) Communications systems. No comments
- c) Water treatment or distribution facilities. See comments under Water in Item 4 (f) above.
- d) Sewer or septic tanks. See comments under Water in Item 4 (c) above.
- e) Storm water drainage. No comments
- f) The Initial Study states that future development consistent with Draft 2005 CWP could have an effect on the Redwood Landfill. This is a very complicated issue in that not all Marin County waste goes to Redwood Landfill, and, correspondingly, some waste is brought in from sources outside the County. Drawing on information contained in the FEIR for the expansion of the landfill, the EIR for the 2005 CWP should present a realistic picture of total waste volumes from in-County sources anticipated under the Draft 2005 CWP and destined for the Redwood Landfill, and how these volumes, in combination with out-of-County waste, will influence the effective life of the landfill.

13. *Aesthetics and Visual Resources*

- a) See (b)
- b) In Items 13 (a) and (b), the Initial Study states that the EIR will analyze impacts of potential future development on the County's scenic resources and rural character. This would be particularly true if certain options were

pursued on St. Vincent's/Silveira properties. Somewhat different aesthetic impacts would occur if San Quentin were developed according to the Vision Plan. The aesthetic impacts of proposed options in both cases should be compared using simulations that show relationships to surrounding land uses and open space.

14 *Cultural Resources*

No comments

15. *Social and Economic Effects*

The designation of social and economic effects should be changed from *less than significant* to *potentially significant unless mitigated*, and the EIR should include this topic for two reasons. First, the Initial Study states that "policies within the Draft 2005 CWP are not expected to result in social or economic impacts leading to physical changes that would result in environmental effects." This is patently inaccurate. The levels of commercial development projected by the 2005 CWP, when combined with anticipated commercial development inside cities and towns, will have a significant effect on traffic congestion. As discussed above, the Transportation section (Draft 2005 CWP Figure 3-36) indicates that 11 key roadway locations already operate at Level of Service E or F, while the County's Congestion Management Agency's policy is to ensure LOS D or E. The 2005 CWP does not indicate the effect that the increase in commercial space and jobs would have on traffic congestion. There are various policies in the Plan intended to mitigate traffic impacts, such as making developers pay for certain improvements, but no proposals to reduce commercial expansion.

It is essential that the EIR analyze the traffic and other environmental effects of anticipated commercial/job development. The EIR must also identify measures that could bring land use into conformity with Level of Service standards. If the Plan fails to do so, it is not internally consistent or legally adequate.

Second, although an EIR is not *required* to discuss social or economic effects, the County has the *discretion* to include such discussion. To not include this topic in the EIR is to effectively ignore two of the three "E's" that constitute the overarching theme of the 2005 CWP. To not include this topic is to take a narrow view that ignores a wide range of policies that are designed to improve public health, education, and diversity, and to enhance quality of life.

Sincerely yours,

***Community Marin 2003 Working Group***

(Contributors include: Nona Dennis, Marge Macris, Priscilla Bull, Kathy Cuneo, Ann Thomas, Gordon Bennet, Barbara Salzman, Roger Roberts; and Karen Nygren and Don Wilhelm)

# eac

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## The Environmental Action Committee of West Marin

September 22, 2005

Mr. Tim Haddad  
Environmental Coordinator  
Marin Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

SUBJECT: Scope of Environmental Impact Report: Draft 2005 Countywide Plan Update

Dear Mr. Haddad:

The Environmental Action Committee of West Marin supports the scoping comments submitted to you by the *Community Marin 2003 group*.

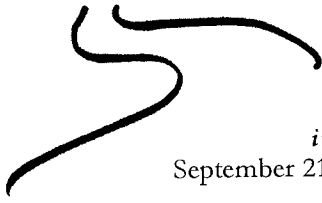
We thought you would be interested to know that our organization agrees with these detailed comments, and that you would be equally appreciate of not having to read another letter on the topic.

We hope our submission is helpful to you.

Sincerely,



Catherine Caufield  
Executive Director



# Friends of Corte Madera Creek Watershed

P.O. Box 415 • Larkspur • California 94977

info@friendsofcortemaderacreek.org (415) 457-6045 www.friendsofcortemaderacreek.org

September 21, 2005

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2005 SEP 22 P 2:09

MARIN COUNTY  
COMMUNITY DEVELOPMENT  
300

Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

RE: NOP for the CWP Update

Dear Mr. Haddad;

The Marin Countywide Plan Update 2005 has greatly improved over the last draft and we commend the efforts of all those who contributed. Friends of Corte Madera Creek Watershed has several comments that relate to the Biological Resources and Water Resources sections and topics of the plan that we would like to see addressed in the EIR. These topics are as follows:

**Bike and Pedestrian Pathways:** Many animals are sensitive to human intrusion along walking paths, bike routes, and roadways in and near SCAs. There is much consideration in the plan about ways to protect wildlife habitat in stream conservation areas, but what protection is there for the wildlife per se that inhabit these areas. Biological Resources 4.14 addresses locating new roads and roadfill slopes outside SCAs except at stream crossings, and consolidating new roads wherever possible reducing road impacts in SCAs. Similarly, what efforts will be made to eliminate new paths across creeks when useable roadways and nearby crossings exist? When there are no alternate routes, what impacts will these routes crossing creeks have on listed plant and animal species and other species in these areas?

**Clearing Stream Obstructions:** According to Bio-4.f, tree growth may be cleared from the stream channel where removal is essential to protect against property damage or prevent safety hazards. Who decides that safety is the primary concern and how will we ensure that claims of safety will not result in unnecessary removal of vegetation?

**Evaluation of Stream Protections:** According to the plan, our success protecting water resources will be measured by maintaining the status quo, that is, there will be no decrease in macroinvertebrates. It might be better if the goal were to shift the species composition of macroinvertebrates to those species that indicate clean water, rather than simply maintaining the same number of macroinvertebrates.

**Water Allocations:** Goal WR-3 Adequate water for Wildlife and Agriculture is a worthy goal, but it is unclear how surface and groundwater supplies will be allocated so there will be sufficient water to support wildlife and local agricultural operations. Are improvements in conservation and infiltration enough to ensure that water quantity is sufficient to protect wildlife? What impacts would unregulated numbers of wells and water diversions have on creek flora and fauna and how are these issues addressed in the plan?

Thanks you for your consideration of our concerns.

Sincerely,

Sandra Guldman



## League of Women Voters of Marin County

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MARIN COUNTY  
COMMUNITY DEVELOPMENT

September 15, 2005

Mr. Tim Haddad  
Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Dr., Room 308  
San Rafael, CA 94903-4157

RE: Notice of Preparation for Environmental Impact Report of the 2005 Draft of the Countywide Plan,  
(CWP)

Dear Mr. Haddad:

The members of the League of Women Voters of Marin County have participated in the development of the county wide plan for over three decades. Based on that long history and our member-adopted positions, we are raising the following issues for the EIR scoping session.

### COUNTY COORDINATION

How does the CWP increase coordination among county agencies, cities and towns (e.g., public works projects, water, transit, healthcare, sewage, safety) to minimize the environmental impacts of separate, uncoordinated planning processes?

### HOUSING

What are the regional impacts of the adequacy of the CWP for housing the county's own workforce and providing a true housing/jobs balance?

What is the impact of not having housing available for workers who provide essential services, especially emergency services?

Based on the current and projected demographics of Marin, will there be an adequate supply of appropriate housing for the increasing number of seniors in various income levels as well as housing for people who provide services to seniors?

What are the impacts of providing, or not providing, affordable housing for rural workers in the coastal and inland corridors?

What are the environmental impacts of the implementing ordinances of the Housing Element such as second units, mixed use and inclusionary zoning?

What are the impacts of the length of time required in the county's current environmental, design review and planning processes on the high cost of affordable housing? What mitigation measures should be present in the CWP?

## HOUSING OVERLAY DESIGNATION,(HOD)

How much affordable housing can be anticipated from the HOD within the time frame of the current CWP update?

Explain how the HOD criteria meet the needs of the Marin workforce. Are the average median-income figures for Marin residents valid for the purpose of the HOD?

Can the building of affordable, workforce housing be significantly increased if the R-1 parcels near transit are included in the HOD?

Can the building of affordable workforce be significantly increased by St. Vincent's/Silveira parcels being included in the HOD?

What are the environmental impacts of by-right zoning for single-family homes, which create, for example, more car trips and water usage?

## TRANSPORTATION

The Gap Closure project will be completed through San Rafael during the life of this plan. What impacts will a continuous HOV lane have on traffic?

The EIR should compare the traffic impacts created by the number of housing units at various income levels and locations. Data should include the fact that smaller homes generate fewer car trips and fewer miles traveled than larger homes.

The EIR should evaluate the beneficial impacts on traffic resulting from adding workforce housing close to jobs in Marin County. What proportion of our daily traffic is generated by local workers driving here from a distance?

Have we planned for sufficient park-and-ride lots and an active public relations campaign to get more residents and workers to carpool and use public transit?

What is the impact of Safe Routes to School, crossing guards and commuter bicycle lanes on traffic in Marin County?

How will implementation of the new transit plan be coordinated and integrated with the CWP?

## BAYLANDS CORRIDOR

Evaluate the environmental evidence to justify creating a baylands corridor boundary up to Highway 101. Explain why the current boundary of the Bayfront Conservation Zone is not the preferred boundary? What significant wetlands/baylands are not already included in, and protected by, the current Bayfront Conservation Zone?

What is the scientific justification for defining the proposed baylands corridor to require a minimum 300-foot buffer for large undeveloped parcels adjacent to baylands? Shouldn't the size of the buffer remain open until a specific plan is proposed?



ST. VINCENT'S/SILVEIRA, (SVS)

What is the justification for declaring SVS an Agricultural and Environmental Resource Area in the midst of the City-Centered Corridor, when the two other corridors have been designed as such areas for 30 years?

The EIR should discuss whether or not the minor amount of affordable and market-rate housing projected at this site would be sufficient to alleviate longer commutes from outside areas.

The EIR should rate the relative values of various physical features of the properties, such as the merits of various types of wetlands and wildlife habitat. What mitigation would be required if these features are disturbed?

The EIR should evaluate the future potential for agriculture on these properties, including economic and environmental studies, some of which have already been done. Delineate the effects of agricultural uses (including dairy herds) on wetlands and Miller Creek.

Explain the source of the ridge- and upland-greenbelt boundary on SVS. What defines an upland-greenbelt area and its size? What is the justification for the large swath of ridge and upland greenbelt along Highway 101 on Map 3-34?

Evaluate the beneficial environmental impacts from realigning Miller Creek east of Highway 101 to its original course. Evaluate whether that realignment of Miller Creek will reduce the chance of flooding.

What is the basis of the delineation of the 100 year flood zone?

Would the Miwok Indian archeological sites on the Silveira property provide the Miwoks an opportunity to acquire the property and use it for whatever purpose they choose?

What are the differences in environmental impacts of limiting development at SVS to 5%, 10% and 15% of the land area? What additional benefits are to be gained by limiting development to 5% or 10% of the property rather than 15%?

The EIR should analyze whether athletic facilities (without buildings) would have an adverse effect on scenic vistas in the SVS view corridor.

Thank you for considering our concerns.

Sincerely,



Perry Newman  
President League of Women Voters Marin County

Cc: Alex Hines, Director Community Development Agency

3312 Paradise Drive  
Tiburon, CA 94920

September 22, 2005

Mr. Tim Haddad  
Environmental Coordinator  
3101 Civic Center Drive Room 308  
San Rafael, CA 94903-4157

Subject: NOP for the CWP update

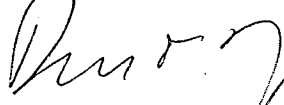
Dear Mr. Haddad:

Attached please find a letter addressed to the Planning Commission from the Housing Council concerning the CWP update. I am hereby conveying this letter for inclusion in the comments on the EIR NOP. Please note carefully our concerns section VI. 2. b) concerning identification for potential for growth inducing impacts of the proposed Housing Overlay Zone (or Designation).

As noted in the enclosed Housing Council letter, our comments under the section Relevance to the Environmental Impact Report highlight the need to analyze the impacts of the Zone/Designation on a basis which captures the environmental benefits of affordable housing, particularly relative to the sort of housing which may otherwise be built as part of the approximately 1800 housing units from the Coastal Corridor and Inland Rural Corridor. These benefits include a smaller footprint of resource use (including water and energy) inherent with affordable housing relative to market rate housing. Furthermore, the location of this potential development will have an impact on "traffic sheds" as residential development is shifted from inland, less accessible areas to the City Centered Corridor where trip lengths could be significantly less. Finally, the relative reduction of total trip generation and total vehicle miles traveled related to affordable housing should be analyzed. For example, as housing is provided for Marin workers, the number of regional trips attributable to Marin may decline.

Thank you for your attention to these critical issues.

Sincerely yours,



David F. Coury  
Enc: Housing Council Letter – September 20, 2005

RECEIVED  
2005 SEP 22 12 2:59  
MARIN COUNTY  
COUNTY DEPARTMENT

# **HC HOUSING COUNCIL**

*A Committee of the Marin Continuum of Housing and Services*  
1455 N Hamilton Parkway, Novato, CA 94949  
Phone 415.506.0125 fax 415.506.0127

September 20, 2005

Planning Commission  
County of Marin  
3501 Civic Center Drive Room #308  
San Rafael, CA 94903

Dear Commissioners:

Thank you for asking staff to respond to our request that the revised draft Countywide Plan include an Affordable Housing Overlay Zone (AHOZ). Work by staff is a good start that we believe could be improved with a few revisions and appropriate implementing zoning ordinances of the proposed Affordable Housing Designation (AHD).

## **Background**

The Marin Housing Council, a committee of the Continuum of Housing and Services, is a consortium of non-profit developers, advocates, special-needs organizations, and funders committed to meeting the housing needs of low-income households. Participants in the Housing Council include Homeward Bound, EAH, Northbay Family Homes, Lifehouse, West Bay Housing, the Marin Community Foundation, Legal Aid of Marin, Novato Housing Coalition, League of Women Voters, Work Force Housing Consortium, Marin Family Action, Save Section 8, and other organizations. The Housing Council does not advocate for market-rate housing.

Last November, a subcommittee of the Housing Council met with Community Development Agency (CDA) staff to propose an AHOZ focused on the Urban Corridor of the unincorporated area of the county. Our proposal integrated smart growth and environmental criteria to make sure that proposed eligible parcels were close to existing services and public transportation. Our AHOZ proposal would allow increased density and other incentives only for affordable housing. An AHOZ is needed because the small amount of land currently zoned multifamily housing (R3) in the unincorporated area is generally not suitable for affordable housing.

## **Policy Issues**

Our November proposal provided for significant incentives (in terms of the number of units per acre, parking requirements, etc.) for developers building affordable housing. Three critical policy issues have not been well addressed in the Countywide Plan redraft:

1. Levels of Affordability
2. Approval Process
3. Inclusion of R-1 parcels

Since 1992 the Marin Housing Council has been a forum for housing providers, funders and advocates to respond to housing concerns and opportunities, study emerging issues, support local proposals and strategies and provide a Marin County presence in regional, state and national affordable housing advocacy and policy groups.

1) First, the levels of affordability for rental housing are too high (CD-2.d, 6<sup>th</sup> bullet). The level specified in the revised policy for rental housing, 60 percent of Area Median Income (AMI), is, in parts of the County, effectively market-rate housing. We would like to see 50 percent of the AHOZ rental units built be set below 50 percent of AMI and another 30 percent under 60 percent of AMI.

2) Second, the nature of the “discretionary approval process” (CD-2.3) should be carefully considered. One key advantage of an AHD is the streamlining of the approval process and the reduction in pre-development costs. The goal is to increase the certainty of the approval process by specifying, up front, the conditions for approval. While we recognize the need for design review, any land use approval requirements beyond design review will reduce the potential for the AHD to produce affordable housing.

3) Finally, the original Housing Council proposal provided for the construction of small multi-unit complexes on parcels of adequate size (over ½ acre) currently zoned single family (R-1) if these small multifamily buildings comply with R-1 development standards, such as single family FAR limits, setbacks, and height limits. Applying the AHD to eligible R-1 parcels could be an option for small developers who may want to infill small, affordable developments on R-1 parcels.

As proposed, the AHD currently excludes parcels with an R-1 designation. We believe that this exclusion significantly reduces the potential AHD impact because the R-1 designation covers the vast majority of unincorporated land in the City Centered Corridor. Any decision to exclude single family parcels must be balanced by a stronger set of policies for other land designations to provide a realistic probability for production of a significant number of affordable housing units.

#### **Relevance to the Environmental Impact Report**

The levels of affordability clearly affect the preparation of the Environmental Impact Report (EIR). The Housing Council has already requested that the reduced impacts of building affordable housing be analyzed accurately as compared to market-rate housing. Affordable housing residents own fewer cars, generate fewer trips, are more likely to use transit, and use less water and energy. Units are smaller, generating a smaller footprint. Also, the regional traffic impact of providing workers with housing closer to job centers should be analyzed. Furthermore, AHD development potential is drawn from potential in more remote areas of the County. These more remotely located units would otherwise be occupied by residents with much higher incomes, larger houses, greater trip generation, and much greater environmental impacts.

The issues of the discretionary approval process and the inclusion of R-1 designated parcels in the AHD are not relevant to the EIR, assuming that all of the 1,763 “banked” units are included in the EIR analysis. All proposed AHD development would be close to transit and services.

Please feel free to contact or Katie Crecelius (892-9706) or Dave Coury (435-3679) with any questions.

Yours truly,

Kimberly Carroll  
Housing Council Co-Chair



For the Marin Housing Council

Since 1992 the Marin Housing Council has been a forum for housing providers, funders and advocates to respond to housing concerns and opportunities, study emerging issues, support local proposals and strategies and provide a Marin County presence in regional, state and national affordable housing advocacy and policy groups.



*Marin Audubon Society*    *Box 599*    *Mill Valley, California 94942-0599*

September 22, 2005

SEP 22 2005

Tim Haddad, Environment Coordinator  
Community Development Agency  
3801 Civic Center Drive  
San Rafael, CA 94903

COMMUNITY  
DEVELOPMENT

RE: SCOPING COMMENTS ON THE GENERAL PLAN

Dear Planning Commissioner:

The Marin Audubon Society appreciates the opportunity to provide comments on scoping and Initial Study for the Draft Environmental Impact Report for the Draft Revised, Countywide Plan. Our comments focus on gaps and deficiencies in protecting natural resource and are supplemental to the CWP Committee letter submitted by four organizations on September 22, 2005.

### **Sustainability**

The overall theme of the Plan is sustainability, yet it fails to address one of the most fundamental components of our biological system. Native species are among the basic elements of the biological systems that sustain us all, but it is virtually ignored by the plan. The plan focuses almost entirely on special status species and movement corridors and ignores protection of native wildlife and plant species. While it is important to ensure strong policies to protect dwindling species, to avoid the need to add more species to the endangered species list, it is vital to ensure that no further reductions in populations of non-special status native species.

The Sustainability discussion should address and the plan should answer the question of what is the value of Marin's natural habitats to native species as well as to species that depend on our habitats for overwintering and to sustain them during migration. Marin's habitats support hundreds of species that overwinter in the Bay Area and depend on our habitats during migration. In the way, Marin's habitats contribute to the sustainability of many species of national and international importance.

### **7. Biological Resources**

While the plan contains many positive policies, others are weak, unclear and would result in further decline in our biological systems. For example, excluding non-tidal portions of small developed lots would also result in a substantial change in diversity and number of species (page 2-13). Both special status and non-native species. This leaves California Clapper Rails and Salt Marsh Harvest Mice that are resident to the area vulnerable to predation during times of high tide when they must leave their tidal marsh habitats. They will simply have no place to go on adjacent uplands become endangered. Discontinuing protections for subtidal habitats is also a concern.

*A Chapter of National Audubon Society*



RECYCLED PAPER

The cumulative impact of the many natural resource policy deficiencies is a particular concern.

**Initial Study criteria:**

- (a) "Reduction in the number of endangered, threatened or rare species or substantial alteration of their habitats" sounds as though would be an adverse impact. We expect this is intended to mean a reduction in the number of individuals of these species status species. In any case, many provisions of the plan as presented would result in a "Significant" reduction of special status species.
- b) Substantial change in the diversity, number or habitat of any species of plants or animals currently present or likely to occur at any time though the year" should be checked "Significant." The following discussion addresses the Plan and many policies that would result in significant impacts to special status or native species or both.

The discussion on page 2-13 second paragraph indicates that the "Bayfront Corridor encompasses much of the current Bayfront Conservation Zone." Certain areas appear to not be included on the maps and would have no protective policies in the CWP. Dropping protective designation for the Tidelands Subzone would remove protections for rocky shorelines, beach and other non-wetland shoreline habitats particularly in Southern Marin. This issue is further confused by the fact that the insert on page 2-13 states that baylands includes rocky shorelines but rocky shorelines are not included in the glossary definition. BIO 5-b refers protections for these habitats to the development code. We question whether depending on development code is sufficient. This approach could result in a substantial change in the diversity of species and habitats along these shoreline, which are actually unique in San Francisco Bay. The EIR should address this deficiency and include an alternative that continues the Bayfront Conservation Zone designations in appropriate areas.

The discussion on page 2-8 and subsequent policies should include a more comprehensive listing of sensitive natural resources. Native wildlife and natural habitats are not included. Limiting protective policies to "jurisdictional wetlands" wetlands definition would contribute to the loss of important habitats. The definition differs from many other more biologically based definitions including those used by the California Coastal Commission, US Fish and Wildlife Service and the California Department of Fish and Game. According to the glossary definition, mudflats, ponds, lakes, and open waters of Bays lagoons and oceans would also be excluded from county policy protection, and regulation would be left only to a few agencies. Other wetland types, such as seeps and dune wetlands could be excluded altogether. This serious omission must be addressed in the DEIR.

The term "sensitive resource is used in the discussion 2-8 and in many other sections. The glossary definition of this term limits the use to only wildlife and habitats that are rare, threatened or endangered. Furthermore, "Sensitive Wildlife Habitats" are defined in the glossary as being limited to "Areas designated, precisely mapped, and officially adopted pursuant to federal, state and local law that are essential to maintenance of native wildfie populations..." Because there is no such precise mapping and officially adopted designations, policies using this term are virtually

meaningless. These restrictions would leave most of the habitats in the county with no policy protection, except for those that are already protected because the plan (see Goal 2 and related policies) would only protect these limited resources.

The DEIR should recommend policies prohibiting the filling and impacts to wetlands. What is the standard by which “complete avoidance” will be assessed? The current CWP provides no guidance as to how staff will assess complete avoidance (Page 2-11). Mitigations criteria should include no mitigation banks, and allowance of wetland fills only for public safety projects. Otherwise this decision will be at the whim of applicants.

## **Policy Review**

### **Native Habitats**

BIO 1.1 Why would protection be limited to habitats so special status species, sensitive natural communities and wildlife nursery areas? While habitats that serve these particular function are vital, native and migratory wildlife need habitats to sustain them after they leave nurseries and movement corridors. This policy should be broadened to ensure protection of adequate habitat for native and migratory wildlife, otherwise the impact could be significant.

BIO 1-3 Native trees of all sizes should be protected. A sustainable woodland and oak savanna habitat needs trees of all sizes? What will be the result when all “large” trees die off and the are not replacements?

The discussion on page 2-17 under “Why is this important?” should be broadened to include additional benefits of protecting sustainable native habitat: providing broad ecosystem support, improved air and water quality, support for native and migratory species that contribute to the food web, provide food for people and recreational benefits.

### **Sensitive Biological Resources**

Goal BIO-2 calls for the Protection of Sensitive Biological Resources. Is this the same as Sensitive Resources and Sensitive Wildlife Habitats? As discussed above, the limitations would appear to leave important native habitats, including native grasslands, oak savannah habitats unprotected. The DEIR needs to take comprehensive look at this issue.

BIO 2.6 Restricts disturbance in Sensitive Habitats during nesting including riparian corridors but appears to allow disturbance in riparian habitat at other times of year. This would contribute to significant adverse impacts. These habitats are used by wildlife at all times of the year. While nesting may be a most sensitive time, other times of the year, such as migration, are also important, The policies be modified to avoid disturbance at all times of the year. For example trails should be located outside of the riparian zone.

BIO 2.5 and 2.7 These policies aim to protect wildlife movement corridors which is an important goal. However, there is no concomitant policy that calls for the protection of the habitats at the end of the corridors. Protecting only the corridors is not sufficient to avoid significant impacts.

Implementing Program BIO 2.a only mentions jurisdictional wetlands “other waters” should be included. BIO 2.b, requiring a Site Assessment, would only require information on special status species. Information on native species that are rare or important locally and migratory species should also be included. Otherwise, significant adverse species and habitat impacts would result.

### **Wetlands**

BIO 3.1 Protect Wetlands calls only for a setback/buffer around jurisdictional wetlands. This would result in significant adverse impacts because many types of wetlands are not included in the restrictive jurisdictional definition of the Corps’.

On Parcels less than .5 acres no buffer is stated. This would contribute to a significant degradation of wetland habitat with concomitant species impacts. First of all a lot of .5 acres is not small in the city centered corridor. Most lots around the Bay are considerably smaller than this “Best Management practices” usually refers to measures to control erosion and has no meaning that we are aware of in circumstances requiring protection of wetland from other impacts. What kind of technical assistance could the county offer? It seems to us that there should be at least a minimal standard. We suggested at least a 10 feet vegetated buffer vegetated with native upland/high marsh species be considered in the DEIR, particularly for areas where special status species are present. And the .5 acreage should be substantially reduced.

Provision 4) on page 2-25 would allow for the degradation of many wetlands simply because some consultant says there would be no impacts. We are concerned that there would be no instance where a buffer would be deemed needed. We object to this “loophole” language. We have seen too many instances where habitat has been degraded or lost based on a consultants misinformation.

There needs to be a discussion of the importance of setback/buffer transition zones adjacent to wetlands in the DEIR. Transitional uplands are actually integral components of wetland ecosystems and it is important, to protect the viability of the resources, that these be protected from adjacent activity.

BIO 3.2 and 3.2d, addressing mitigation, are based on situations where complete avoidance is not possible. What does this mean? The provision in policy BIO 3.f allowing for “alterative mitigation options and exceptions” would further contribute to the significant habitat loss. Standards should be included that ensure avoidance is required except under very limited circumstances. We suggest that public safety projects that would have broad public benefit, be the only exceptions. Otherwise this would be a gaping loophole that would lead to significant habitat losses. What kind of incentives could be offered?

BIO 3.e The mitigation criteria are well described except that the list should also include a provision that the mitigation take place on site or close to the site of loss. Otherwise, all of the valuable functions wetlands perform, would be lost to the local human and wildlife community.



And, no mitigation banks should be permitted.

#### **BIO 4.1 Streamside Conservation Areas**

Define the use of the term “designated” Stream Conservation Areas. Who would do the designating?

Allowance for parcels outside of the Inland Rural, Coastal and Baylands Corridors to have 100 foot setback plus 50 should be discussed. This could leave the door open to significant impacts that would adversely impact significant downstream resources on such creeks as Corte Madera and Miller that have steelhead resources. The EIR should consider extending this policy to large parcels of undeveloped lands in appropriate watersheds.

The provision in this policy to allow passive recreation that does not “significantly disturb native specie” is a huge loophole that will contribute to significant adverse impact on native species in the riparian corridors. Similarly allowing for “necessary” water supply and flood control projects is opening the door for significant impacts. What does “necessary” mean? Who would determine what is necessary?

Similar to the wetland policies, the revised SCA policies have a loophole for parcels under .5 acres. This is not a small parcel in most residential neighborhoods in Marin and along most of our creeks, such as Corte Madera Creek. The DEIR should consider a much smaller lot size and a minimum setback that includes sufficient area for native vegetation to at least shade the waters of the creek, stabilize banks and allow for wildlife movement.

BIO 4.6 Monitoring will not prevent reestablishment of vegetation. Monitoring must also include requirements that any invasive species found be removed.

BIO 4.13 Appropriate Access in SCA’s This policy is based on faulty information. It fails to recognize that public access has adverse impacts on riparian resources, fish, birds etc. By urging the acquisition of lands adjacent to streams to make resources more accessible would result in increase adverse impacts and degrade, instead of enhance stream habitat. This internal inconsistency should be addressed in the DEIR and more protective language recommended.

The “Why is this important?” discussion should clearly state that it is important to retain creeks in a natural condition to continue the important functions mentioned. Bank stabilization should be added to the list of benefits.

BIO 4.a SCA Ordinance. The DEIR should address what kind of incentives should be included to reduce extent of existing development with SCA’s? We are concerned this provision could result in adverse impacts elsewhere.

BIO 4.g The qualified professional should be hired and managed by Marin County. This should apply to professionals hired for other biological assessments as well.

BIO 4.k If trails interrupt riparian habitat, this would leave the wildlife vulnerable predation when they have to pass over the lands denuded of vegetation. A protective cover of riparian vegetation must be retained along streambanks to ensure safe move along the corridor. As worded, this policy would-be a significant adverse impact.

### **BIO 5 Baylands Option**

As discussed above, two acres is not a small parcel in the Baylands Corridor either, and there is no reason why a buffer cannot be provided on lots of that size. This would result is very significant impacts to wetlands wildlife and endangered species. The only reason a buffer could not be reserved along the bay edge is that the owner would be left with absolutely no development potential.

BIO 5.11 Protect the Baylands Corridor criteria:

What does the requirement mean where suitable habitat exists? What if owners have removed the vegetation? A standard of at least 10 feet should be reserved not for under 2 acre parcels, which is large in the city centered corridor, but smaller lots of under 1/4 acre. The EIR analysis should address the size of the lot, habitats on the lot, and the presence of endangered species to assess the local and cumulative significance.

BIO 5.5 Freshwater wetlands should be changed to Freshwater and seasonal wetlands. In the baylands, the wetlands are sometimes brackish or salty because of the salts remaining the soils.

BIO 5.b Landowner education should include education about endangered species.

BIO 5.d Tidelands Restrictions The Development Code should be backed up with clear policies stating the importance of protecting tidelands. The exception for areas that are isolated or limited in productivity opens the door to significant losses. All of our tidelands contribute to the productivity of the Bay and its resources. What would be an isolated tideland?

BIO-5.e Enforce Diked Bay Marshland Requirements. Why should exception be made for public access and low intensity passive recreational and educational opportunities simply because they include educational opportunities or habitat protection components? What kind of education is it to allow people to do the very thing they should not be doing, i.e. damaging the habitat. And what kind of habitat protection would impact the resources that are supposed to be protected? This inconsistency should be addressed in the DEIR.

BIO5-f Why should a trail through a natural area necessarily be 10 feet. In some instances, this would require widening of levees, impact on endangered species habitat, encouraging more intensive uses that would increase in direct impacts on the resources.

The discussion of trail impacts on wildlife and wildlife habitats should be thoroughly discussed in the DEIR. The language in the plan would allow and encourage significant degradation and loss of habitat due to trail expansion. See further discussion under TRL on page 7.

Program Implementation Chart:

BIO 3. Adopt Wetland Conservation AEA Ordinance - should be "Short term."

BIO 5.e Enforce Diked Bay Marshlands Requirements should be "Ongoing."

## **2.5 Water Resources**

The Septic System Map should include areas along the Petaluma River.

Why is this important? The discussion should clarify diversity as referring to plant and wildlife species, and "public health" should be added to Economy section.

### **WR 3.1 Develop New Sustainable Water Supply**

There is no such thing as new water supply. Water is a limited resources. The environmental impacts to streams/creek habitats, ground water, ponds, wetlands of taking more water should be thoroughly addressed.

### **Air**

AIR 5.f This clear statement protection should be included in the Biological Resource Section. It is not clear why it is under Air. BIO-1 and BIO-2 are not the same

### **Open Space**

OS 1.2 If Open Space acquisitions are to benefit residents, visitors and citizen's over wildlife and the environment, a very different management scheme will be emerging. The impacts of this on wildlife and special status species should be addressed. Or it should be made clear that the first priority for management is to protect wildlife and plant community resources.

Corte Madera Creek: The discussion mentions the endangered clapper rail and built features along the creek, but fails to note steelhead as a special status species, to provide a statement of the need to maintain tidal marsh habitats, including associated upland, and to discuss the importance of keeping and expanding these resources throughout the creek to the maximum extent possible. Unless this is done the Clapper Rail and steelhead populations, that many are trying to restore, may decline.

The Marin Audubon Society has had a long partnership relationship with the County Open Space District, has cooperated on many acquisition and habitat restoration projects on District lands, has donated more that 200 acres to the Open Space District and will be donating more. We suggest that this cooperative relationship be recognized.

### **Trails**

TRL 1.b Designate Trail Use should protect environmental resources.

TRL 2.1 Unless there is a clear provision to avoid sensitive habitat and natural resources there will be significant biological impacts related to loss of species and habitats. The DEIR should address this issue. This policy basically doesn't mean much because "take into account" means

next to nothing.

The Environmental Discussion on page 2-145 While a trail that is well maintained may not erode or damage nearby areas, there are still significant impacts of trails. This discussion completely ignores the potential adverse impacts of constructing trails (even if constructed well) which necessitate the removal of vegetative habitat, fragmentation of habitats and the subsequent adverse impacts of people and domestic animals that use the trail. There are many studies demonstrate these impacts. This subject must be fully discussed in the EIR and this section should be modified.

TRL 2.b The second bullet will have minimal effect; people even ignore signs that tell them to keep out.

**Agriculture**

To avoid impacts to groundwater and surface water, the DEIR should discuss an alternative that would focus Marin’s agricultural production on dry crops or crops that do not require irrigation or development of additional water supplies.

AG 2.7 Promote mariculture. The protection of coastal native wildlife species and habitats should be primary. “Aligned with” is a weak term here.

AG 2-h What is the purpose of the recommended cumulative analysis of mariculture operations?

**Specific Sites:**

St. Vincent/Silveira:

We recommend that another alternative be addressed and that is the purchase of the St. Vincent/Silveira lands. In the past, we have expressed our interest in purchasing the undeveloped portions of the property for natural resource protection and public use, and we continue to be interested in purchasing the lands as we have purchased more than 1,000 bayland acres for habitat protection.

Gross Field Area

The DEIR should define and discuss the nature of the lands surrounding Gross Field and the potential impacts of developing the properties south of the airport on tidal marsh and native species.

Thank you for considering our comments.

Sincerely,



Barbara Salzman  
Conservation

**MCBC**  
MARIN COUNTY  
BICYCLE COALITION



www.marinbike.org

P.O. Box 1115  
Fairfax, CA 94978  
voice (415) 456-3469  
fax (415) 456-9344  
www.marinbike.org

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Bay Area Bicycle Coalition  
Bicycle Trails Council of Marin  
Bike the Bridge! Coalition  
Marin Cycle Corps  
Marin Cyclists  
Tam Valley Bike Club  
Transportation Alternatives for Marin  
Trips for Kids  
Velo Club Fairfax

September 22, 2005

Fax: 499-7880

Mr. Tim Haddad, Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

**Re: Countywide Plan Comments – Environmental Review**

Dear Mr. Haddad:

The Marin County Bicycle Coalition (MCBC) has appreciated the opportunity to be involved in the Countywide Plan Update, and provides these comments for the environmental scoping process.

We respectfully request for the environmental work on the plan to analyze how implementation of the recommended bicycle and pedestrian policies can help to advance the Countywide Plan's goals for improving traffic circulation and better air quality. We are particularly interested in an analysis which quantifies the circulation and environmental benefits that could result from a rapid implementation of the Plan's pedestrian and bicycle policies.

\* \* \* \* \*

Thank you for consideration of this request, and for your diligent and exception work in developing this plan with the theme of sustainability. At the core of sustainability is finding ways for people to be able to walk and bicycle for transportation. The MCBC looks forward to working together to increasing safe and aesthetic opportunities for people to enjoy Marin County on foot and by bicycle.

The Marin County Bicycle Coalition is available to answer any questions you have regarding our comments. You can reach me at 415-454-7430.

Sincerely,

Deb Hubsmith  
Advocacy Director

Cc: Alex Hinds, Director, Marin County Community Development Agency  
Michele Rodriguez, Planner, Marin County Comm. Dev. Agency  
Patrick Seidler, Transportation Alternatives for Marin

Promoting Safe Bicycling for Everyday Transportation and Recreation



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MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY  
September 21, 2005

Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-6269

**Re: Notice of Preparation (NOP) for the Marin Countywide Plan EIR**

Dear Mr. Haddad:

On behalf of the San Francisco Bay Trail Project, I am writing to submit comments on the Notice of Preparation (NOP) for the Environmental Impact Report (EIR) for the draft Marin Countywide Plan. The Bay Trail Project is a nonprofit organization administered by the Association of Bay Area Governments (ABAG) that plans, promotes and advocates for the implementation of a continuous 500-mile bicycling and hiking path around San Francisco Bay. When complete, the trail will pass through 47 cities, all nine Bay Area counties, and cross seven toll bridges. To date, slightly more than half the length of the Bay Trail alignment has been developed.

We are pleased to see several references to the Bay Trail in the Marin CWP. Of particular interest to the Bay Trail Project is the designation of a Baylands Corridor, which would provide much-needed protections for these environmentally sensitive, habitat-rich areas. Because one of the main goals of the Bay Trail is to site pathways as close to the shoreline as possible, we ask that the EIR for this project incorporate a discussion and analysis of the adopted Bay Trail Plan and Policies, Bay Trail alignment, and Bay Trail Design Guidelines in relation to the proposed CWP, and how our goals and policies might be affected by the three different Baylands Corridor options.

In the Biological Resources section of the plan, Policy # BIO-5.7 entitled "Limit Access to Wetlands" is of particular interest to the Bay Trail Project. Public access to certain sensitive areas will necessarily need to be restricted. However, the majority of potential impacts to wetlands or wildlife can be mitigated through innovative design features. The EIR should provide detailed information on any proposed changes to any existing or planned Bay Trail segments—for example, if an existing or planned segment is located on a levee or other structure that may be removed as a result of future restoration projects, please describe how a new alignment would be secured, and what such a realignment process would entail.

When analyzing the potential impacts to the Bay Trail, the EIR should look at criteria that include, but are not limited to, biological resources, visual quality, aesthetics, noise, shadow impacts, visual access, physical access, and the public nature/feel of the Bay Trail.

The Bay Trail Plan and Policies and Bay Trail Design Guidelines may be obtained on our website, [www.baytrail.org](http://www.baytrail.org) or by contacting me at the telephone number below. Please send a copy of the draft EIR for our review when it becomes available. The Bay Trail Project appreciates the opportunity to comment on this NOP and looks forward to working with you on this project. Please do not hesitate to call me at (510) 464-7909 if you have any questions regarding the above comments or the Bay Trail.

Sincerely,

A handwritten signature in black ink, appearing to read 'Maureen Gaffney', written in a cursive style.

Maureen Gaffney  
Bay Trail Planner

# Tomales Bay Association

P.O. Box 369



Pt. Reyes Station, California 94956



22 September 2005

Marin County  
Community Development Agency  
3501 Civic Center Drive  
San Rafael, CA 94903  
ATTN Alex Hinds, Tim Haddad, Brian Crawford

Dear Sirs:

Because we and other groups have not had sufficient time to review and compare the draft plan to the existing 1994 Countywide plan and its EIR scoping, we wish to extend the period for scoping requirement comments and review of the Countywide Plan. The board of the Tomales Bay Association has not had a chance to fully review the document and to formulate appropriate questions for the scoping process.

We find that the currently proposed document is not user friendly, and it is impossible to find one's way around the document without the index, and virtually the same even with the index, although it is of great assistance. We do recognize there are some good aspects to the plan, but by and large it is a great disappointment and is very difficult to review. For example, putting natural systems and agriculture together are both inconsistent and inconsistently done.

There needs to be an analysis within the scoping process for directing a study of cumulative effects of the county's inactions and failure to implement the 1994 plan, and how the changes to the plan will affect what should have been already implemented from the 1994 plan. These changes especially need to be ascertained with respect to sensitive environments such as Stream Conservation Areas and Wetlands.

What are the potential effects of changes in the permit requirements for agricultural operations and changes in uses from one type to another in sensitive environments such as wetlands and SCAs? We believe the historical inaction on the part of the county during the last ten years should not bearing on what was in fact directed by the 1994 plan.

What are the direct and cumulative effects of changes or deletions to the mandatory programs as set forth in the 1994 plan? □

What are the cumulative effects past, present and future of the failure to enact those mandatory programs of the 1994 plan and changes effected by the current plan? Especially with regard to sensitive environments such as wetlands and SCAs, coastal-shoreline areas, and to a lesser extent, what are the effects on more aesthetic directives such as ridgeline developments, disruption of scenic views, etc..

We hereby formally request that you extend the comment period for the Draft Countywide plan update scoping process. Thank you.

Sincerely,

Kenneth J. Fox, President



# Tomales Bay Association

P.O. Box 369



Pt. Reyes Station, California 94956



31 October 2005

Marin County  
Community Development Agency  
3501 Civic Center Drive  
San Rafael, CA 94903  
ATTN Alex Hinds, Tim Haddad, Brian Crawford

Dear Sirs:

Thank you for this opportunity to comment.

Bio 1.d In reevaluating County Tree Ordinance, there is not sufficient directive as to the degree of expansion of existing provisions. Inasmuch as the current ordinance was altered to avoid protections for Oak woodlands on agriculturally zoned parcels, and inasmuch as a large percentage of this habitat in the county is located on these lands, what would be the affect of allowing the further degradation of the oak woodlands on these lands? Should not the program specify the inclusion of protections so as to ensure protection of the environment on which agriculture depends and cannot continue to sustain without?

Furthermore, the concept of allowing agricultural practices to occur without permit is contrary to the current plan. Whether or not the unwritten practices of the county are to wave the requirement, it must be evaluated as if the policies and programs of the 1994 plan had and have been strictly enforced to meet the mitigation and monitoring requirements in the 1994 plan. This becomes especially significant in the event of a change in agriculture, say from grazing to cheese processing or from grazing to crop production, especially near sensitive environments such as stream conservation areas and other wetlands. Please evaluate the effects of changes in herbaceous as well as woody riparian vegetation as result of agricultural practices or changes in agricultural practices from waving of permits, which create an high potential for unmonitored and unaccounted for changes to the riparian zones and other sensitive areas such as wetlands.

BIO 3.d Proposing ratios of 2:1 replacement for on-site and 3:1 of-site replacement: Please ascertain whether this meets the minimum requirements of the coastal act and its effectiveness in actual on the ground mitigation.

BIO 3f. the added language "and exceptions for existing uses." implies an inclusion of unpermitted but existing usages at the time of the adoption of the plan. The language needs to be changed to reflect only those permitted existing uses.

In implementing programs BIO 4. there is a significant change over the 1994 plan which required discretionary permit process in the absence of any ordinances, As was shown in SPAWN etal versus Marin County in Hedlund case, the county is required to perform a cumulative impact of all development in the SCA, analyzing both historic and anticipated future cumulative impacts. The proposed plan needs to meet or exceed all standards, policies and programs in the 1994 plan in order to avoid significant environmental impacts.

BIO 4.g need to add the words "*The County shall*" Rrequire development applications to avoid possible waiving of the requirement as result of political favoritism.

BIO 4.j In continuing funding of fencing of sensitive stream areas, what effects are or could be effected due to other agricultural uses, such as crop production in the stream conservation area?

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OCT 31 2005

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should not these uses be permitted only as they do not impact stream conservation habitat and habitat values?

WR 2.1 policy is poorly written and needs to apply to all lands, urban, rural, and agricultural, the reductions in sediment, chemicals including pesticides, and nutrients

the Implementing Programs, in WR 2 appear to be more continuation of policies without any mandatory implementations. The county needs to implement programs in order to meet the policies, therefore the programs need to be directives and include the word "*shall*" so as to be effective.

In implementing programs of AG-2, should not a cumulative analysis of agriculture operations be conducted in addition to Mariculture operations?

AG-2f considers to allow "small tasteful" signage... please define both small and tasteful. What will the effects be as a result of allowing additional signs and advertisements?

We appreciate the extension of time, but due to the complex nature of this update of the plan, the board of the Tomales Bay Association still has not had a chance to fully review the document and to formulate appropriate questions for the scoping process.

Again, we find that the currently proposed document is not user friendly, is a great disappointment as a planning and management tool, and is very difficult to review.  
Thank you.

Sincerely,

  
Kenneth J. Fox, President

# TRANSPORTATION SOLUTIONS DEFENSE AND EDUCATION FUND

16 Monte Cimas Avenue Mill Valley, CA 94941 415-380-8600 383-0776 fax

September 22, 2005  
By Hand Delivery

Tim Haddad, Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

Re: Scoping for Countywide Plan EIR

Dear Mr. Haddad:

The Transportation Solutions Defense and Education Fund, TRANSDEF, is a Bay Area non-profit advocating for the regional planning of transportation, land use and air quality. We are especially pleased to be able to offer suggestions for scoping the EIR for the Countywide Plan ("CWP"). On the basis of a preliminary review of the Revised Public Review Draft Plan, we are enthusiastic to see the principles we advocate reflected in the text.

We offer these comments for the purpose of making the environmental review process especially useful to local city decisionmakers, without whose cooperation the goals of the CWP cannot be accomplished. Because the CWP legally applies only to unincorporated areas of the County (a so-called "Swiss cheese plan"), the active involvement of Marin's 11 cities and towns is essential to the implementation of CWP policies and programs. Providing them with data that convincingly demonstrates the benefits of the Draft Countywide Plan is the logical first step in implementing Program CD-4.b, Coordinate with Local Jurisdictions.

Toward that goal, we suggest the following:

1. The Alternatives Analysis should carry a No Project Alternative that represents the continuation of trends created by previous CWPs. The comparison of the Project (i.e., the Draft CWP, including land use in incorporated areas consistent with Draft CWP policies, rather than current General Plans) to the trends extrapolation of the past CWPs will hopefully clearly demonstrate the net benefits to local jurisdictions of a comprehensive planning/ TOD approach. It is critical to model the cities at a sketch planning level as if their future growth were consistent with the Draft CWP. No other study or process exists that can provide a comprehensive view of the implications of the countywide implementation of the Draft Countywide Plan. This EIR must do so if cities

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MARIN COUNTY  
COMMUNITY DEVELOPMENT  
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and towns are to be convinced of the value of being guided by the CWP (Policy CD-4.2, Guide Local Planning Efforts).<sup>1</sup>

2. Perhaps the most valuable part of the 1994 CWP was its Community Development Element Technical Report #3, Alternative Scenarios and Evaluation. While this report did not get wide circulation, it provided a crucial analysis of the implications of various policy scenarios. Tragically, the alternative that became the CWP, the Local Policy Alternative, was determined by this report to have the worst impacts of all the alternatives studied. TRANSDEF recommends that a similar study of various policy approaches be made part of the EIR Alternatives Analysis, thereby making that analysis more widely available and an integral part of the decisionmaking process.

3. Provide a sensitivity analysis of the implications of different levels of transit service, and different radii from a transit node. Key policies such as CD-2.3 create major land use changes, based on vague assumptions of transit service. There is no specific level of transit service required to justify a Housing Overlay Designation: "Located within one-half mile of a transit node or route with daily, regularly scheduled service."

TRANSDEF's long history as a transit advocate suggests two points here. 1). Conventional wisdom (citations available) indicates that riders will make a half-mile walk to a rail stop, but they typically are only willing to walk a quarter-mile to a bus stop. Therefore, please do a sensitivity analysis to show how expanding the radius for such an Overlay Designation from a quarter-mile to half-mile for bus stops affects transit mode share for the expanded area. 2). It is also well known that frequent transit service, every 15 minutes or less, will attract significantly more ridership than service every half-hour or hour, thereby having an impact on levels of traffic congestion. Please provide a sensitivity analysis to evaluate what level of transit service is needed to make the TOD land use work as intended, generating enough reduction in auto trips to make a difference in traffic levels of service. One possible test would be to determine what it would take in transit service to absorb planned growth at the plan horizon without lowering LOS below current levels of delay.

4. Provide a sensitivity analysis of the implications of Program TR-1.i. Evaluate the impacts on land use and transportation of the implementation of current (conventional ITE) parking ratios as compared to the lower ratios that would result from flexible

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<sup>1</sup> Sketch planning at a county level is not that difficult or time-consuming. Six of TRANSDEF's part-time volunteers created a Smart Growth Alternative for the Bay Area's Regional Transportation Plan, which was modelled by MTC in its EIR and found to be environmentally superior, more socially equitable and less expensive than the official Plan. EIR preparers can gain from this experience by reviewing links to the RTP EIR and its Appendix D.1 and D.2. found at [www.Transdef.org](http://www.Transdef.org)  
TRANSDEF would be pleased to provide its TAZ-level land use assumptions for Marin for possible re-use in the CWP EIR.

parking standards in terms of accomplishing Draft CWP Goals such as mixed use, affordable housing, pedestrian friendliness and increases in transit ridership. Cities need this information to be able to face their residents when making parking flexible.

5. Given that the overarching theme of the CWP is sustainability, and recent hurricane activity has highlighted the impacts of global warming and the finiteness of global fossil fuel supplies, please evaluate the following sub-alternative in the Transportation section: eliminate item 2 on Map 3-6a, the Novato-Petaluma highway widening. The TRANSDEF Smart Growth Alternative in the Regional Transportation Plan did not include any highway widenings, and instead focused its investments in cost-effective transit, resulting in less environmental impacts and an improved accessibility to jobs at a substantially lower cost. Since this highway project is by far the largest transportation investment the County is considering, the EIR should test to see whether this project is consistent with the CWP's sustainability theme by evaluating a sub-alternative in which SMART alone serves the expanded travel market contemplated for the highway. By encouraging residents of Sonoma to use the train, and by encouraging the building of Marin's future development near rail stations, the elimination of the highway widening from the CWP has the potential of providing Marin with a series of benefits: 1). a reduction in future congestion on Marin's roads and highway due to not removing the existing capacity constraint; 2). a reduction in North Bay long distance driving, thereby reducing emissions and energy consumption; 3). increased incentives for business to locate new office facilities at rail nodes, thereby furthering Draft CWP goals.

TRANSDEF appreciates this opportunity to provide input into the EIR for the CWP. We have hopes that this Plan will become a classic in the field of planning, much as the 1973 Plan became. We stand ready to offer advice and expand on these suggestions as requested. Please contact us at the address above.

Sincerely,



David Schonbrunn,  
President

cc: Alex Hinds, CDA Director  
Supervisor Kinsey  
Supervisor McGlashan

# RMA

ROBERT M. ALLEN

2005 S 27 10 3: 11

COMMUNITY  
COMMENT

September 21, 2005

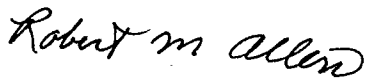
Mr. Tim Haddad  
Marin County Development Agency-Planning Division  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

Dear Mr. Haddad,

Again, after many statements that our fully developed waterfront would not be included in the Baylands Corridor it is included in the EIR for the Marin Countrywide Plan Update. I am not sure what we need to do to get it removed since assurances from some supervisors and others seem to be meaningless. We have been completely ignored and are angry that after living in this home for 41 years we have yet not a say in our future.

We strongly disagree with Item VI 1e in the Land Use and Planning Section, page 9, of the Notice of Preparation. It states that there is a "less Than Significant Impact." The Draft 2005 CWP would retain established community patterns. This plan was developed with considerable public participation with many people speaking at these meetings, sending letters, and adoption of the plan incorporates public input letting you know our outrage that we do not belong in the Baylands Corridor. **Our participation did not mean acceptance.** We attended hours of meetings, provided written and public comment that appears to have fallen on deaf ears. Our privately owned tide lot, bought to protect the environment from development, plus our dock and navigational channel is still included in the Corridor. You say your purpose is to provide for increased protection of environmental characteristics is hogwash. We have been protecting the environment for 41 years.

Sincerely yours,



Robert M. Allen



Marlene B. Allen

**Stewart, Toni**

---

**From:** Janbay41@aol.com  
**Sent:** Thursday, June 23, 2005 9:42 PM  
**To:** BOS  
**Subject:** Silvera Property

Dear Sirs:

I am requesting that the County place a 2-year moratorium on all the large development projects. I, and so many others I know do not back general plan amendments such as the one(s) for the St Vincent/Silveira properties. The Task Force Advisory Report was NEVER analyzed for the environmental impact it would have on the baylands and upland habitat.

What a shame to watch the CYO and the developers panting at the thought of a 766 home project on the property at St. Vincent's School. And a worse shame if the politicians and local representatives don't give good long thought to the mess we're making of Marin Co.

Traffic and the ecological impact MUST be studied for its longterm effects!!

Sincerely,  
Ms J. Annes

09/30/2005

WALT BILOFSKY  
4804 PARADISE DRIVE  
TIBURON, CALIFORNIA 94920  
TELEPHONE (415) 435-4433  
EMAIL BILOFSKY@TOOLWORKS.COM

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September 28, 2005

MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY

Mr. Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

Re: Draft Countywide Plan and EIR

Dear Mr. Haddad:

In response to the new draft Countywide Plan, I am concerned about the impact of the Baylands Corridor on my home (APN 038-061-29), and the homes of my friends and neighbors in Paradise Cay.

Despite assurances from staff and policymakers that the Baylands Corridor is not intended to impact existing small developed lots, a small sliver of my waterfront lot, and the tidal lots in the Cay, are still included in the proposed corridor.

The draft plan contains language about setbacks and restrictions within various distances of the corridor. I am concerned that this will negatively impact my ability to maintain my home and property.

For example, I must maintain shoreline riprap to prevent more of my hillside from falling into the bay. Twelve years ago, I found getting initial County approval for this riprap to be unnecessarily difficult, and am concerned about future restrictions.

I am also concerned that should it become necessary to modify, repair or rebuild my home - for example, in the event of an earthquake - my use of my property could be substantially restricted.

The draft plan appears to intend to exempt properties such as mine in some ways, but if so, I am concerned that this be expressed clearly. For example, on page 2-31, there is an exemption: "This policy only applies to parcels within the Coastal, Inland Rural, and Baylands Corridor." Since a



bit of my parcel is within the proposed Baylands Corridor, would I lose the intent of this exemption?

I am concerned about the impact on my friends and neighbors in Paradise Cay of including their well-developed tidal lots in the Baylands Corridor. These tidal lots are fully developed in that they are partially occupied by docks, and the underwater portions are periodically dredged. Restrictions on these tidal lots would negatively impact their use of their property.

I hope that there will be further consideration of the impact of the proposed Baylands Corridor on small existing developed lots, including consideration of excluding from the Baylands Corridor small, already developed tidal lands, such as those in the Cay and the ripped sliver of my property.

Sincerely,

A handwritten signature in black ink, appearing to read "Walt Bilofsky". The signature is fluid and cursive, with a long horizontal stroke at the end.

Walt Bilofsky

cc: Supervisor Charles McGlashan

Stewart, Toni

Countywide Plan

---

**From:** Diane Bolman [dbmar@earthlink.net]  
**Sent:** Wednesday, June 22, 2005 4:58 PM  
**To:** BOS  
**Subject:** St. Vincent's

Supervisors:

I URGE you to put a two-year moratorium on all large development projects in Marin until the new countywide plan is adopted.

Thank you

Diane Bolman  
334 Ignacio Valley Cir.  
Novato, CA 94949

RECEIVED  
2005 SEP 22 10 31 12  
COMMUNITY COMMENT  
James & Trina Currier  
373 E. Strawberry Dr.  
Mill Valley, CA 94941

Mr. Tim Haddad

Marin County Community Development Agency – Planning Division

3501 Civic Center Drive, Room 308

San Rafael, CA 94903-4157

September 20, 2005

**RE: Strawberry should not be included in the Baylands Corridor**

Dear Mr. Haddad:

Hello! At our September 14, 2005 Board Meeting, the Directors of the Strawberry Recreation District all agreed that we are very concerned that all of Strawberry's waterfront is still included in the Baylands Corridor. We believe it should not be included in the Baylands Corridor, and frankly, we thought this matter was settled last year.

We strongly disagree with Item VI 1e in the Land Use and Planning Section (page 9) of the Notice of Preparation. The NOP states something ~~that~~<sup>is</sup> very untrue: "Further, the plan was developed with considerable public participation and adoption of the plan incorporates public input and acceptance through the public review process. Therefore, the adoption of this plan would not result in substantial alteration or conflict with the functioning of the community."

That is far from the truth. The Strawberry waterfront community overwhelmingly does not support this part of the plan and we have stated so repeatedly in both written and public comment. Although there was public participation (for some of us, only *after* this new Baylands Corridor was conceived), participation certainly does not imply acceptance. Our residents attended hours of meetings and provided written and public comment. Yet our waterfront, including privately owned tide lots with docks, is still included in this Corridor, the purpose of which is to "provide for increased protection of environmental characteristics."

We feel that the adoption of this plan has the potential to restrict our ability to make and modify the homes in which we are raising our children, utilize our private property on which we already pay substantial taxes, as well as restrict our access to our channel and

our boating rights (already subject to rigorous environmental review by multiple agencies).

We are here because of the wildlife. We protect birds, mussels, oysters, and teach our children about conservation and nature. Please don't make it impossible for us to live here by keeping us from making of our homes and properties what is reasonable and necessary.

We believe including Strawberry in the Baylands Corridor will, indeed, result "in substantial alteration and conflict with the functioning" of the Strawberry Community.

Strawberry is also potentially impacted by Item 13a Aesthetics/Visual Resources (p. 23), so it should be reviewed for Strawberry. This section states "Substantially reduce, obstruct, or degrade a scenic vista open to the public..." and includes a rating of "Potentially Significant Unless Mitigated." We agree with this rating. The Strawberry Recreation District owns a public dock on the dredged Strawberry Channel. Should inclusion in the Baylands Corridor preclude the Strawberry Community from dredging, the public will be denied its opportunity to launch and operate small boats.

At the September 28, 2004 joint meeting of the Planning Commissioners and Supervisors several Planners and Supervisors stated that developed waterfront communities, such as Strawberry, Paradise Cay, Bel Marin Keys, and Santa Venetia, should be excluded from the Baylands Corridor. One year later, it appears that these sentiments have either changed or have been ignored because the waterfront and docks in these neighborhoods *are still in the Corridor*.

Please take action on this now and remove Strawberry from the Baylands Corridor.

Thank You!

James & Katrina Currier

Luke and West Currier

The image shows two handwritten signatures in black ink. The top signature is for James & Katrina Currier, and the bottom signature is for Luke and West Currier. Both signatures are written in a cursive, flowing style.

September 22, 2005

RE: Notice of Preparation of an EIR for the Marin Countywide Plan Update

Mr. Tim Haddad  
Marin County Community Development Agency-Planning Division  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

Mr. Haddad:

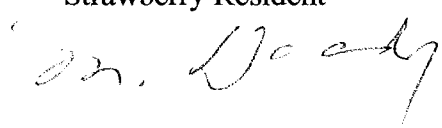
On Sept. 20, 2005 the Strawberry Recreation District voted unanimously to reply to the Notice of Preparation. As a result of our many letters and speeches at Planning Commission meetings, we were told that developed waterfront communities such as Strawberry SHOULD BE EXCLUDED FROM THE BAYLANDS CORRIDOR. Now, one year later we find, by chance, not by being told by your department, that we are STILL included in the poorly thought out Baylands Corridor plan. How many times must we remind you that you are paid by us and we expect to be included in your planning schemes. Who is listening to us? Who is correcting the problem?

How you could say that the plan was developed with considerable public participation IS SIMPLY NOT TRUE! We only found out about it by accident, none of us had been informed in writing or verbally of the plan. We remain strongly opposed to being included in your "Baylands Corridor" plan.

Marin County is 85% open space, that is a remarkable fact in such a developed area. And in that 15% of developed land, you planning people have us living in fear that a Clapper Rail will move into our neighborhood and we will be required to leave to protect it. We are all environmentalists, love nature and protect it daily.

Mr. Haddad, please listen to the people who support you. Thank you,

Miriam Doody  
Strawberry Resident



2005 SEP 22 12 1:00  
MARIN COUNTY  
COMMUNITY DEVELOPMENT  
RECEIVED

September 21, 2005

Mr. Tim Haddad  
Marin County Community Development Agency - Planning Division  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

RE: Notice of Preparation of an EIR for the Marin Countywide Plan Update

Dear Mr. Haddad:

I cannot believe that the Strawberry's waterfront is still included in the **Baylands Corridor**. Our community is strongly opposed to inclusion of Strawberry in the Baylands Corridor and thus the following statement in the EIR proposal is completely untrue and should be removed from the proposal and replaced with a contrary statement:

"The Draft 2005 CWP Update would retain established community patterns. Further, the plan was developed with considerable public participation and adoption of the plan incorporates public input and acceptance through the public review process. Therefore, adoption of this plan would not result in substantial alteration or conflict with the functioning of the community. "

This plan will have substantial impact on the use of our private property. The plan could have the effect of limiting the remodeling and updating of houses built in the 50's and 60's, and will certainly have a dampening effect on property values. Who will want to buy property that cannot be updated at reasonable cost and regulatory red tape? The EIR must study the impact of these long term effects on the Strawberry community.

The Strawberry community has testified, attended meetings and written letters, apparently all to no avail. We participated and are being ignored. Strawberry is not the same as Silvera and St. Vincents. We are a completely developed, fully functioning community.

Marin consists of several small communities each with a distinct character. Strawberry is a waterfront community developed in the 50's and 60's. We care about the bay. If we didn't, why would we be paying property taxes, school taxes, library taxes, recreation taxes, etc. on tide lots for the sole purpose of preventing development and preserving our environment? For many years we have preserved small boating on our east shore channel by paying for periodic dredging of the channel; this would be jeopardized by this increased regulation. Baylands Corridor could jeopardize the fundamental functioning and character of our community.



Catherine Dunlap  
309 E. Strawberry Dr.  
Mill Valley, CA 94941  
mvcath@cs.com

22 September 2005

RECEIVED

Mr. Tim Haddad  
Marin County Community Development Agency-Planning Division  
3501 Civic Center Drive, Room 308  
San Rafael, California 94903-4157

2005 OCT -3 P 3:42

MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY

Dear Mr. Haddad:

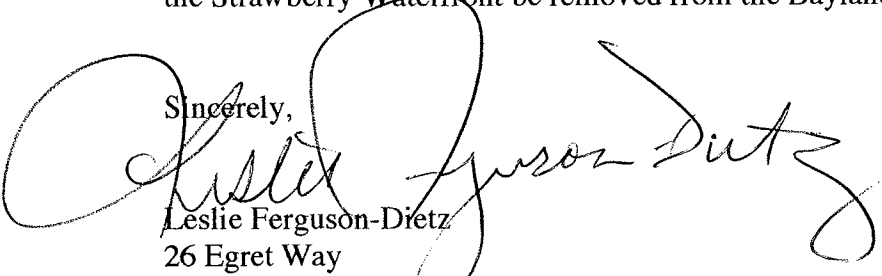
I am writing this letter in opposition of the Draft 2005 CWP as it addresses the inclusion of the Strawberry Waterfront into the Baylands Corridor. My husband, Tom, and I have resided in Strawberry since 1997 and have never observed any disruption of the environment or wildlife.

The current Notice of Preparation states that there would be a less than significant impact on the community because there has been public participation, input and acceptance of the plan. Many of us attended meetings and forums, however this does not imply our acceptance of the plan. In September 2004 members of the Planning Commission and the Board of Supervisors stated that developed waterfront communities, including Strawberry, would be excluded from the Baylands Corridor. Now, one year later, it seems that this has changed.

Should this plan be adopted as it stands those of us on the Strawberry Waterfront would have restricted access to our privately owned docks and use of the channel. It is stated that the purpose is to "provide for increased protection of environmental characteristics". Several agencies already have strict guidelines that we must adhere to. Every year, without fail, the wildlife return. There has never been a disruption of any sort. In fact, much effort is put forth to preserve the wildlife and surrounding environment.

Again, we strongly oppose this plan and insist that, as already stated in September 2004, the Strawberry Waterfront be removed from the Baylands Corridor.

Sincerely,

  
Leslie Ferguson-Dietz  
26 Egret Way  
Mill Valley, California 94941

Tim Haddad

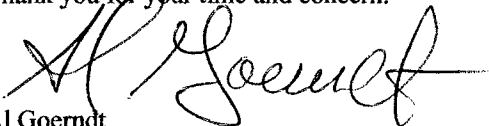
RE: CWP Update  
9/10/05

Sir

I request that the final report address the "automatic" use permit exemption given to Dog Hobbyists. These permits are issued by the Humane Society without notification of, or comment from adjacent property owners, as mandated by law. My neighbor, who lives at 665 Bugeia Lane in Novato, was allowed to build a huge dog kennel adjacent my bedroom without the county's oversight or findings required before the issuance of a discretionary permit use permit, development plan, public notice or comment from adjacent property owners and without county review or oversight of any kind. After one year of unsuccessful attempts to moderate the disturbance, I called county code enforcement. I was told that dog hobbyist's are "automatically" exempt from all county zoning regulations and are unaccountable to the county land use authority. They are, in fact, above the law. The County provides protection to adjacent property owners through the use permit process. By "automatically" granting an exemption to that process, the County "automatically" revokes the protection that it provides to the adjacent property owners. This protection is not discretionary, it's mandatory.

This is inconsistent with purpose and intent of virtually all local, state, and federal laws, policies and procedures that govern zoning and land use as well as being in conflict with state and federal constitutions. This is possible because dog hobbyist kennels are excluded from the definition of "kennel" as defined by the county code. This exclusion was determined to be an exemption by the Community Development Agency. Am I expected to believe that this "non-exemption" exemption for a "non-kennel" kennel is legitimate? I'll spare you the tedium of reciting the twenty or so violations of local, state and federal law associated with this "arrangement." A kennel, by any other name, is still a kennel as defined by the county code, N-1.1a (noise). I object to my rights being tailored to accommodate this unlawful "arrangement". I request that the CWP address this issue and that it's lawful resolution be reflected in the Marin CWP.

Thank you for your time and concern.

  
Al Goerndt  
675 Bugeia Lane  
Novato, ca. 94945  
(415) 897-1869

RECEIVED  
2005 SEP 15 12 3: 22  
MARIN COUNTY  
COMMUNITY DEVELOPMENT



RECEIVED

Rick W. Johnson  
P.O. Box 981

2005 SEP 26 3:02 PM Inverness, CA 94937

September 22, 2005

MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY

Tim Haddad  
Marin County Community Development Agency  
Marin Civic Center, Room 308  
San Rafael, CA 94903

Re: NOP for the EIR for the Marin Countywide Plan Update 2005

Dear Mr. Haddad,

I appreciate the opportunity to comment on the scope of the EIR for the Countywide Plan. Here are my suggestions:

### **Watersheds**

The revised draft plan has an excellent goal to protect upland vegetation (WR 1.4). But it is not clear what program implements the goal. Will that be done in WR 1.b on "building site placement" standards? Does the program need to be more explicit in the CWP?

### **Effective Growth Management.**

#### **Water supplies**

The Countywide Plan indicates that we are reaching water consumption/supply ratios similar to 1987 which seems to be the outer sustainable limit. If conservation and new sources do not bring on supply fast enough to handle county wide growth, should the county have a policy to limit growth?

#### **Sprawl**

The Countywide Plan has some provisions to prevent sprawl but I wonder if it is enough. The Community Development section shows higher growth rates of housing and commercial space in unincorporated areas than in cities and towns (p. 3-11), and shows growth in expensive (low density) homes in excess of ABAG requirements (figure 3-23).

#### **SMART Train**

I am not sure when the EIR for the SMART train will be available, but it would be good to have it before scheduling voter approval.

## **Noise**

I am glad that the new draft expands the policy, Minimize Transportation Noise (NO-1.2), to include open space, wilderness, wildlife habitat, and wetland areas. I still do not think the plan sets a useful standard for man-made sounds in natural places. The annual 60Ldn is way too loud. One of the excellent quotes in the CWP points to the value of a natural place, unspoiled with human sounds: "Thoreau suggested that every community should have its patch of woods where people could refresh themselves. His notion of Nature as having healing powers has now the force of revealed truth." Wallace Stegner, *Where the Bluebird Sings to the Lemonade Springs*, 1992.

Protecting natural soundscapes is important. I would like to see progress in this CWP in setting an open space standard, and in designating natural soundscape areas to protect and monitor.

It would also be useful in the time horizon for this general plan to restrict general aircraft flights over some of our open space and coast line, again to protect the natural soundscape. The county should work with appropriate agencies to prohibit low level flights along the coast, as these flights cause undue disturbance of marine mammals and human visitors.

Small jets are becoming more common at Gness Field and they are extremely loud. I cannot believe that there has been no measured increase in sound around Gness Field. They fly in over Bahia, and take off usually to the north or north east. The county should consider banning small jets from Gness Field. (The runways are also too close to the landfill for jets according to the Redwood Landfill EIR).

"NO-1.j Consider Regulating Outdoor Amplified Music and Equipment." is a good program. Please add exceptionally loud vehicles (cars, trucks, motorcycles, and aircraft). We should be able to enforce requirements for mufflers and quiet operation.

## **Invasive non-native plants and animals**

The current draft CWP has strengthened somewhat the programs to control invasive plants and animals. But, the CWP should call for an aggressive program of a private/public partnership to remove the most invasive exotic species and control their spread. The county must take the lead to remove exotics along roadways. Roadways have become a corridor for propagating broom throughout the county. If this issue is neglected in this general plan, it will be an insurmountable problem by the time of the next general plan update.

## **North Marin Open Space**

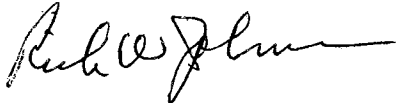
The current CWP has a gap in planning for open space in North Marin. For this area, the CWP focuses on the protection of agricultural production. There is valuable natural habitat as well, and it seems like an oversight to ignore that. If you think about how the Nature Conservancy approaches landscape protection, they may raise funds to buy a critical habitat piece and work with land owners to a build network of easements and programs that protect the landscape ecology. Something similar should be evaluated for North Marin.

In a letter on last year's draft of the CWP, the EAC made good suggestions on this topic:

1. Create a list of Open Space Preservation Priorities in the Coastal Recreation Corridor. Acquire and preserve sites on that list as they become available.
2. Establish a North Marin Agricultural and Conservation Area in planning areas 7.7.1, 7.6, 1.3a, 1.4. Work with land owners, MALT, resource biologists, and open space planners to create a network of agriculture, open space and conservation zones to:
  - Preserve productive agricultural lands
  - Enhance the compatibility of agriculture with wildlife values
  - Protect the Walker and Chileno Creek riparian areas and watersheds
  - Establish permanent wildlife corridors

Thank you for considering my comments.

Sincerely,



Rick W. Johnson

MARGARET KETTUNEN ZEGART  
118 HIGHLAND LANE  
MILL VALLEY, CA 94941

September 21, 2005

Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4257

RECEIVED  
MARRIOTT COUNTY  
COMMUNITY  
DEVELOPMENT  
2005 SEP 22 P 1:35

**RE:EIR Scoping for Revised Public Review Draft of the Marin Countywide Plan**

On behalf of southern Marin I have considered aspects for the EIR consideration using the Almonte District Improvement Club copy of the Public Review Draft of August 2005 of the *Marin Countywide Plan*.

Potentially Significant aspects of this revised draft and a Significant Impact adverse affect are for the Area 6, Richardson Bay – Almonte in the Tamalpais Planning and the adjacent larger community, Tam Valley now. Though maps 2-5a,b, and c show this in Bayland Corridor options, apparently in the revised draft tfor Richardson Bay’s marsh, its Bayfront and tidal lands the long protections under Bayfront Conservation zoning, have been removed from, rather than incorporated in text. There the Baylands Corridor protection focus is now along shoreline northward in San Pablo and San Francisco Bays. The theoretical build out for our area was 12,546 but now is increased to 16,072 in the Revised Draft enabled by a Housing Overlay on this environmental sensitive area with a congested traffic problem on Shoreline Highway and also, its intersection with US Highway 101.

**1. LAND USE AND PLANNING**

- a. The revised draft is inconsistent with adopted Tamalpais Planning Area Community Plan.
- b. The Draft 2005 Update has removed the County Bay Front Conservation Zone on the southern Richardson Bay and marsh land protection. Although p 1-1 states that the Plan “guides the conservation and development of Marin County”; conservation of the marsh and Richardson Bay has been removed. Bay Corridor language, *ie p 12-12*, “Baylands ecosystems vital to the health of San Pablo, San Francisco, [omitted Richardson Bay] and Tomales Bay have undergone tremendous change ... “ Richardson Bay noted to be included in Draft public hearings.

**Update Community Plans**

p. 3-21 INTRODUCTION Amend existing Community Plans as necessary to define how policies and programs of the Countywide Plan will be implemented. [past policy was that the Community Plan indicated specific development criteria for its area]

P.1-5 “We will continue to protect and restore open space, [*omitted bay lands, marsh, water courses,*] wilderness, and damaged ecosystems....SPACE, The map 2-3 does not include area in wetland stream identification, omitted in 6.1.3b, maps

p. 2-13 “Modifications have been made to provide more consistent mapping criteria )This refers to the high density Housing Overlay in the revised Draft placed along the formerly protected areas of our Almonte (Richardson Bay, Manzanita area) which, with density and other incentives for low to moderate housing adjacent to transit, allows up to 45 units per acre.

p. 2-39 ~~“All currently designed lands (as shown in map) in the Bayfront Conservation Zone comprised of the Tideland Subzone, the Diked Bay Marshland and ...”~~

All relevant protections of Policies BIO5.1 to 5.10 no longer apply to those areas in mid and Southern Marin. This is developed now in the revisions throughout the document. I. E. Omitted language on p. 3-12, p. 3-13 Implementing Programs CD -1a, b and c are no longer effective.

Built Environment is now encompassed for the Baylands Corridor (now excluding our Tamalpais Planning Area Bay Front, marsh lands and filled tidelands adjoining open water and Bothin Marsh [as well as the existing Tamalpais Fish and Game Refuge Area *not mapped in document but in upper Richardson Bay*. However, Map 31.b continues to designate Bay lands in Richardson Bay.

**c. Significant Impact ...substantial alteration of the character of community as planned.**

CD-5h and C5i Evaluated exemptions and or full or special waivers for affordable housing would raise financing charges for New Development for Urban Services [*for low, affordable housing in Tamalpais Planning Area – including increased density from 30 per acre to 45 units?*]

Map 3-2b indicates Housing Overlay Designation rather than Bay Front Conservation Zone protections. and those of Coyote Creek and its adjacent wetlands. ... now delegated to Bay Lands Corridor in mid and northern Marin; now added in Revised Draft.is mixed use housing.

CD2.4 and in Recreational Commercial Zoning (p. 3-37) “ residential development at up to 30 units per acre may be permitted in addition to the applicable FAR if 1) the housing is either workforce housing, ....2) projected peak-hour traffic impacts of the proposed mixed-use development are not greater than that for the maximum commercial development permissible on the site under the land use category.”

p. 3-118 **Hsf** Establish requirements for minimum densities to be built to insure that medium and higher density sites are not developed with lower, detached, single family housing unless it is certain that physical or environmental constraints preclude. *[limits community discussion to keep character goal of semi rural / village community / traffic congestion in Tamalpais Planning Area].*

### **3. GEOPHYSICAL**

- a. Significant impact because Revised Draft housing overlay [in Tamalpais Planning Area] is in liquefaction area [mapped but omitted for site's overlay text]. Significant settlement in deep bay mud area and subject to tsunami as well as frequent annual storm surge and high tidal flooding.
- b. Component for evacuation missing – primary egress on subsiding /flooding roadways

### **5. AIR QUALITY**

- a. Significant impact – congestion throughout county, Tourism (encouraged for economic reasons) in private, State, County and Federal parklands and beaches and recreational use by county residents and at peak commuter times and egress / access to San Francisc. When regional bridge system in repair or fails traffic raises 101 traffic levels to standstill; In Southern Marin air impacts should be discussion of Los F and upwards along Shoreline from Sausalito ramp and Shoreline at Almonte and increasing commuter peak hour impacts, for example and with the increase because of revised draft's projected buildout in revised document and future GGNRA / recreational use.

### **6, TRANSPORTATION/CIRCULATION**

- a. Roads not accepted by County, narrow, winding with hazards; unfair taxation for county roads since failure of County to adapt standards to adopt and then improve pre-existing narrow roads.
- b. Bicyclist hazards. Need *No Parking* signage as mitigation, for example to keep cars from parking in bicycle lanes to enable citation and safe routes to school and for commuters.
- c. Insignificant Parking exists now. Provision of this reduction in parking in Draft document as incentive for use of transit [which is not increasing routes, and continues to cut service. *ie transit dependent Canal residents have had service cut again this month by Golden Gate Transit*].
- d. TRAIL USE / OPEN SPACE  
Acquisition is not indicated for any southern Marin areas.

p. 120 OS Carrying Capacity ..... in identified Open Space. Carrying Capacity removed in revised Draft.

Muir Woods Park Community has identified (as well as my comments in the initial draft hearing) the necessity to acquire Private Lands Below Muir Woods Park , on the critical watershed of Muir Woods' redwood, also affecting water quality and flood mitigation Redwood Creek going through the County community of Muir Beach. This private land which includes trail connections to German Club, Muir Woods and existing East West trail to Mount Tamalpais should be priority acquisition.

e. Parking in older / hill communities critical issue to discuss in EIR for safety/ use/ and ability for emergency vehicle access – community egress the trail networks in communities to augment very limited road systems.

## **7. BIOLOGICAL RESOURCES**

Removal of Bay Front Conservation Zone for protected habitats around Richardson Bay should be specifically addressed- This is a overwhelming significant adverse impact.

MAPPING – inconsistent - seems more accurate and specific in some areas. , *ie.*

Mineral Resource- Map does not identify jade and semi precious sites in West Marin mapped by VerPlanck.

p. 140 Historical early Mapping's text should reference Tamalpais Land & Water Company and Saucelito land and water mappings that indicate underwater lots and streets now in State ownership although claimed by some with adjacent filled upland areas.

Map 2-19 Should indicate future trail connection under Highway 101 at North Richardson Bay Bridge to connect with frontage path (below daSilva Island) along Seminary Drive, for example.

Bayfront and marsh / tideline pathways.

Map 6.1.3b shows Tam junction as mixed use housing adding up o 20 units er acre.

## **8. ENERGY AND NATURAL RESOURCES**

Draft discusses saltwater conversion. This should be considered in EIR as well as wind energy that the Draft cited as most economical. Adverse impacts to migrating birds along coastal flyways (mitigation *ie.-* by seasonal use and then its energy stored. Studies underway by MMWD regarding water habitat impacts would indicate potential for EIR mitigations. The EIR would be helpful if it made comparative evaluations of figure 3-16 (p. 3-81) Renewable Energy Options.

Open Space deeds should always indicate “in perpetuity”.

## 9. HAZARDS

**a. pesticide use** - West Nile bearing mosquitoes increase spraying. Bat houses and minnows in standing water areas alternatives should be first alternative as effective elsewhere. Notice by media should be augmented by warnings for spraying times that are mailed.

**f. Exposure of people to existing sources of potential health hazards?**

Only tertiary effluent should be used for irrigation / other waste water recommendations in revised Draft.

**e. Increased fire hazard with flammable brush, grass or trees** Eucalyptus, broom, fire-prone vegetation removal in conjunction with private ownerships and adjacent open space lands and with federal and state agencies.

## 10. NOISE

**b. exposure to significant noise levels.** EIR should assess increased use of Heliport Gness Field and flight patterns of SFO and trucking routes as well as traffic noise.

Redwood Land fill / Industrial -*ie.*, brick yard and evaluate established span of residential construction hours- and weekends - allowed .

## 12. UTILITIES AND SERVICE SYSTEMS

**a.** Establish priority list for undergrounding in balance for countywide communities and establish funding pool as unwaivered applicable development fee.

**b.** Communication system backup for emergency network replacement. Minimal – *ie.* Loud speaker generated announcing system for on point shelter; wind-up battery/ cell phone, etc. interagency contacts

**c.** ...”Future development was increase future demand for tertiary treated water” [evaluate dual distribution system of potable MMWD and any adverse accumulative hazard from this].

**g.** EIR should address limit to only in-county only solid waste disposal and the West Marin.

**h.** Transfer Facility - if adverse environmental impact and shall expedite mitigating trucking routes and schedules.

## 13. VISUAL RESOURCES



- c. **t(1) abrupt transition in land use (2 )disharmony housing increase of 3,536 more units in Revised Draft for Almonte / Manzanita (and mixed use in Tam Junction business community)of Tamalpais Planning Area (Fig. 3-46-57 of Richardson Bay Planning Area).**

## 15. SOCIAL AND ECONOMICS EFFECT

**Significant Impact through a chain of cause and effect** The triad balanced circle image, Environment, Economy and (Social) Equity implies that a balance is imperative in each issue. The pyramid or even linear text may cause less contention or misunderstanding in goal, policy, implementation or project proposal and development. The linear chain and effect may be difficult to determine and the process should probably be explored in EIR. Even the graphics on page 3-255 show nothing for Guiding Principals of our Planning Area - Richardson Bay Planning Area [*We call it the Tamalapis Planning Area*]. Nomenclature should reflect this or make clear a wider area if includes Tiburon area.]

Since 2/3<sup>rd</sup> of the Draft are considered in terms of economics and social equity, the EIR should establish mechanisms by which this can be developed outside of an environmental assessment and to require / demonstrate that in each instance these two elements are supportive of the environment.

Helpful and adverse impacts for the environment of the policies on p. 3-119 of plans. Our sensitive marsh / bay / traffic congested area is identified in the revision to have applicable the Built Environment policies that shall limit protection of the environment because of little input / mitigation time.


**HS-3g** (p. 119)

**f** “For key housing opportunity sites / areas, identification of specific housing use and design objectives, and incorporates fast tract process provisions for subsequent projects that are consistent with the plan.”

**i** :Linkage of plans to CEQA exemptions and expedited review, consistent with CEQA Section 15332. These impede careful revisions and mitigations of adverse impacts in each plan proposal.

Hopefully, a discussion of Eminent Domain rulings as they may affect the environmental protection and community character is appropriate for the EIR analysis.

Thank you and sincerely,

  
Margaret Kettunen Zegart

Almonte resident

RECEIVED

2005 SEP 22 P 3:28

MARIN COUNTY  
COUNTY PLANNING COMMISSION

Jack Krystal  
P O Box 3016  
San Rafael, CA 94912  
Fax: 459-1426  
Phone: 457-2800

September 22, 2005

Mr. Tim Haddad  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

RE: Comments regarding Revised 2005 draft of the Marin Countywide Plan in preparation for the Environmental Impact Report. "NOP for the CWP Update"

Dear Mr. Haddad:

I have previously attended several of the meetings held by the Marin County Planning Commission and during those sessions I have addressed the members as well as Planning Staff arguing for revisions to the series of drafts that were being considered and reviewed.

At those meetings, in addition to my verbal comments I also delivered correspondence for the planning members and staff to review and use during the process of editing and completing a final document.

Find attached copies of the letter that I presented on August 4, 2004, a copy of the points and sensible objections that I presented at the Planning Commission's meeting of September 28, 2004 and copies of three newspaper articles that were published by the Independent Journal on August 3, 2004, and September 1, 2004. In addition, please note a copy of an Independent Journal editorial published on September 12, 2004, which includes meritorious arguments, concerns, goals, and highlights many of the stumbling blocks that continue to be encountered by residents, business people, property owners and other long-term residents, including the undersigned. I urge the decision and policy makers to take these concerns seriously while you process the completion of a final document that will serve Marin County for the next fifteen to twenty years.

Included in the debate has been the proposal to maintain or add a "Baylands Corridor" which would affect the only remaining undeveloped waterfront property south of the Richardson Bay Bridge, which has been planned for many years for a hotel and has a large office building to the north and a houseboat community, offices, a seaplane base, and a heliport to the south. Placing a Baylands Corridor on this location is totally inappropriate, subjective, and it will interfere with the orderly smart development of the site. If this is implemented, it will not allow for the present unsightly construction yard to be replaced by sensible, attractive, job generating project at the gateway to Marin County

that can add substantially to the additional tax revenue necessary to maintain the needed services, in the county which have been reduced drastically in the last few years.

In addition the final general plan should include the ability to develop a variety of other uses that will consider the change in demographics, businesses, transportation and the reality of a great need for additional barely existing resident and business services in southern Marin.

I am sure that you as well as all the other professional and caring participants have and will continue to endeavor to develop a valid and effective tool in the form of a final useful and effective general plan. My concerns and objectives are simply to make sure we act in the best interest of our residents, our economy, the present and future needs of our county to maintain a balance that will provide solutions to the challenges that we have been facing in Marin County.

Thank you very much for active participation in this most important endeavor.

Sincerely,



Jack Krystal

Jack Krystal  
P O Box 3016  
San Rafael, CA 94912  
Fax: 459-1426  
Phone: 457-2800

August 4, 2004

Marin County Community Development Agency  
Alex Hinds, Agency Director  
Kristin Drumm, Planner  
3501 Civic Center Drive  
San Rafael, CA 94903

RE: Public Hearing on the Draft Marin Countywide Plan, *Socioeconomic* Element  
Suggestions

Dear Commissioners, Mr. Hinds and Miss Drumm:

Regarding the Public Hearing that took place on August 2, 2004 and the ongoing discussions relating to addressing the information, input and concerns from the public, organizations and individuals that will continue to assist you in the preparation of the Final Marin Countywide Plan, I am submitting the following comments:

1. The designations "Park" and/or "Open Space" should be eliminated in the Community and County of Marin General Plan for the Littoral and Commodore Properties at the Heliport area. Marin County does not have the funds that would be required to acquire either of these properties and is in a dire need for additional revenue to help balance its budget.
2. The "Bay Front Conservation" overlays on the subject properties should be removed. All this does is create a major impediment to develop the properties with a much-improved commercial use, instead of allowing it to continue to be used as a construction yard and the ongoing deterioration of the existing old improvements. In addition, this designation creates a great "cloud" that has a substantial negative impact for the improvement and development of these parcels. A similar request is made on the imposition of height restrictions that are lower than the nearby Richardson Bay Bridge, the condominiums on DeSilva Island and across highway 101 from the side, on the northeast end and above Marin City. This restriction creates another great burden to create an appealing building that can make a statement at the gateway to Marin County that would be reflected of how most residents and visitors view our county.
3. The present lack of revenue for the county, which has had a very serious impact on our local social needs, does point to a great imbalance that the draft general plan is seeking to solve. One of the obvious sources is to facilitate and expedite the approval of a hotel on the referenced property, by the Marin County Heliport which

would provide a very substantial revenue to Marin County from hotel tax, greatly increased property taxes, sales taxes, that would be paid from operating the hotel in addition to other revenue from employees, visitors, and customers, who will continue to spend their money in San Francisco, Napa, Sonoma and other areas outside of Marin County.

4. Lets not forget that this particular location in Marin County could provide employment close to home within walking, bicycling, or a short drive away from the site. Hotel customers and its employees would also get off directly from highway 101 or state highway 1 and would not be burdening other local roads.
5. On the recommendations described on the letter dated August 2, 2004, from the Marin County Community Development Agency to the Marin County Planning Commission regarding a Public Hearing on the Draft Marin Countywide Plan, it describes for discussion and information purposes on many items such as:

- a) Key Trends and Issues: "The Economy" section of the letter states "The key focus of the economic vitality policies is to determine, given the constraints on development in Marin, what types of businesses can thrive here while having minimal adverse impacts." I submit that one obvious method is to look at the existing factors and needs of the VISITORS to Marin County and its national state and local parks. We know that every year there are more than 3.5 million visitors that come to the Golden Gate National Recreational Area and that an additional 2 million or more visitors come to Marin County for recreational and tourism purposes.

The tables headed "Existing and Targeted Business" fail to list hotels and even restaurants within the scope of targeted businesses. It should be obvious that there has been and will certainly continue to be a great need for lodging and food services for this market. These visitors will continue to come into Marin County, use our roads and other facilities and we must implement an aggressive plan for them to stay and spend their money in Marin not just use our roads, get lost, and leave at the end of the day to go somewhere else. This need is very obvious and directing the means will derive greater county revenue, provide jobs to the local residents in Marin City, Tam Valley, Mill Valley and other nearby communities, while reducing much longer distanced employment travel, which makes a lot of sense. This recommendation is responsive to almost every comment included by Planning Staff in the above referenced letter, if one were to look at its contents with a practical view of exploiting the present and future visitor market.

- b) In the appropriate segments of the Marin Countywide Plan and its Socioeconomic Element please note that dealing positively with a wish list of targeted business can be greatly eased by attending to the on-going trends not only in our aging population, need for childcare, shortage of tax revenues, education, environmental justice and others. In doing so we would immediately note that we can act very rapidly and address the present and future visitors, while providing quick means for permanent employment opportunities for so called lower and mid income jobs to local residents, as well as broadening our county tax base.
- c) The recommendation to streamline project review and processing should apply to both, any business, not just a preferred targeted business.

Thanking you for your attention to the issues raised and recommendations made to make our county a better place to live for each of us and our families.

Sincerely,

Jack Krystal



COMMENTS MADE BY JACK KRYSTAL AT THE  
JOINT MEETING OF THE BOARD OF SUPERVISORS  
AND MARIN COUNTY PLANNING COMMISSION  
HEARING SEPTEMBER 28, 2004

The following points were brought up and referred to in the presence of the Board of Supervisors and Marin County Planning Commission by Jack Krystal at the public hearing:

- a) Compliments to staff and planning commission members.
- b) Implementation of goals will require leadership and tough decisions by the Board of Supervisors.
- c) Its content will require substantial revisions, clear objectives, definite direction to eliminate conflicts.
- d) Final document should describe its purpose, tools, etc., with great clarity.
- e) Must include "Inducement tools" to be effective.
- f) Seek "implementation" not just time consuming goal that will not bring "results" soon!

SECTION IN DRAFT PLAN PERTAINING TO AND REGARDING LANDS AT THE  
HELIPORT

Major Negative Socio Economic Effects Unless:

1. Remove layers of regulations on allowed uses.  
On-going processing confusion  
Arbitrary overlay zones  
Remove the "Bay Front Conservation Zone Designation" on Littoral's Property and adjacent properties (3).  
Littoral property is located next to and between the Shoreline Office Bldg. and the Commodore property (Houseboats, Heliport).
2. Open space use designation and Shoreline Conservation Band are "confiscatory", arbitrary and creates a "conflict of interest" for Marin County. (Also breaches Owner's civil rights) because of County's intent to acquire parcels. (It may be deemed to be a de facto taking).
3. Eliminate Open Space priority designation.  
Increase height and Floor Area Ratio (F.A.R.) artificially placed to derail re-development of Littoral's property.

## EDITORIAL

# Baylands Corridor needs public input

**T**HE CREATION OF a "Baylands Corridor" has been a longstanding goal of local environmentalists.

They haven't had the political clout to deliver it — stringent protections and tougher development restrictions for much of the low-lying area east of Highway 101 — until now.

The 2002 election of Susan Adams to the county Board of Supervisors tilted the balance of a panel that has historically labored to protect and preserve Marin's baylands, but without sweeping zoning protections.

Just ask the leaders of St. Vincent's School for Boys or property owners along East Strawberry Drive how easy it is to build on bayfront property.

But the political tilt, as reflected in the draft countywide plan, is to create a baylands corridor, mirroring the protective measures the county adopted when it restricted development of West Marin.

What's missing in establishing these new protections is an open and clear dialogue with property owners, those whose dreams and plans for their property — and possibly its value — could be affected by the new zoning designation.

Those property owners need to know upfront what such a change means to them and their properties. They are frustrated by a lack of answers.

Interestingly, these questions are being raised at the county Planning Commission's 21st public meeting about the county's update blueprint for its future growth.

There are questions as to whether the direction the

commission is headed reflects where the supervisors believe the new plan should be headed. There is a joint meeting of the county supervisors and the commission on Sept. 28. Certainly, planning hot potatoes such as St. Vincent's/Silveira, a plan for new development should San Quentin State Prison close, the future of the San Rafael Rock Quarry and the Baylands Corridor should be on the agenda.

The draft will be tested in an environmental impact report before it is adopted. There are many more public hearings to go. Property owners who now find themselves in the proposed Baylands Corridor deserve clarity. They deserve to know what the change is going to cost them, in added planning steps or limits on construction. They deserve better than a "fill in the blanks" plan, where once the protective corridor is adopted, the county will flesh out the details.

They also deserve to be heard.

The same worries were voiced from the same corners of the county when environmentalists pushed forward with designation of much of the same area as federally protected wetlands. Environmentalists argued the federal designation would help pave the way for federal and state funds for public acquisition and protection of the baylands.

The same property owners were wary then, and are wary today. They should not be considered ancillary to the process, but critical players. So far, the plan has fallen far short in bringing them in as co-authors.



# Newest draft of county plan disputed

## Residents worry about fees for land expansion

By Keri Brenner  
*IJ reporter*

Waterfront residents in Strawberry and Santa Venetia say they are worried a proposed Baylands Corridor in the draft update of the Marin Countywide Plan would impose new restrictions or fees on expanding their properties.

But county planners say they will exclude small, already-developed properties from the Baylands Corridor. County staff told residents that even if they were included in the corridor, it would not mean additional fees, permits or stronger restrictions.

"The draft countywide plan does include a proposed fourth corridor, the Baylands Corridor," said Alex Hinds, director of the Marin Department of Community Development. "The corridor recognizes the importance and environmental sensitivity of historic baylands along the eastern portion of Marin County.

"However," Hinds added, "the corridor is not intended to require additional permits and fees that will oth-

erwise affect small, already developed parcels."

On Monday, about a dozen Strawberry and Santa Venetia residents complained at a public hearing about being part of the new corridor. They said they were not confident, despite Hinds' assurances, that the corridor would not impose stricter regulations or more fees.

"The cost, both human and financial, for local residents to have ordinary use of their own property is now very significant," said Catherine Dunlap, who owns a parcel and a tide lot with a dock in Strawberry. "This plan makes that cost extreme."

Hank Levin of Santa Venetia, a founder of the Stewards of Gallinas Creek, said he was worried the public was not getting clear or consistent information on the corridor. He said county planners at several community workshops declined to answer his questions and made "vague" statements about what the county would like to do.

"No one could explain how one of the Planning Commission's alternatives — that of creating a dike along the creek in back of our houses wide enough to drive a Humvee down — would enhance the quality of the creek," he said.

Leslie Solmes Grunau of Strawberry said planners seemed to have "the process reversed" by designing a draft plan and then writing an environmental impact

See Planning, page C2

## Planning

From page C1

report. "The plan should be the result of the EIR," she said. "To approve or go through an edit of the plan before you have all the data and before you have specific goals is a lot of wasted effort."

She urged commission members to avoid writing policies that are "subjective, uncertain, and don't give a clue to what the results will be."

The Marin Countywide Plan, last updated in 1994, already has three land-use corridors — City Center, Inland Rural and Coastal

Recreation, Hinds said.

Under the proposed draft update, the Baylands Corridor in the Southern Marin section would be overlaid on what is now the Bayfront Conservation Zone — which includes many homeowners in the waterfront communities.

In Northern Marin, especially on the controversial St. Vincent's/Silveira properties, the corridor overlay would expand the Baylands Conservation Zone several hundred feet west beyond its existing line at the railroad tracks — but not as far west as Highway 101, which is where Marin environmental groups would like it to be.

Monday's hearing before the

county Planning Commission, was the 21st and final public hearing on the current version of the draft countywide plan, which now goes back to county staff for revisions and an environmental impact report.

Before the revisions, however, Marin supervisors will conduct a joint meeting with the Marin Planning Commission about the draft countywide plan update. The meeting will be at 3 p.m. Sept. 28 at the Civic Center in San Rafael.

"What I'd like to see is that the board's concerns are included," said Supervisor Susan Adams. "Once you start the ball rolling, it starts going, so we need to make sure the options we're interested

in are included."

Lisa Crosse, an aide to Supervisor Steve Kinsey, said supervisors just want to "touch base" with the Planning Commission.

"The board just wants to get a sense that everybody is on the same page as they're engaging in this major time-consuming process (of revisions to the countywide plan)," Crosse said. "They wouldn't want to go six months down the road and find there's a major disagreement."

A new series of public hearings on the countywide plan's environmental impact report is expected to start in March.

Contact Keri Brenner via e-mail at kbrenner@marinij.com

Business / C5  
Apple leadership question / C6

# MARIN



**BUSINESS  
PROFILE**  
FRIDAY MARIN SECTION

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C

## Advocates slam latest county plan

Criticisms cover housing, business

By Keri Brenner  
IJ reporter

The draft Marin Countywide Plan update was assailed yesterday by leaders of Marin interest groups, who said it had "serious gaps" in areas ranging from business, to child care, to housing, the environment, disabled access and senior citizens.

"Marin has long had a rep-

utation as a county that is anti-business, and this plan does nothing to correct that," Elissa Giambastiani, chief executive of the San Rafael Chamber of Commerce, told commission members. "For a plan that bases itself on a sustainable principle in which economy meshes with equity and environment, it is remarkable that so little attention is paid to the economy or to equity."

She said the plan focuses on large companies, but most of Marin's businesses

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*"Marin has long had a reputation as a county that is anti-business, and this plan does nothing to correct that."*

— Elissa Giambastiani, chief executive of the San Rafael Chamber of Commerce

---

are small.

"Some 81 percent of Marin businesses have fewer than 10 employees," Giambastiani said.

Giambastiani and others

made their comments at yesterday's public hearing on the plan's draft socioeconomic element — which includes health care, the economy, child care, community

participation and related issues. The countywide plan, last updated in 1994, will serve as Marin's land-use and public policy planning document for the foreseeable future.

The public comments yesterday prompted Planning Commissioners to ask county staff to make a series of changes.

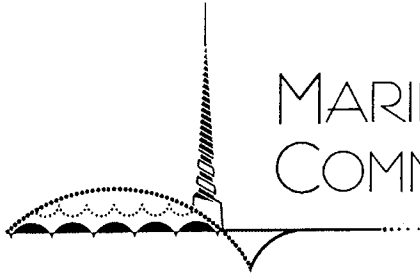
"I think it's wonderful that we recommend to people to shop locally," said Commissioner Jo Julin in response to one of Giambas-

tiani's suggestions. "I would like to see us include a list of bullet points on that."

County planner Michele Rodriguez, project manager for the countywide plan update, said she will incorporate the requests into the plan and bring the revisions to the county panel for a second go-round on the entire document in October.

The commissioners are expected to present their recommendations for the updated plan to the Marin

See Plan, page C2



MARIN COUNTY  
COMMUNITY DEVELOPMENT AGENCY  
ALEX HINDS, DIRECTOR

Release of the Revised 2005 Draft of the Marin Countywide Plan  
and  
Notice of Preparation for the Environmental Impact Report

**2005 Draft of the Marin Countywide Plan**

The Marin County Community Development Agency is pleased to announce the release of the Revised 2005 Draft of the Marin Countywide Plan (CWP). This revision reflects direction obtained after 23 public hearings, and the review and consideration of over 343 letters received from the public.

The Revised 2005 Draft of the Marin Countywide Plan is now available for free by download from the Marin Countywide Plan Update website at [www.future-marin.org](http://www.future-marin.org), and on compact disc. One complimentary paper copy will also be provided to local organizations and community groups. Thereafter each additional paper copy will cost \$35.00\*.

To receive a paper or CD copy of the Plan or if you have any questions, please contact:  
**Sharon Silver at [ssilver@co.marin.ca.us](mailto:ssilver@co.marin.ca.us) or 415-499-7874.**

\*CDs will ship free of charge. There will be a \$5 shipping charge applied to paper copies that will be sent via USPS

**Environmental Impact Report**

\* [ The Notice of Preparation for the Environmental Impact Report for the 2005 Draft of the Marin CWP has now been released. A Revised Initial Study was prepared for the 2005 Draft of the Marin CWP and it has been determined that an Environmental Impact Report is required. Please submit your written comments to Tim Haddad at the address shown below by 4:00 PM Thursday, September 22, 2005. Comment letters should clearly identify the subject of the comments as the NOP for the CWP Update. Comments by FAX or E-mail may not be able to be confirmed as officially received and accepted before the end of the comment period deadline. Commentors are advised to mail written comments postmarked on or before September 22, 2005. Please visit the Marin Countywide Plan Update EIR website at <http://www.co.marin.ca.us/depts/CD/main/fm/eir.cfm> to download and receive more information on the NOP and Initial Study, or call (415) 499-6269.

V:\CWP Update\2005 Revised Public Review Draft\Distribution 8-05\Aug 05 CWP and EIR Release Notice.doc

OCT 28, 2005  
RECEIVED

Tim Haddad  
Marin County Community Development Agency  
Planning Division  
3501 Civic Center Drive, #308  
San Rafael, CA 94903

2005 NOV -1 A 9 18

MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY

Dear Mr. Haddad:

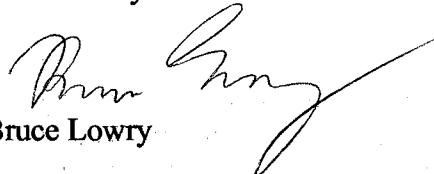
I'm writing in reference to the current County Wide Plan for Marin County. I understand that, within the plan, the area of Tam Junction on the North/East side of Shoreline Highway is currently under consideration as a zone for affordable housing. I'd like to express my serious concerns about this possibility.

The area in question backs up to Bothin Marsh, an open space wetlands area that is part of the Richardson Bay. Protection of Richardson Bay, and, more broadly, the overall San Francisco Bay shoreline, is a high priority identified in the County Wide Plan. Currently, this section of Tam Junction is zoned for commercial activity, and includes several fairly small businesses. My understanding is that, under affordable housing rules, a high density project of as many as 45 units per acre could be proposed for this area.

The addition of this amount of high density housing in Tam Junction would pose significant problems, ranging from traffic to pedestrian safety to noise. Most importantly, putting this level of high density housing right on the edge of the marsh would be quite harmful environmentally. Building the units would certainly stress the marsh. Higher density creates more litter and pollution. The entire Tam Junction area is already a flood risk, which the addition of more units would only exacerbate. In addition, I understand the area in question is already largely landfill, meaning significant (environmentally harmful) engineering would be required to address potential liquefaction risk from seismic activity. Finally, according to the Marin Open Space website, Bothin Marsh is also a home to several endangered species, including the California clapper rail, and the salt-marsh harvest mouse

As a resident of the Almonte District, I am deeply interested in developments for the Tam Junction area. I travel through it daily, and the view from my home looks right at the Junction. I urge you to take steps to further study the environmental impact of potential high density housing on the edge the Bay.

Thanks for your attention to this matter.



Bruce Lowry

2 Hidden Lane  
Mill Valley, CA 94941  
415-383-8403

Mr. Alex Hinds, Director  
Marin County Community Development Agency  
3501 Civic Center Drive #308  
San Rafael, CA 94903  
Via fax: 499-7880

September 19, 2005

Re: Scoping Meeting, Countywide Plan EIR


Dear Alex:

This is to request that the Scoping Meeting for the Environmental Impact Report for the revised draft Marin Countywide Plan be held before the Planning Commission, rather than the Environmental Coordinator. Because of the time that has passed since the earlier draft and because of the major issues raised by the document, the County should provide an opportunity for the widest possible public review and comment on the contents of the EIR.

I serve as Chair of the Campaign to Save Marin, an informal organization of environmental groups that are reviewing the Marin Countywide Plan. Members include representatives of the Sierra Club Marin Group, Marin Conservation League, Marin Audubon Society, Community Marin, Marin Baylands Advocates, Environmental Action Committee, and SPAWN.

Thank you for your consideration of our request.

Sincerely,



Marjorie Macris  
45 Wildomar St.  
Mill Valley, CA 94941  
381-6667, [mmacris@aol.com](mailto:mmacris@aol.com)

cc: Marin County Board of Supervisors (Via fax: 499-3645)  
Marin County Planning Commission (Via fax: 499-7880)

**Stewart, Toni**

---

**From:** Anne Merrifield [Anne.Merrifield@lucasfilm.com]

**Sent:** Tuesday, June 28, 2005 9:51 AM

**To:** BOS

**Subject:** St. Vincent's Property

Just a quick note to advise you that I support a two-year moratorium on all large development projects that require general plan amendments until the new Countywide Plan is adopted.

Thank you.

09/30/2005

Cela O'Connor  
P.O. Box 116  
Bolin, CA 94924

RECEIVED

Sept. 22, 2005

2005 SEP 22 10 3 12

Tim Haddad, Environmental  
3501 Civic Center Drive, Room 308  
San Rafael, CA, 994903-4157

SAN RAFAEL COUNTY  
COMMUNITY DEVELOPMENT

RE: REQUEST FOR COMMENTS ON SPECIFIC ISSUES TO BE INCLUDED IN  
THE ENVIRONMENTAL REVIEW *NOT FOR THE CUP UPDATE*

Dear Mr. Haddad,

The CWP Revised August 2005 Public Review Draft (2005 CWP) contains specific language for land use within the Coastal Zone on Page 3-249, PA-7-1 comparable to the 1994 CWP Community Development Element Page CD-66 "Lands in the Coastal Zone. The Local Coastal Program, Parts 1 & 2, shall govern land use in the Coastal Zone. Community plans in the Coastal Zone shall be subject to LCP policies."

Although the glossary contains the Local Coastal Element, it nowhere to be found in the 2005 CWP. I can find no comparable language within the 2005 CWP to replace its absence until this Element is included that mirrors the 1994 CWP Environmental Quality Element, Page EQ 35, "Coastal Conservation Areas: **Policy EQ - 2.41 Conservation of Coastal Resources**. The conservation of coastal resources shall be maintained following detailed policies in the Local Coastal Plans I and II adopted by the County and the Coastal Commission." This should be remedied prior to the 2005 CWP, keeping in mind we are commenting on a Draft 2005 CWP.

1) The scope of the EIR should include those differences, regarding environmental protection and/or impacts through the CEQA process, between the environmentally sensitive areas such as wetland and riparian systems in the Coastal Zone clearly identified by the Coastal Act, compared to elsewhere in the Coastal Corridor. This would also apply to the Inland Rural and Bayland Corridor. The scope should also address the loss of pocket wetlands in the City Center Corridor through the Policies and/or Programs proposed for that Corridor. The only references I have found for environmentally sensitive areas for the Coastal Corridor are on Pages 2-24 and 25; and Pages 2-31 and 32.

2) Please address the impacts of the exception to the full compliance with the 100 foot wetland development setback #2 Page 2-25. Please include the definition of development in the Coastal Zone in your response and any exceptions to exemptions within the Coastal Act for the Coastal Zone regarding environmentally sensitive areas.

#3) Page 2-168 and following pages refer to Agriculture Production and Stewardship Plans of various options with no mention of inclusion of SCA or wetlands in those plans. Please include possible impacts to these environmentally sensitive resources which may occur from agricultural uses such as: livestock, row cropping and vineyards. For example:

- \* Livestock: diminishes riparian vegetation, tramples stream banks or streambeds especially if salmon and are present in the spawning season, effect on water quality.
- \* Row Cropping (which is largely organic in this county): If there is no woody vegetation present, the SCA may be plowed up to the streambanks and wetlands plowed absent a wetland delineation, notwithstanding BIO-5.9. Riparian water use and wells are largely unregulated in the 2005 CWP, and depend on other agencies if

notified, resulting in undesirable impacts to riparian zones and wetlands that could cause great harm to a stream and the riparian habitat that supports endangered or threatened salmonids inhabiting the stream. Irrigating from a stream or a well that draws down the stream flow without taking into account the minimum stream flow to sustain the salmonids or other species inhabiting the stream, and clearing and plowing under the vegetation within the SCA to within a few feet of the stream bank could have a lethal effect on the salmonid survival by the elimination of habitat and probable increased sedimentation to the stream.

\* Vineyards. The same land use is possible as the row-cropping, but may require the application of pesticides if not now, in the future to preserve the vineyard.

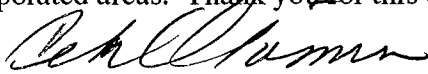
4) These comments also apply to agriculture in general throughout the county absent where any Agricultural and Stewardship Plan is not or will not be required for development. Please expand to include other agricultural uses which may adversely impact wetland and SCA's. Please include the certification for Marin Organics in the EIR and evaluate for SCA and wetland protections.

5) Agriculture development needs to be clearly defined in conjunction with development permit requirements. Where is this done in the 2005 CWP? The 1994 CWP Page-28 Policy EQ-2.4 required development permits for grazing and other agricultural uses in the SCA. The Community Development Agency has not enforced this permit requirement. What alternate method was used by the county to monitor this environmentally sensitive area? How is it possible to gauge the past, present, future and cumulative impacts of agricultural land use to the SCA's since that time without some monitoring device. This problem should be included in the scoping process and the impacts addressed from this lack of oversight concerning development on agricultural lands by the county.

6) Along these same lines the county authority for implementing the 1994 CWP Environmental Quality Element is the Community Development Agency. Clearly stated in the Element on Page EQ-27 is "Program EQ-2.3a Protection of Stream Conservation Area. The County shall implement the policies for the Stream Conservation Area through its established permit review process and/or through adoption of specific new ordinances. When a development permit is applied for underlying zoning." Again, the CDA has not implemented this requirement until recently in the absence of a specific zoning ordinance which has resulted in adverse impacts to SCA's countywide. Please include within the scope of the 2005 CWP/EIR in all due respect, those past, present, future and cumulative impacts to this "irreplaceable" resource due to the lack of diligence on the part of the CDA to implement this Program. The 2005 CWP Page 2-37 BIO 4e gives County staff the authority it already had in the 1994 CWP. How will this be enforced, other than by the courts, if appropriate discretion is not applied by staff and appropriate recommendations made to decisionmakers by staff and county counsel?

7) What is meant by a jurisdictional wetland? It is not defined in the glossary. Scope to include consistent definition of a wetland to be applied countywide. Please address the environmental impacts inherent in utilizing only known jurisdictional wetlands for wetland policies and programs in the 2005 CWP to the exclusion of wetlands lacking a delineation by an appropriate authority.

In all instances your response to the scope of my comments should include past, present, future and cumulative impacts to the riparian and wetland systems countywide in the unincorporated areas. Thank you for this opportunity to comment.

  
Cela O'Connor



Cela O'Connor  
P.O. Box 116  
Bolinas, CA 94924  
Fax 415-868-2496  
email oconnor@linex.com

RECEIVED

October 31, 2005

2005 NOV -2 P 3:48

COMMUNITY  
DEVELOPMENT

Tim Haddad  
Environmental Coordinator  
Community Development Agency  
3501 Civic Center Drive, Room 308

RE: Notice of Preparation for the Countywide Plan Update

Dear Mr. Haddad,

The following comments are in addition to my previous 2004, 2005 comments to the NOP.

- 1) The Draft 2005 CWP proposes four options to limit residential building size in agricultural areas, but failed to list those options regarding the criteria to establish maximum dwelling size. Other Plan Options were listed on pages 4 and 5. They should have been included here.
- 2) Attached is a letter to Brian Crawford explaining my concern for the lack of environmental protections for the Stream Conservation Area and wetlands in regard to changes in the new Title 22 adopted by the Board of Supervisors in June 24, 2003 which newly defined "Agricultural Assessor Activities" and expanded the definition of "Crop Production" to include irrigation; and newly created 22.44.035 with no environmental review for either. This section of the ordinance was not consistent with the 1994 Policies and Programs in the 1994 CWP, and remains so at this time.

The 2005 Draft CWP Update only addresses the removal of woody vegetation in the SCA. It does not address the removal of all vegetation in sensitive areas to satisfy the demands of row cropping that could necessitate the removal of all vegetation even to the edge of the stream bank if desired because there is no monitoring device such as a permit to regulate row cropping as a change of use. The attached letter will explain my concern.

The potentially significant impacts of 22.44.035 need to be addressed at this time along with the potentially significant impacts surrounding "Agricultural Assessor Activities" and the blind eye the county has adopted concerning the wide range of impacts between differing uses within the meaning of agriculture and those impacts on environmentally sensitive areas such as SCA's and wetlands.

Thank you for this additional opportunity to comment.

Sincerely,



Cela O'Connor

*Attached Nov. 25, 2003 letter to Brian Crawford  
Attached July 28, 2003 Letter to Brian Crawford*

*PAGE 1*

November 25, 2003

Cela O'Connor  
P.O. Box 116  
Bolinas, CA, 94924

Brian Crawford  
Deputy Director of Planning Services  
Community Development Agency  
3501 Civic Center Drive  
San Rafael, CA 94903

RE Recommendations to correct **Section 22.44.035** of the Marin County Development Code, Agricultural Zoning Regulations in regard to Stream Conservation Areas and wetlands.

Dear Brian,

Thank you for your letter of October 8, 2003 in response to my letter of July 28, 2003. In my letter I referred specifically to Development Code Section 22.44.035. My concerns for the protection of Stream Conservation Areas (SCA) and wetlands specific to Section 22.44.035 were not referred to in your response letter. Your letter served only to clarify the county's position of not requiring a Master Plan or lesser discretionary permit for grazing or crop production on agriculturally zoned lands.

Applying SCA and wetland setback standards to grazing and other production activities as described in Section 22.44.035 is a substantive issue in need of further discussion, however, I do not agree that creating Section 22.44.035 implements Policy EQ-2.4 of the 1994 Marin Countywide Plan Environmental Quality Element (EQ), nor does it comply with several Policies found in the EQ to mitigate and monitor allowable land uses in the SCA and wetlands. In relation to Section 22.44.035, the correct method to protect and enhance riparian resources on agricultural lands is to follow the existing EQ and require a development permit for "grazing and other agricultural uses" which would trigger a review to determine the impacts of the proposed agricultural use on these environmentally sensitive areas. This method is supported by the EQ and the Final Environmental Impact Report for the 1994 CWP (FEIR).

This course of action, allowed through the EQ, would require the county to abandon its current, but questionable, "longstanding practice and policy" concerning review for "grazing of livestock or other agricultural uses" that is not supported by either the EQ or the FEIR (see attachments to my July 28th letter). Allowing this recently introduced Section 22.44.035 to stand as it is written makes a mockery of the EQ and the FEIR and does not contribute to coho recovery/restoration or to the survival of other wildlife species that depend on these environmentally sensitive areas. I don't believe the county could produce a finding of a less than significant impact for allowing most of the land uses described in Section 22.44.035 without mitigation or monitoring. At this time I request findings from the county which includes stream, riparian and wetland protection that justify, not simply clarify, the county's position concerning those now codified allowable agricultural uses found in Section 22.44.035 which, as it stands, is absent any review to determine impacts to the SCA and wetlands (Attachment 1).

I believe it would be prudent at this time for the county to either strike Section 22.44.035 entirely from the Development Code adopted June 24, 2003 or amend Section 22.44.035 to

exclude the SCA and wetlands from the Exemption from Master Plan/Precise Development Plan Review. As it stands there is no possibility for the county to exercise its responsibility to protect and enhance either the SCA or wetlands under the provisions of Section 22.44.035.

I am enclosing an article (Attachment 2) from Trout Unlimited written for the general public which details the importance of protecting the entire stretch of stream and the riparian area along the course of the stream. It is quite a good article and ought to be recommended reading for staff to gain a better understanding of stream ecology. Several of our streams still support steelhead and/or coho salmon, and with better management other streams can recover to support these fisheries. It is important to recognize that the headwaters of most of our streams begin inland of the Coastal Zone and flow either into the Coastal Zone to eventually meet the sea or into San Francisco Bay depending upon the watershed.

Sincerely,

Cela O'Connor

enclosed:

Attachment 1 (Section 22.44.035 and referenced Section 22.44.040)  
( 2 definitions: Agricultural Assesory Activity and Crop Production)  
Attachment 2 (Sunshine, Bugs and Trout)

cc/open

Page 3

July 28, 2003

Cela O'Connor  
P.O. Box 116  
Bollinas, CA, 94924

Brian Crawford  
Deputy Director of Planning Services  
Community Development Agency  
3501 Civic Center Drive  
San Rafael, CA 94903

RE: Approval by Board of Supervisors on June 24, 2003 of code item 22.44.035 without environmental review to identify any significant impacts to Stream Conservation Areas or wetlands which may occur from those agricultural uses described there in, and to determine appropriate mitigation and/or monitoring as may be required by the CWP.

Dear Brian,

I wish to bring to your attention the May 12, 1993 Inter-office Memorandum from the Department Of Public Works(DPW) (Attachment 1) and the response #145 to that memo by the Environmental Coordinator (Attachment 2). These items are found in the 1993 Final Environmental Report, State Clearinghouse # 91093072(FEIR) to the 1994 Countywide Plan(CWP). It is clear from John Wooley's statements that there are significant impacts to the Stream Conservation Area (SCA) due to livestock grazing in the SCA. The mitigation found in the Environmental Quality Element (EQ) of the 1994 CWP to protect SCA's grazed by livestock is Program -2.3b. It appears from the response to the memo that any use within the SCA will be subject to all of the streamside conservation policies.

Policy EQ-2.4, referred to by Mr. Wooley, also allows for other agricultural uses to be permitted in the SCA by development permit. The County has selectively chosen not to implement the grazing and other agricultural uses component of development permit requirements of Policy EQ-2.4, notwithstanding the required mitigations found in the CWP for land use in the SCA.

The following (see below) **22.44.035** is putting the cart before the horse. This new zoning text revision was introduced at the Planning Commission public meetings June 9 and 16, 2003 following a request to staff by the Board of Supervisors at the April 29, 2003 Public Hearing. This late revision to the development code has not been reviewed by the public or appropriate agencies and the DPW for comment prior to the preparation of the Final Supplemental Environmental Impact Report which was approved by the Planning Commission in 2002.

The 1994 CWP EQ is still in effect and until the land uses described in **22.44.035** require neither mitigation nor monitoring, this ordinance should be withdrawn or appropriate language added to protect the SCA. Furthermore, the newly defined "Agricultural Assessor Activities" and the expanded definition of "Crop Production" has eliminated from review any change of use under these definitions because there would be no acknowledgement of any change of use between uses including grazing as compared to other uses, in spite of the fact that significant impacts vary between the different types of uses, especially if these uses occur in a SCA. Any change of use in an SCA should be

*Page 4*

evaluated for increased erosion; loss of vegetation; impact to water quality, water temperature and water supply and other impacts to habitat upon which the wildlife depend.

**22.44.035- Exemption from Master Plan/Precise Development Plan**  
“The following land uses are exempt from the requirements of a Master Plan and/or Precise Development Plan: crop production and commercial gardening that does not result in more than 250 cubic yards of excavation (excluding discing or tilling of soil), dairy operations, livestock operations for grazing, large animals and small animals, nature preserves, agricultural assessor activities, and the maintenance or repair of existing authorized or legal nonconforming agricultural structures or improvements, such as roads and water storage and distribution facilities. The above uses are not subject to the Master Plan/Precise Development Plan waiver provisions in Section 22.44.040 below.” Section 22.44.040 waiver provisions subjects projects/development to lesser entitlements such as a Use Permit or Design Review.

I understand this to mean that the above land uses are permitted uses, but not subject to Design Review.

In conclusion, **22.44.035** is not consistent with the CWP EQ SCA protection provisions. Section 1/Page 110, 1993 FEIR for the 1994 CWP clearly states, “Policies and implementation measures for SCAs protect stream resources, preserve existing and native habitat and protect and enhance fish and wildlife habitats.” **22.44.035** does not support that statement and insures there would be no mechanism to trigger design review or any other review for those land uses described there in. It is my understanding that codification of a land use to implement the CWP must reflect the intent of the CWP. **22.44.035** certainly has not done that nor is it consistent with the coastal stream and wetland resource protections standards in zoning code 22.70.140. Those streams and riparian zones which have the ability to support spawning fish beyond the coastal zone during the winter and early spring require full implementation of the SCA Policies in the EQ. My comments regarding **22.44.035** also apply to protection of wetlands and the 100ft. wetland setback provisions of the EQ. **22.44.035** should be withdrawn and continued to Phase II of the update of the Development Code for discussion and comment to a draft EIR, or there should be appropriate language inserted in the land use exemption **22.44.035** and the Revised Land Use Table 2-1 foot notes to protect the SCA and wetlands prior to August 24, 2003 when the Ordinance will be in full force and effect.

Sincerely,

Cela O'Connor

cc/Board Of Supervisors  
open

Page 5

Robert A. Raudso  
230 Almonte Blvd.  
Mill Valley, CA 94941  
(415)389-6623

RECEIVED

October 27, 2005

2005 NOV -1 A 9:19

Mr. Tim Haddad  
Environmental Planning Coordinator  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903

MARIN COUNTY  
COMMUNITY DEVELOPMENT  
AGENCY

RE: Development of Low Income Housing Adjoining Bothin Marsh

Dear Mr. Haddad :

I am writing to you in regard to my concerns, regarding the proposed high density of this proposed development. I have been a resident of Almonte neighborhood for 45 years. This issue as been brought to my attention only in the few days, so I am at some disadvantage in reviewing all the relevant issues. In regard to environmental issues, my immediate concerns are as follows:

- It has been proposed that 150 unit be built. This would imply that there would be over 400 new residents in an area that is currently of primarily commercial use. I would anticipate serious traffic and safety issues, due to most local services being located across Highway 1. Would a pedestrian overpass be needed to minimize injuries?
- Winter flooding has always been an issue. I would anticipate the requirement of a great amount of fill to sustain the construction of the proposed units, above the high tides and storm surges of winter. Most of the east side of Shoreline Highway is flooded during the winter storms. The recently built Walgreen's Pharmacy, on the west of Shoreline Highway, in the proposed area of development, was built on a piles and imported soils., several feet above the current height of Highway 1.
- The issue of massive amounts of imported soils is another environmental concern. First, due to it impeding the natural drainage of Tamalpias Valley. And secondly, to a greater degree, of the erosion of these fills on the area known as Bothin Marsh, which is natural preserve that BCDC regards as tidal marsh. Since I have lived in the area for nearly 45 years, I am aware of much of the proposed building is sited on what would be regarded as illegal fill, which has been deposited by Martin Bros. Building Supply. BCDC describes this area of the proposed development as follows:

Proposed Marin Baylands National Wildlife Refuge – The U.S. Fish and Wildlife Service proposes to include tidal marsh, seasonal marsh and uplands in a national wildlife refuge located on San Francisco Bay from the City of San Rafael to an area south of the city of Mill Valley in Marin County. The proposed wildlife refuge would be in accord with Bay Plan policies.

Thank you for you attention and your concern.

Sincerely,



Robert A. Raudso

JOANNA RUDDLE  
543 NORTHERN  
MILL VALLEY, CA 94941

September 20, 2005

Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4257

COMMUNITY DEVELOPMENT  
2005 SEP 22 P 2:49  
RECEIVED

**Scoping for Revised Public Review Draft of the Marin Countywide Plan**

Dear Mr. Haddad:

PLEASE CONSIDER THESE ISSUES IN PREPARING THE EIR DOCUMENT

Is it appropriate or legal to have the *County Wide Plan* require revisions of the Community Plans to conform / implement the *County Wide Plan*?

**I.a and I.b** In the *Draft Revision* Significant Impacts are contrary to goals, policies and implementation strategies of the existing Community Plans. **CD-4.1** "Update existing Community Plans to define how policies and progress of the County Wide Plan will be implemented." The Tamalpais Planning Area goals are for a semi-rural community with the neighborhood serving small commercial areas and neighborhood parks.

REVISED INITIAL STUDY

**I b, Conflicts of Significant Impact with applicable environmental plans**

On page 5 of the Initial Study it is stated that "Code amendments herein are proposed to strengthen wetland and bayland protection, to increase protection from stormwater runoff and from hazards caused by seismic and geological activity and by flooding and wild land fires; and to protect open space lands."

**I d Division of physical arrangement of an established community**

The Housing Overlay proposal conflicts with the long time goals and policies of our Community Planning to preserve our semi-rural community.

**If Substantially increase the demand for neighborhood or regional parks, or affecting existing recreational opportunities.**

With projected more than 3,500 households, there would be a significant adverse impact to the use of small scale neighborhood parks, making nearly impossible access to regional parks and other recreational opportunities because of the drastic increases in traffic now at Los F or worse congestion and affecting the use and carrying capacity of park areas.

**3a Would the proposal result in or expose people to potential impacts ....**

Increasing the population projections by THE HOUSING OVERLAY which add the projections of over 3,500 households in the community would be a significant impact for those proposed to live on marsh fill or lands with liquefaction, settlement, and bay side sites for those projected to live on *hazard risk* lands.

**4b Exposure of people to water related hazards.** Tsunami potential and several times early high tide and storm surge and hill runoff flooding risks make this poor site for Housing Overland and increased population density.

**5a Air Quality** Risks caused by traffic congestion would be a potential Significant Impact for all and cause adverse health risks particularly for the projected population in the Housing Overlay on Richardson Bay.

**6a Transportation Circulation is now of Significant Impact** Analysis should be made of projected populations and future Recreational traffic - based with current congestion studies for commuter, school impacting traffic and neighborhood trips [update per home] and recreational GGNRA and park destinations. ... Mitigations using transit in this Tampalpais Planning Area to transit dependence are not feasible

**6b Traffic Hazards** Bicycle lanes pathways and narrow, winding roads require mitigations within the community's goal of semi-rural community.

**15 Social and Economic Effects** Low and low low moderate housing in our largely hillside and bay mud fill community should continue to be integrated with our existing homes and be provided by in-law units. Perhaps homes purchased through a county housing fund could be converted for affordable housing. This could be an alternate for the policy of Overlay Housing site. The concept is not feasible in The Richardson Bay marsh area and along the Bay Front. The bulk land mass of from 30 to 45 w (with incentive) home per acre is a plan of Housing Overlay that creates changes upon land and its uses and this social housing equity remedy requires discussion and mitigations for degrading quality of the environment.

Sincerely,

A handwritten signature in black ink that reads "Joanna Ruddle". The signature is written in a cursive, flowing style.

Joanna Ruddle.



Leslie A. Solmes  
30 Harbor Cove Way  
Mill Valley, CA 94941  
415-388-4401  
[leslie@solmesgrunau.com](mailto:leslie@solmesgrunau.com)

September 22, 2005

Tim Haddad  
Marin County Community Development Agency – Planning Division  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

RE: Notice of Preparation of an EIR for the Marin Countywide Plan Update

Dear Tim:

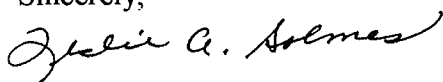
This letter is to continue to voice my husband's, David Grunau, and my objection to including our property (or any property) on Richardson Bay in the Baylands Corridor as proposed in the August 24, 2005 Marin Countywide Plan Update (the Plan). My husband has owned our property at 30 Harbor Cove Way including the underwater lot in front of our home since 1978 and paid taxes on the property. We have a dock and boats and pay taxes on these. We also are a part of a special taxing district that provides for continued dredging of a channel that allows us access to other parts of San Francisco Bay.

As I testified before the Board of Supervisors as a part of your public participation process last year, we object to designation of our property in your Baylands Corridor. Further, creating a policy document before determining a problem exists is getting the cart before the horse. Without an Environmental Impact Report, there is no basis to say that there is a specific problem that supports a change in the Plan that would take private property.

Attached is a letter sent to you by Tirrell Graham, Chair of the Strawberry Recreation District. David and I fully support the comments provided in Mr. Graham's letter regarding the Baylands Corridor and wish to have our names included in his comments.

We are also shocked at the lack of communication of your department. We have NEVER been contacted or notified by your department regarding any of your activities even though you propose to take our property and only learn from concerned neighbors.

Sincerely,



Leslie A. Solmes  
Attachment

2005 SEP 22 12 12 59  
RECEIVED  
MARIN COUNTY  
COMMUNITY  
DEVELOPMENT

St. Vincent's

**Stewart, Toni**

---

**From:** Michael Wylie [mdwylie@ix.netcom.com]  
**Sent:** Wednesday, February 23, 2005 7:24 AM  
**To:** novatocouncil@ci.novato.ca.us; BOS  
**Cc:** Michael Wylie  
**Subject:** Indian Casino / St. Vincent's

Representatives,

Please be absolutely clear on this issue. We do NOT want an Indian casino or any other development at St. Vincent's. This area should remain undeveloped.

We will be watching your actions on this issue.

We vote.

Michael and Nancy Wylie  
Novato

**Stewart, Toni**

---

**From:** Ruth Zamist [rlzcpa@pacbell.net]  
**Sent:** Wednesday, July 06, 2005 8:58 AM  
**To:** BOS  
**Subject:** St. Vincents

Dear Board of Supervisors,

Please support a two year moratorium on all large development projects that require general plan amendments, such as for the St. Vincent-Silviera properties, until the new Countywide Plan is adopted.

Thank you.

Ruth Zamist  
2337 Fifth Avenue  
San Rafael, CA 94901

Stephen L. Kostka  
 Direct Phone: (925) 975-5312  
 Direct Fax: (925) 975-5390  
 stephen.kostka@bingham.com  
 Our File No.: 0000307188

September 22, 2005

**VIA FACSIMILE &  
 HAND DELIVERY**

Bingham McCutchen LLP  
 Suite 210  
 1333 North California Blvd.  
 PO Box V  
 Walnut Creek, CA  
 94596-1270  
  
 925.937.8000  
 925.975.5390 fax

Tim Haddad  
 Environmental Coordinator  
 Marin County Community Development Agency  
 3501 Civic Center Drive, Rm. 308  
 San Rafael, CA 94903

**Re: Comments on the Revised Notice of Preparation for the  
 Marin Countywide Plan Update**

bingham.com

Dear Mr. Haddad:

I am writing this letter on behalf of our client, St. Vincent's School for Boys. The following are comments in response to the Revised Notice of Preparation of an Environmental Impact Report ("EIR") for the draft Marin Countywide Plan Update 2005 ("CWP") dated August 24, 2005 ("NOP").

**A. THE ALTERNATIVES ANALYSIS IN THE EIR MUST INCLUDE A  
 REASONABLE RANGE OF FEASIBLE ALTERNATIVES**

CEQA requires that an EIR identify a reasonable range of feasible alternatives that could avoid or lessen significant environmental effects. Pub. Res. Code §§ 21002.1(a), 21100(b)(4); CEQA Guidelines § 15126.6. The EIR must include sufficient information about each of these alternatives to allow evaluation, analysis and comparison. See CEQA Guidelines § 15126.6(d). These requirements are designed to fulfill CEQA's statutory mandate that public agencies consider and implement feasible alternatives and mitigation measures to reduce significant environmental effects. See Pub. Res. Code § 21002.

Based on our review of the NOP, the Initial Study and the CWP, these CEQA requirements are currently not being met. For decades, St. Vincent's has been viewed as the most valuable housing opportunity site in the County for good reason: it is an infill site that has readily available infrastructure, including the highway interchange, water tanks, and a wastewater treatment facility, and is situated in close proximity to numerous municipal and community services. The CWP as proposed places significant development constraints on St. Vincent's without fully analyzing feasible alternatives.

Boston  
 Hartford  
 London  
 Los Angeles  
 New York  
 Orange County  
 San Francisco  
 Silicon Valley  
 Tokyo  
 Walnut Creek  
 Washington

First, the EIR should evaluate as an alternative keeping all of St. Vincent's within the City-Centered Corridor. As it stands, each option for the newly created Baylands Corridor contemplates partial or complete removal of the property from the City-Centered Corridor.

Second, with respect to specific development alternatives, the CWP severely restricts development on St. Vincent's. In 2000, at the request of the Board of Supervisors and the San Rafael City Council, the St. Vincent's/Silveira Advisory Task Force developed three alternative development scenarios for the site, ranging from 500 to 1800 residential units with nonresidential development ranging from 125,000 to 310,000 square feet.

This range of alternatives was developed through an extensive, extremely time-consuming, publicly sponsored process which was designed to develop feasible options from a programmatic perspective. This detailed range of alternatives incorporates the interests of different constituencies in the community including property owners, business representatives, the community-at-large, environmentalists, and housing advocates.

The EIR should significantly broaden the alternatives to reflect those set forth in the St. Vincent's/Silveira Task Force Recommendations to evaluate whether implementation of a higher level of clustered development as envisioned by the Task Force Recommendations could reduce potentially significant impacts, particularly with respect to traffic and related air quality impacts. A failure to evaluate fully these alternatives would not only violate CEQA by withholding critical information from the public and the decision makers, but would also be an affront to the people and the public process that developed those alternatives.

## **B. THE EIR MUST FULLY EVALUATE IMPACTS OF DISPLACING GROWTH**

CEQA mandates that secondary environmental impacts, both direct and indirect, which may occur as a result of the project, be evaluated. For example, if development potential is eliminated from one area, it will be shifted to another, significantly affecting growth patterns. CEQA requires that an EIR analyze the potential impacts of such a shift.

The CWP proposes to shift existing development potential from the Coastal Corridor and the Inland Rural Corridor to the City-Centered Corridor. While the CWP purports to increase development potential in the City-Centered Corridor to accommodate this shift, particularly through implementation of a housing overlay, the practical import of this policy is highly questionable. For example, San Quentin is treated as a key potential site to accommodate this large influx of new housing. In reality, however, the development potential of this site is extremely speculative, given that the State of California still owns this land and has not

even determined whether it will release all or even a part of it for civilian development.

Given the speculative nature of this proposal, the EIR must evaluate the potential for growth-displacing impacts if sites, such as San Quentin, are not able to accommodate the anticipated growth, thereby forcing growth into other areas.

**C. THE EIR MUST ADEQUATELY EVALUATE IMPACTS OF CONVERTING PRIME AGRICULTURAL LAND**

Efficient, orderly planned growth requires that development be directed away from prime agricultural land to non-prime lands. Given the infill nature of St. Vincent's, the availability of infrastructure, its close proximity to services and its marginal use as agricultural land, the County has long viewed St. Vincent's as a significant potential housing site. In fact, many years ago, the County unilaterally abandoned Williamson Act contracts on the St. Vincent's and Silveira properties, acknowledging that these lands presented only marginal opportunities for agriculture but significant opportunities for housing.

The CWP, as proposed, attempts to reverse these policies by significantly restricting residential development on these lands and encouraging agricultural uses instead. The EIR should evaluate the impacts of maintaining these marginal agricultural operations, and whether these policies will result in the conversion of more viable agricultural land elsewhere to compensate for the loss of development potential on St. Vincent's.

**D. THE EIR MUST EVALUATE THE SIGNIFICANT LAND USE CHANGES IN THE LAS GALLINAS PLANNING AREA**

Contrary to the findings in the Initial Study, the CWP, as proposed, would result in substantial alterations of the planned uses in the Las Gallinas Planning Area. The CWP proposes to abandon decades of adopted County policy, which has treated St. Vincent's as an important opportunity site for housing and other urban uses within the City-Centered Corridor. The character and functioning of the community has assumed that a neighborhood would be built on St. Vincent's, and has acted accordingly, as evidenced by infrastructure investments, community use of existing facilities, and long-planned future use of the site. Accordingly, the proposed changes in the land uses for the Las Gallinas Planning Area should not be diminished in the EIR, but rather treated as substantial and evaluated accordingly.

**E. THE EIR MUST EVALUATE WHETHER THE PROJECT WILL HAVE A SIGNIFICANT IMPACT ON PARK AND RECREATIONAL FACILITIES**

The information provided in the NOP, Initial Study and the CWP is insufficient to conclude that impacts of the Project will be less than significant on park and

recreational facilities. It is questionable whether even substantial amounts of federal and state passive use areas and open space will fulfill the current needs of the community for active park and recreational facilities.

Given the existing large inventory of open space in the County, the EIR must evaluate the potential environmental consequences of devoting even more resources to further open space acquisition as compared to applying those resources toward acquiring, creating and maintaining active park and recreational opportunities.

**F. THE EIR MUST FULLY EXPLAIN THE BASIS FOR DISALLOWING AN INCREASE IN THE NUMBER OF ALLOWABLE HOUSING UNITS**

“The Draft 2005 CWP Update recommends no net change in the number of allowable housing units at buildout.” (Revised Initial Study, page 10.) This concept of “buildout” should be explained and should be examined for its environmental consequences given the potential for significant indirect impacts that could result from limiting the number of housing units in the County in this fashion.

As a corollary, the EIR must explain fully the basis for the determination that the Project will be consistent with official growth expectations and the rationale for its reliance on such expectations to define future County policy. Given that these expectations are largely based on the County’s past history of population and household growth, which is at least in part due to implementation of its land use policies, the EIR should evaluate the environmental consequences of the CWP shaping growth in this manner.

**G. THE EIR MUST ANALYZE THE FULL SCOPE OF POTENTIAL GEOPHYSICAL IMPACTS OF THE PROJECT**

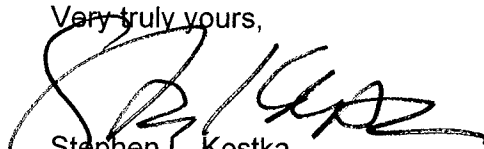
The CWP calls for restoration of tidelands, and assumes that restored tidelands will have long-term environmental benefits for Marin County. However, according to published reports and plans for the Hamilton and Bel Marin Keys restoration, their tidelands restoration will require approximately 23 million cubic yards of fill to be placed over a period of many years – up to 19 years according to a January 23, 2005 Independent Journal article.

The EIR must analyze the direct and indirect environmental consequences, in geophysical terms, of the tidelands restoration as envisioned in the CWP. At a minimum, tidelands restoration would cause a rearrangement of the shoreline as it has existed for approximately the last 100 years. The EIR must also analyze the substantial and significant changes in topography and water quality from fill activities of the proposed restoration. Additionally, sediment accumulation, channel instability, bank erosion, and other potential impacts, which result from deferred maintenance in existing developed areas of Marin, should be studied.

Tim Haddad  
September 22, 2005  
Page 5

Thank you for the opportunity to comment on the proper scope of the EIR for the Marin Countywide Plan 2005. We request that the EIR fully and fairly evaluate the issues raised above, as CEQA requires.

Very truly yours,



Stephen L. Kostka

Bingham McCutchen LLP  
bingham.com

Enclosure

cc: Marin County Board of Supervisors (w/encl.)  
Marin County Planning Commission (w/encl.)  
Alex Hinds  
Brian Cahill  
Dennis O'Brien  
Mike Marovich  
Jim Stark  
Tony Silveira  
Nadia Costa  
Camarin Madigan



# DUTRA MATERIALS

Main Office: 1000 Point San Pedro Road San Rafael, CA 94901 Tel: (415) 459-7740 Fax: (415) 459-0727

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2005 SEP 22 A 11:37

COMMUNITY  
DEVELOPMENT

September 21, 2005

Mr. Tim Haddad  
Environmental Coordinator

Mr. Alex Hinds  
Director of Community Development

Marin County Community Development Agency  
3501 Civic Center Drive  
Room 308  
San Rafael, CA 94903-4157

Re: Comments on Notice of Preparation - Marin Countywide Plan Update 2005  
SCH#2004022076

Dear Mr. Hinds and Mr. Haddad:

Thank you for the opportunity to comment on the scope of the EIR for the Marin Countywide Plan Update 2005 (the "Plan"). These comments are submitted on behalf of The Dutra Group and San Rafael Rock Quarry, Inc. ("SRRQ"), the owner of APNos. 184-01-15,16,18,19,20,44,-47, 51 and 52, which includes both the San Rafael Rock Quarry and the McNear Brick Works located at Point San Pedro (the "Quarry").

On October 11, 2004, SRRQ submitted an Amended Reclamation Plan for the Quarry (ARP04) to the County, as required by the California Surface Mining and Reclamation Act. The County is currently undertaking environmental review of ARP04 pursuant to the requirements of CEQA. As such, ARP04 is a reasonably foreseeable future project to be implemented within the timetable set forth in ARP04.

A number of policies in the Countywide Plan anticipate reclamation of the Quarry in accordance with an updated Reclamation Plan (see Policies PA-3.2 and CD-8.8). Therefore, we respectfully request that the environmental analysis in the Countywide Plan EIR include the development of the Quarry consistent with the potential land uses and development locations and

Alex Hinds  
Tim Haddad  
September 21, 2005  
Page 2

intensities described in ARP04. We also ask that you coordinate the County's environmental planning efforts to ensure consistency between the Countywide Plan EIR and the ARP04 environmental document.

We have worked with the County in coordinating the Countywide Plan with ARP04. However, our most recent review of the Plan indicates that the Baylands Corridor designation in the Countywide Plan's land use maps does not properly reflect the Quarry's topography or the existing or proposed land uses relating to the Quarry.

First, the Baylands Corridor is intended to include tidal and largely undeveloped historic baylands, including marshes, tidelands, and diked lands that were once wetlands or part of the bay. We have worked with the County in 2004 to identify those areas of the Quarry that should properly be included within the Baylands Corridor by reason of their status as existing marsh lands, as well as those areas that, by reason of topography or historical use, should not be included. Although we believed we had resolved this issue, Map 3.2 of the Countywide Plan (Point San Pedro Land Use Policy Map) shows significant areas of the Quarry that lie outside of the existing marsh remain within the Baylands Corridor in a manner that is inconsistent with both existing uses (the McNear's brickyard and existing roadways) and some of the proposed uses under ARP04.

Second, Map 3-5 (Location of Mineral Resource Preservation Sites) shows the County Boundary to be the shoreline of the Quarry site. In fact, the County Boundary extends beyond the shoreline into the Bay and includes underwater parcels owned by the Quarry that are also Mineral Resource Preservation Sites. The EIR should reflect the proper County Boundaries and designation of these underwater parcels as Mineral Resource Preservation Sites.

Third, a portion of the open water within the Quarry boundaries is designated as "Open Space." This also appears to be an error, as under Community Development policy CD-8.9, the Open Space designation applies only to private lands that are subject to deed restrictions or other agreements limiting them to open space and compatible uses. This is not the case with the applicable Quarry parcel, and the Open Space designation is not typically applied to open water parcels. It remains possible that portions of this area could be used for the proposed marina which could be inconsistent with the Open Space designation.

We will continue to work with the County on resolving these inconsistencies; however, we ask that the EIR take into account the boundaries and uses of the Quarry consistent with existing conditions and ARP04. We have attached a map showing the boundaries of the Baylands Corridor that is consistent with existing and proposed conditions.

Alex Hinds  
Tim Haddad  
September 21, 2005  
Page 3

Finally, for purposes of future notices relating to the Countywide Plan and the related environmental review process, we ask that you include the following parties on all public notices:

Aimi Dutra Krause  
Community Affairs Director  
The Dutra Group  
1000 Point San Pedro Road  
San Rafael, CA 94901-8112

Christopher Locke  
Farella Braun + Martel LLP  
235 Montgomery Street  
22<sup>nd</sup> Floor  
San Francisco, CA 94104

Thank you for your consideration.

Very truly yours,

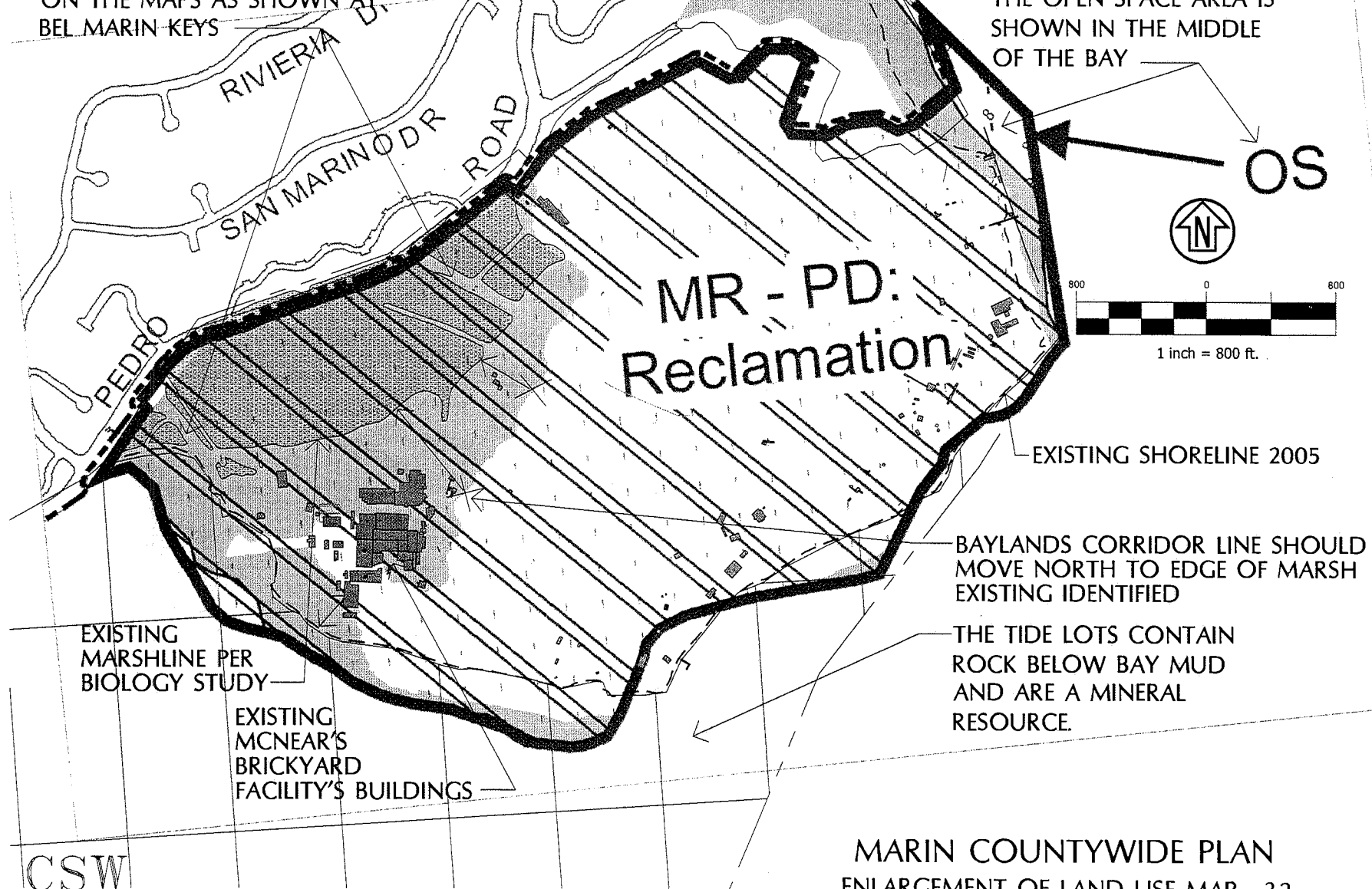
  
Aimi Dutra Krause

cc: Michele Rodriguez  
Bill T. Dutra  
Christopher Locke  
Neil Sekhri  
Al Cornwell

19605\829002.2

EXISTING ROADS AT ENTRY  
SHOULD BE SHOWN AS WHITE  
ON THE MAPS AS SHOWN AT  
BEL MARIN KEYS

THE OPEN SPACE AREA IS  
SHOWN IN THE MIDDLE  
OF THE BAY



# MR - PD: Reclamation

EXISTING SHORELINE 2005

BAYLANDS CORRIDOR LINE SHOULD  
MOVE NORTH TO EDGE OF MARSH  
EXISTING IDENTIFIED

THE TIDE LOTS CONTAIN  
ROCK BELOW BAY MUD  
AND ARE A MINERAL  
RESOURCE.

EXISTING  
MARSHLINE PER  
BIOLOGY STUDY

EXISTING  
MCNEAR'S  
BRICKYARD  
FACILITY'S BUILDINGS

CSW  
[St]² 09/22/05

MARIN COUNTYWIDE PLAN  
ENLARGEMENT OF LAND USE MAP - 3.2  
POINT SAN PEDRO  
COMMENTS BY SAN RAFAEL ROCK QUARRY



DEPARTMENT OF FISH AND GAME

http://www.dfg.ca.gov

POST OFFICE BOX 47  
YOUNTVILLE, CALIFORNIA 94599  
(707) 944-5500



October 25, 2005

Mr. Tim Haddad  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

Dear Mr. Haddad:

Comprehensive Update 2005  
1994 Marin Countywide Plan  
Marin County

The Department of Fish and Game (DFG) has reviewed the document for the subject project. Please be advised this project may result in changes to fish and wildlife resources as described in the California Code of Regulations, Title 14, Section 753.5(d)(1)(A)-(G)<sup>1</sup>. Therefore, if you are preparing an Environmental Impact Report or an Initial Study and Negative Declaration for this project, a de minimis determination is not appropriate, and an environmental filing fee as required under Fish and Game Code Section 711.4(d) should be paid to the Marin County Clerk on or before filing of the Notice of Determination for this project.

A complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, and locally unique species and sensitive habitats, should be provided. Rare, threatened and endangered species to be addressed should include all those which meet the California Environmental Quality Act (CEQA) definition (see CEQA Guidelines, Section 15380). The assessment should identify any rare plants and rare natural communities, following DFG's Guidelines for Assessing the Effects of Proposed Projects on Rare, Threatened, and Endangered Plants and Natural Communities (revised May 8, 2000). The Guidelines are available at [www.dfg.ca.gov/whdab/pdfs/guideplnt.pdf](http://www.dfg.ca.gov/whdab/pdfs/guideplnt.pdf)

If you have any questions, please contact Mr. Jeremy Sarrow, Environmental Scientist, at (707) 944-5573; or Mr. Scott Wilson, Habitat Conservation Supervisor, at (707) 944-5584.

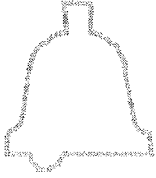
Sincerely,

Robert W. Floerke  
Regional Manager  
Central Coast Region

<sup>1</sup> <http://ccr.oal.ca.gov/>. Find California Code of Regulations, Title 14 Natural Resources, Division 1, Section 753



CITY OF



# San Rafael

MAYOR  
Albert J. Boro

COUNCIL MEMBERS  
Paul M. Cohen  
Barbara Heller  
Cyr N. Miller  
Gary Phillips

NOV - 1 P 4:18  
MARIN COUNTY  
COMMUNITY DEVELOPMENT

November 1, 2005

Mr. Tim Haddad  
Marin County Community Development Agency,  
3501 Civic Center Drive, Room 308  
San Rafael, Ca 94903

**Re: Draft Marin Countywide Plan Update – EIR Scoping 2005**

Dear Tim:

Thank you for including the City of San Rafael in the environmental review process for the draft Marin Countywide Plan. We have reviewed the draft plan and project description, and have the following comments to offer.

The Draft Environmental Impact Report (DEIR) should include an analysis of the effect this update and its alternatives will have on State transportation facilities and the County's primary arterials and primary roads in central San Rafael, as shown on Map 3-8. Specifically, the proposed traffic impact of 350 units at the San Rafael Rock Quarry on the County's primary arterials and roads in central San Rafael should be analyzed. Impacts and mitigations should be identified for the Marin County Congestion Management Plan's roadways Second, Third and Fourth Streets, between Grand Avenue and Hetheron, and for Marin Countywide Plan's Principal Road Pt. San Pedro Road at the Lochinvar and Union Street intersections.

We appreciate your consideration of our concerns about traffic impacts from planned growth at the San Rafael Rock Quarry at these critical intersections in our city. Should you require further information or technical assistance about the roadways listed above, please call me at (415) 485-3085.

Sincerely,

Linda M. Jackson  
Principal Planner

cc: Nader Mansourian, City Traffic Engineer

County Service Area #29 Advisory Board  
Harry Blake, Chair  
68 Trinidad Dr.  
Tiburon, CA 94920

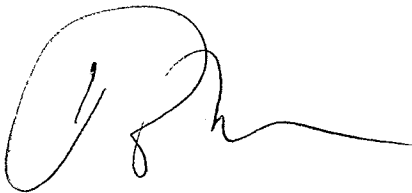
October 25, 2005

Mr. Tim Haddad  
Environmental Coordinator  
Marin County Community Development Agency

Dear Mr. Haddad:

The CSA #29 Advisory Board has for the past 12 years functioned to dredge the canals of Paradise Cay to keep them navigable. Given this responsibility we are extremely concerned about the impact that the Baylands Corridor would have on dredging if Paradise Cay were to be included in that corridor. The members of CSA #29 Advisory Board heartily endorse the memorandum to you from Paradise Cay HOA Co-President, Penny Mulligan that will be delivered to you at your meeting Wednesday evening, October 26.

For CSA #29 Advisory Board,

A handwritten signature in black ink, appearing to be 'H. Blake', written in a cursive style.

Harry Blake, Chair

2005 OCT 25 PM 4:51

**Marin Environmental Housing Collaborative**  
c/o P.O. Box 967  
Novato, CA 94948

October 25, 2005

Mr. Tim Haddad, Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

Post-it® Fax Note	7671	Date	10/25/05	# of pages	2
To	TIM HADDAD	From	KATIE CREAGIUS		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	499-7880	Fax #	381-6668		

Re: Scope of Environmental Impact Report, Draft 2005 Countywide Plan Update

Dear Mr. Haddad:

These comments on the scope of the Environmental Impact Report (EIR) for the draft 2005 Marin Countywide Plan Update (CWP) are presented by the Marin Environmental Housing Collaborative (MEHC). MEHC is a partnership that includes affordable housing, environmental, and social justice advocates. MEHC works collaboratively to build public support for projects that advance affordable housing, environmental integrity, and social equity—which are equally essential to a livable community.

Commercial/Industrial Development and Transportation

Because MEHC supports both affordable housing and environmental quality, we recognize the fact that excessive traffic is always a major barrier to public approval of housing in infill locations, including workforce housing. Therefore, we are concerned about the excessive amount of commercial and industrial development projected in the plan and the traffic it will generate.

The plan projects a potential for 10 million more square feet of commercial/industrial development between 2000 and ultimate buildout, the equivalent of nearly 20 buildings the size of the TransAmerica Pyramid in San Francisco. The EIR must analyze the impacts of this amount of new space, especially on traffic and the need for workforce housing.

How will it be possible to accommodate this job growth and still attain the Level of Service (LOS) standards in the Transportation Section, LOS D for arterials and LOS E for freeways? What increase in workforce housing need will result from the projected job growth? What socio-economic effects will there be on existing commercial areas, considering that there is already a high vacancy rate?

Most of the projected commercial growth is inside cities, and the Countywide Plan legally affects only unincorporated areas. Nevertheless, the Level of Service established in the CWP will obviously be affected by traffic from throughout the county. This



problem reflects the fact that there has been no real effort to involve the cities in addressing the major issues raised in the plan. The EIR, in studying potential mitigation measures, should analyze the potential of joint city-county planning to reduce the traffic and other impacts resulting from the projected commercial/industrial development. The EIR must identify measures that could bring land use into conformity with Level of Service standards, for example converting a portion of the designated additional commercial space to housing or mixed use. If the CWP fails to achieve internal consistency between transportation and land use policies, it will not be legally adequate.

#### Housing Overlay Zone

MEHC generally supports the Housing Overlay Land Use Designation included in the draft plan. These policies would encourage mixed use and infill, and they should facilitate development of affordable housing in commercial areas of the unincorporated county. Traffic studies for affordable housing indicate that due to the smaller unit size and lower household income, trip generation for affordable housing is lower than for market rate housing.

Overlay zones could be helpful if they applied only to unincorporated areas. However, joint planning by the cities and the county would make the overlay zones even more effective.

Thank you for the opportunity to comment.

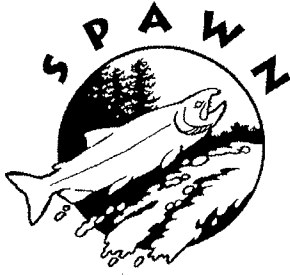
Sincerely,



Katie Crecelius, Chair  
Marin Environmental Housing Collaborative

*Because MEHC operates as a collaborative, individual participants are free to take their own positions on any particular issue we address. No individual, as a participant in MEHC, acts as a representative of any other organization. Current participants in MEHC include Roy Bateman, Gordon Bennett, Margot Biehle, Dave Coury, Katie Crecelius, Kathleen Foote, Stephanie Lovette, Marjorie Macris, Betty Pagett, Jennifer Puff, Joe Walsh, and Tom Wilson.*

MEHC Scoping Letter



## Salmon Protection And Watershed Network

PO Box 400 • Forest Knolls, CA 94933

Ph. 415.488.0370 • Fax 415.488.0372

[www.SpawnUSA.org](http://www.SpawnUSA.org)

MARIN COUNTY  
COMMUNITY DEVELOPMENT

31 October 2005

Mr. Tim Haddad  
Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

Re: Scope of Environmental Impact Report, Draft 2005 Countywide Plan Update

Dear Mr. Haddad:

The Salmon Protection and Watershed Network (SPAWN) has the following comments on the scope of the Environmental Impact Report (EIR) for the draft 2005 Marin Countywide Plan (CWP).

In general, we are concerned that the scope of the EIR does not specifically include analysis of the cumulative impacts of policies promulgated in the CWP and activities allowed or encouraged by it. We also note that the baseline for analysis should be conditions as they exist, not conditions as they might exist under the current Plan.

Our specific comments relate to the Sections of the NOP concerning Water (Section 4), and Biological Resources (Section 7).

### Water

- a) *Substantial changes in absorption rates, etc.* The EIR should analyze the cumulative impacts of development on absorption rates, drainage patterns, and runoff rates.
- b) *Exposure of people or property to water related hazards.* The analysis should include exposure of wildlife habitat, in addition to people or property, to water-related hazards resulting from development.
- c) *Discharge of pollutants.* It is difficult to determine if the scope of the EIR will be adequate with respect to impaired water bodies without knowing what the baseline for the analysis is. For example, a baseline that assumes that septic systems are always functioning properly, or that pesticides and other toxic substances are lawfully used and disposed of, would not adequately represent current conditions.

d) *Substantial changes in the amount of surface water in any water body or ground water.* As in item a) above, the EIR should examine this issue in the context of cumulative impacts of future development.

e) *Substantial changes in flow of surface or ground water.* It is difficult to determine if the scope of the EIR will be adequate with respect to runoff and infiltration without knowing what the baseline for the analysis is. For example, current conditions would not be adequately represented by a baseline that assumes that grading, paving, tree-cutting, and other activities that affect runoff and infiltration are performed in compliance with existing ordinances that are properly enforced.

f) *Substantial reduction in the amount of water otherwise available.* The analysis should include the effects on riparian habitat and species of “encourag(ing) the use of rainwater...for irrigation.”

### **Biological Resources**

a) *Reduction in the number of endangered, threatened or rare species.* The scope of the analysis should not be confined to special status species. In addition, we note that this item, along with items b) and c) are breathtakingly disingenuous, and profoundly disturbing in their implications. Species are protected precisely because their numbers and the likelihood of them occurring are so low that their survival is in peril. The analysis should not assume even that the survival of species can be assured simply by maintaining the current state of the environment.

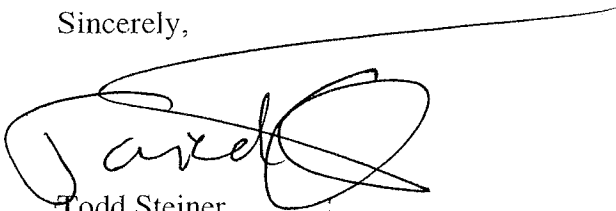
b) *Substantial changes in the diversity, number, or habitat of any species of plant or animals currently present or likely to occur.* See item a) above.

c) *Barriers to migration.* See item a) above.

d) *Substantial reduction of riparian habitat through continued destruction.* The analysis should include current loss and predict future loss through new development.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Steiner", with a long horizontal line extending from the end of the signature across the page.

Todd Steiner  
Executive Director  
Salmon Protection and Watershed Network



## SIERRA CLUB MARIN GROUP

Box 3058 San Rafael CA 94912 sanfranciscobay.sierraclub.org/marin  
c/o Marjorie Macris, 45 Wildomar St., Mill Valley, CA 94941, (415) 381-6667, mmacris@aol.com

October 24, 2005

Mr. Tim Haddad, Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Drive, Room 308  
San Rafael, CA 94903-4157

Post-It® Fax Note	7671	Date	10/24/05	# of pages	4
To	Tim Haddad	From	Marjorie Macris		
Co./Dept.		Co.			
Phone #		Phone #			
Fax #	499-7880	Fax #	381-6668		

Re: Scope of Environmental Impact Report, Draft 2005 Countywide Plan Update

Dear Mr. Haddad:

The Sierra Club Marin Group has the following comments on the scope of the Environmental Impact Report (EIR) for the draft 2005 Marin Countywide Plan (CWP). These comments supplement those made in the letter from the Community Marin organization, of which the Sierra Club Marin Group is a part. That letter should be considered incorporated into these comments.

### Commercial/Industrial Development and Transportation

The plan projects a potential for 10 million more square feet of commercial/industrial development between 2000 and ultimate buildout, the equivalent of nearly 20 buildings the size of the TransAmerica Pyramid in San Francisco. The EIR must analyze the impacts of this amount of new space, especially on traffic and the need for workforce housing.

How will it be possible to accommodate this job growth and still attain the Level of Service (LOS) standards in the Transportation Section, LOS D for arterials and LOS E for freeways? What increase in workforce housing need will result from the projected job growth? What socio-economic effects will there be on existing commercial areas, considering that there is already a high vacancy rate?

The draft CWP treats all non-residential structures on agriculturally zoned land as agricultural rather than commercial/industrial. This treatment is probably appropriate for structures like barns used in the county's historically grazing/dairy dominated agriculture. However, it is not appropriate with the draft plan's proposed emphasis on "diversification," in which each agricultural parcel may contain a retail outlet and a processing plant. The new Straus organic milk factory and the new Giacomini blue cheese factory are examples of this change from traditional agricultural uses into what are actually manufacturing and processing uses. The business and employment resulting from "agricultural diversification" could have significant impacts on West Marin roads and its jobs/housing balance. The commercial square footage tables should include the

potential buildout of such factories and retail outlets on agricultural parcels, and the EIR should study their impacts.

Most of the projected commercial growth is inside cities, and the Countywide Plan legally affects only unincorporated areas. Nevertheless, the Level of Service established in the CWP will obviously be affected by traffic from throughout the county. This problem reflects the fact that there has been no real effort to involve the cities in addressing the major issues raised in the plan. The EIR, in studying potential mitigation measures, should analyze the potential of joint city-county planning to reduce the traffic and other impacts resulting from the projected commercial/industrial development. The EIR must identify measures that could bring land use into conformity with Level of Service standards. If the CWP fails to do so, it is not internally consistent or legally adequate.

We urge that two options be studied in the EIR:

Option 1 would affect only unincorporated areas. It would require that 50% of new (or substantially remodeled) commercial square footage within the county's jurisdiction be converted to affordable units at a rate of 1 unit per 1,000 square feet of commercial space.

Option 2 would involve cooperative city-county planning. It would require the transfer to affordable units a rate of 1 unit per 1,000 square feet of commercial space of whatever percentage of new (or substantially remodeled) commercial square footage within the entire county as necessary to result in an overall 50% transfer when included in revisions to the Countywide Plan and the cities' general plans.

#### Local Coastal Plan

How and where in West Marin will the proposed 2005 CWP update apply, if the Local Coastal Plan is not going to be updated at this time? Should we assume that the EIR will not apply to any areas within the LCP?

#### Baylands Corridor

The EIR should explain the rationale for Option 2, in which the corridor boundary extends west to Highway 101. It is to include a 100-year floodplain, associated wetlands and riparian areas, and nesting, roosting and foraging habitat that are integral to the baylands ecosystem. This combination of habitat resources has been largely eliminated elsewhere in the County. This is one of the few remaining areas of wetland and upland habitat around the Bay, and the EIR should analyze the regional implications of its retention or development.

The EIR should study a western Baylands Corridor along Tomales Bay as the draft plan (p. 2-13) suggests may be considered during the update of the Marin County Local Coastal Program. This corridor should have the same general definition as the eastern Baylands Corridor, including the historic Tomales Bay high tide line plus 300 feet of

uplands (less if the first public road is within that 300 feet). On large undeveloped parcels along Tomales Bay, the upland border of this western Baylands Corridor should run on the east shore to Highway 1 and on the west shore to Sir Francis Drake.

#### Residential Building Size in Agricultural Areas

For all four options presented, the EIR should examine the impacts of estate-type residential development on the visual character of Marin's rural areas and on the continued economic viability of maintaining these lands in agricultural production.

#### St. Vincent's/Silveira Land Use

The EIR should analyze a fifth option, with uses limited to those already existing on the developed portions of the two properties.

#### San Quentin

Given that the State has refused to consider any alternatives to expansion of Death Row, the inclusion of any other San Quentin alternative in the draft CWP is considered under CEQA to be infeasible and therefore should not be included in the plan. Even if it is included, the Vision Plan recommended by the San Quentin Reuse Advisory Committee has not been subject to full public review and the normal planning process appropriate for proposing an entirely new city. If the Vision Plan is included, it will be necessary for the EIR to review its impacts in detail, at the same level as for a proposed community plan, including traffic impacts at least as far as the 101/Greenbrae interchange, and highways 101 and 580. The "No Project" alternative for San Quentin should include the continuation of the prison, with a new Death Row facility.

#### Biological Resources

The draft CWP fails to consider impacts to the diverse natural communities of the county, emphasizing instead special status species and their habitats. While these are of great importance, the EIR should analyze as potentially significant the impacts of development on all natural communities.

The draft plan newly subjects all sensitive environmental resources (streamside conservation areas, wetland conservation areas, etc.) to protections only to the extent "feasible." The EIR should examine the extent to which the economic requirements of a development proposed for a sensitive area should determine the extent of the environmental protections required of the development.

Furthermore, the draft CWP sets out a process by which existing buffer widths can be re-examined. The current buffers already represent a compromise between those widths necessary for functional purposes such as limiting impacts from non-point source pollution and bank erosion and those widths necessary for biological impacts such as riparian health and habitat for riparian dependent species. The EIR should examine

whether the proposed "re-examination" is simply a justification for reducing the stream to its functional rather than its biological purposes.

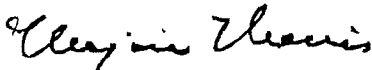
Both the current and the draft CWP's streamside protection policies lack an effective enforcement mechanism, lack an ability to determine to which projects they apply, lack any monitoring to determine effectiveness, and lack any cumulative analysis. The recent SPAWN lawsuit requires the county to conduct a cumulative analysis of current streamside protections; likewise, the EIR for the draft CWP should study the cumulative impacts of the current ineffective policies.

#### CEQA Baseline

The proper CEQA baseline should be existing conditions, so that the EIR compares the impact of the draft CWP to today's reality. The CEQA baseline should not include uses allowed under the current Countywide Plan, which would result in the EIR comparing the draft plan to the theoretical buildout under the current plan.

Thank you for the opportunity to comment.

Sincerely,



Marjorie Macris  
Executive Committee  
Sierra Club Marin Group

Cc: Marin County Board of Supervisors  
Marin County Planning Commission

SCMG Scoping Letter

October 31, 2005

Attention: Tim Haddad  
EIR Coordinator, County Wide Plan  
Marin County, California

RECEIVED  
2005 NOV - 1 10:15  
COUNTY OF MARIN  
PLANNING DEPARTMENT

I want to summarize the comments I made at the EIR scoping meeting in written form.

1. A primary impact from projects such as the Dutra Rock Quarry reclamation plan that has been proposed is the cumulative effect it has with the other planned projects many of which are under City of San Rafael Jurisdiction. The County and the City must cooperate to accurately address these cumulative impacts. Traffic due to constant housing growth along Pt. San Pedro Road is threatening to the quality of life of all along the San Pedro Peninsula and is particularly a problem in crises such as wildfires, earthquakes, and flooding.
2. The County plan serves to marginalize small parcel wetlands. In many cases these small spaces are the only remnants of habitat left. There is an increased reliance by wildlife on these small areas as the photos below demonstrate and they should be protected and enhanced. These small wetlands also bring nature to Marin citizens and increase our connection to the natural environment.



Egrets crowd one of the small open water areas left in the Beach Drive Marsh





**Dozens of Mallards take advantage of a drainage ditch adjacent to Glenwood School**

**3. There are important opportunities to significantly expand or consolidate these wetland habitats by means of improving waterflow under county roads for example by installing a bridge / box culvert in place of the small, corrugated drainage pipe under Beach Drive.**



**A 24 inch culvert chokes the 5 acre Beach Drive Marsh promoting Spartina growth**

4. The expansion of invasive Atlantic Spartina grass is a serious threat to Marin county native wetlands and should be accorded attention in the plan. The county could do much to assist the efforts of the Coastal Conservancy in eradicating Spartina by more carefully planning wetland hydrology. Plans such as the Dutra Quarry Reclamation that include further flow restriction by segmenting precious wetlands with additional causeways for access should be reconsidered. These actions promote Spartina growth and strangle habitats. Reduction of intrusion and improvement of wetland hydrology are crucial issues for wetland sustainability.

5. Green Building particularly geared toward reducing energy consumption for home heating and water heating will be a significant benefit to Marin residents in the coming years of declining natural gas availability. Solar thermal projects that use the sun to provide space heating or water heating should figure prominently in the plans for Marin's future. Often solar electrical generation is the only way recognized to take advantage of the sun, but natural gas prices are rising much faster than electricity prices, a trend which is expected to continue. The economics of home energy consumption demand that solar space and water heating with solar capture efficiencies of up to 50% be strongly promoted as a way of reducing natural gas use.

Thanks,

A handwritten signature in black ink, appearing to read "Trip Allen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Trip Allen  
50 Marine Drive,  
San Rafael, CA 94901

MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION

PUBLIC SCOPING SESSION

ENVIRONMENTAL IMPACT REPORT FOR THE  
DRAFT MARIN COUNTYWIDE PLAN UPDATE 2005

WRITTEN COMMENT FORM

October 26, 2005

Name/Affiliation: WALTER BILOFSKY

Address: 4804 PARADISE DRIVE  
TIBURON, CA 94920

City: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Telephone: \_\_\_\_\_

Please provide comments and concerns regarding the environmental effects of the proposed Plan or the environmental process below.

The EIR for the Draft Countywide Plan should directly address the impacts of light pollution.

Lighting is explicitly mentioned in several places in the Built Environment Element of the Draft Countywide Plan (Programs DES-1.c and DES-5.a), but in a limited way and not in a cohesive manner.

Light pollution impacts the environment almost everywhere structures are built. This is recognized in the July 2005 Initial Study on the CWP under Aesthetics and Visual Resources (p. 23): "Have a demonstrable negative aesthetic effect by causing a substantial alteration of the existing visual resources including ... cast of a substantial amount of light, glare, or shadow~~s~~-Potentially Significant Unless Mitigated".

However, this is not sufficient to address the impacts of light pollution, which go beyond aesthetic considerations to include:

- Wasted energy
- Light trespass
- Effects on wildlife
- Destruction of night sky ambience
- Safety hazards (e.g., glare into roadways; shadowing from excessive security lighting)

Considering such impacts under the category of light pollution, instead of in scattered references, will result in more coherent and effective mitigations of these impacts. For example, many communities have enacted ordinances or revised building codes in order to reduce all the impacts of light pollution.

Therefore it is suggested that in evaluating the environmental impact of the Draft Countywide Plan, policies and programs involving lighting should be grouped together wherever possible, include language that specifically references the term "light pollution", and identify and address the impacts of light pollution so that they may be effectively and consistently mitigated.

MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION

PUBLIC SCOPING SESSION

ENVIRONMENTAL IMPACT REPORT FOR THE  
DRAFT MARIN COUNTYWIDE PLAN UPDATE 2005

WRITTEN COMMENT FORM

October 26, 2005

RECEIVED

OCT 29 P 1:41

COUNTY DEVELOPMENT

Name/Affiliation: JUDY RINSACCA (LEAGUE OF WOMEN VOTERS)  
Address: 9 TOWER POINT LN  
City: TIBURON Zip Code: CA Telephone: 94920

Please provide comments and concerns regarding the environmental effects of the proposed Plan or the environmental process below.

PLEASE SEE ATTACHED LETTER

Please use backside of page for additional comments, if needed. This comment form for the scope of the EIR may be handed in at the scoping session to County Staff or mailed to the attention of Tim Haddad, at the Marin County Community Development Agency - Planning Division, 3501 Civic Center Drive, Room 308, San Rafael, CA 94903, **prior to October 31, 2005**. Comments by FAX or E-mail may not be able to be confirmed as officially received and accepted before the end of the comment period deadline. **Commentors are advised to mail written comments postmarked on or before October 31, 2005.**

The draft plan is posted on the County's website at www.future-marin.org and is also available for review at all public libraries and the CDA office. Plan copies in CD format or hard copy are available by calling the CDA office at (415) 499-7874 or (415) 499-6269 between the hours of 8:00 AM and 4:00 PM, Monday through Friday.

Judy Binsacca  
9 Tower Point Lane  
Tiburon, CA 94920  
415/789-9365  
tiburon02@earthlink.net

October 27, 2005

Mr. Tim Haddad  
Environmental Coordinator  
Marin County Community Development Agency  
3501 Civic Center Dr., Room 308  
San Rafael, CA 94903-4157

RE: EIR Scoping Session for the CWP update

Dear Mr. Haddad:

1. At the previous EIR scoping session in March 2004, I asked you what documented evidence had been developed to justify replacing the Bayfront Conservation Zone (BCZ) in the current CWP with a baylands corridor. I asked the question because, when an attempt was made to replace the BCZ with a baylands corridor in 1996, the staff report challenged the scientific adequacy of the proposed corridor map because it did not "indicate the data source used to substantiate the need to expand the boundaries", adding that field studies would need to be conducted to justify the change or the county would have difficulty making the findings to support that change.

Your answer was that that information was in the appendices to the CWP. I couldn't find that information in the appendices. Instead I found the following:

\*The identification of biological resources was based on existing information; no detailed field surveys had been conducted. In fact there were repeated statements that detailed surveys should be conducted in the future regarding special-status species, sensitive natural communities, and wetlands, especially if development were proposed.

\*Mapping along the City-Centered Corridor for natural communities was based on only generalized information developed in 2002 as part of wildlife habitat mapping for the Fire and Resources Assessment Program of the Calif. Dept. of Forestry and Fire Protection.

QUESTION: Is there any new data since 1996 to document the need for a baylands corridor to replace the BCZ?

Binsacca EIR Comments  
October 27, 2005  
Page Two

2. There are frequent statements in the appendix to the effect that Table 1 (“Biological and Wetland Protection Technical Background Report”), lists special-status species in Marin but doesn’t indicate where the species were observed, how often observed, or the last time observed at a location.

The appendix also cites species of particular concern, but according to Exhibit 3 (map 2-2 in the draft CWP), only the steelhead trout appears to be specifically in the City-Centered Corridor.

QUESTION: What data are there to (1) document special-status species presence in the City-Centered Corridor and (2) support the existence of these species of particular concern in that corridor: red-legged frog, Northern spotted owl, and coho salmon?

3. Referring to Exhibit 3 (map 2-2) it’s stated that some locations show very accurate data regarding the species, while other locations show only “potential” habitats.

QUESTION: Can you define which locations have accurate data and which show only potential habitats?

4. In the appendix are specific recommendations for replacing the current policies:

EQ-2.88b would require protecting special-status species by requiring an environmental assessment of all undeveloped lands with “potential for occurrence” of sensitive resources, not just identified as “significant natural areas”.

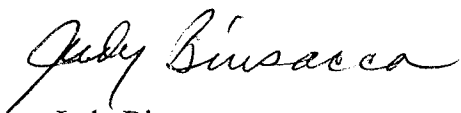
This section also would expand the current emphasis on assessing “sensitive species and habitat” to include “special-status species, sensitive natural communities, and wetlands”.

QUESTION: What scientific data support these changes?

5. What are the criteria for ranking the value of wetlands?

Thank you for your attention to these questions.

Sincerely,



Judy Binsacca

10/28/05

Tim Haddad  
CDA

RECEIVED

2005 OCT 31 P 1:45

SAN JOAQUIN COUNTY  
OFFICE OF AIRPORT DEVELOPMENT  
10/28/05

Sir

I was unable to remain at the scooping session meeting held on 10/26/05.

Thank you for extending the comment period until Monday. These are my concerns.

The technical background report for the noise element of the CWP refers to the conditions at Gness airport as having "not changed noticeably" since the last field study was completed in 1991.

I live on Bugeia Lane, (over flight zone) and can attest to the fact that this conclusion is incorrect.

There are several charter jets that are currently based at Gness airport that were not present in 1991.

I anticipate the 1,100ft. extension of the runway and the additional hanger space will allow larger jets and more frequent flights. Jets have a much higher stall speed and therefore require greater velocity and thrust to remain stable in flight. Their method of takeoff is completely different than a conventional, propeller driven aircraft. The Valley Memorial Cemetery is due south of the airport and the noise produced by the jet wash, on takeoff, is reflected by the surrounding hills and resonates through the residential areas to the south and east of the runway. The echoic conditions of the area appear to focus the sound producing a concussion like effect. I submit that the foreseeable impacts require a more thorough field study to attenuate the noise.

A more comprehensive field study is called for. One that recognizes and takes into account the inability of jets to avoid the residential areas while taking off and landing. I also feel that the over flight zone should be increased to correspond with the larger jet aircraft and the intensified use of the airport

Thank You for your time and your concern.

Al Goerndt  
675 Bugeia Lane  
Novato, ca. 94945





Comments for EIR Scoping Session  
October 26, 2005

Good Evening. I am Tirrell Graham, Chair of the Strawberry Recreation District. You should have in your possession a copy of our Board's letter dated September 20, 2005.

I would like to summarize two areas of concern for Strawberry.

First, we are concerned about the impact of adding 269 – 362 additional housing units in Strawberry, most likely at the Strawberry Shopping Center. The County needs to study the parking and traffic implications of this proposal. It would be naïve to assume that none of these individuals would have cars and would rely solely on public transportation. Also, the impact on basic services, such as water, fire, sanitation, and police protection, must be evaluated.

Our second major concern is Strawberry's continued inclusion in this newly created Baylands Corridor. We have been protesting our inclusion for the past two years, most recently at the September, 2004 joint meeting between the Planning Commission and the Board of Supervisors. At that meeting, in response to the tremendous public outcry from throughout Marin, several supervisors and planners spoke in favor of removing the small waterfront communities, such as Strawberry, Paradise Cay, Santa Venetia, and Bel Marin Keys, from this corridor. Subsequently, there was also considerable printed commentary in local newspapers that removal from the corridor was likely.

However, the revised draft (and the website [www.future-marin.org](http://www.future-marin.org)) indicates that all of these small neighborhoods, including Strawberry, are still in it. In fact, several neighborhoods relied on the public comments about being excluded and have only recently learned that they are still in the Corridor. The revised plan indicates that the Corridor has evidently been shrunk down to the waterfront, presumably in response to public comments. However, this is no solution. It is the waterfront that is most affected and it was the waterfront residents that wrote letters and appeared at meetings. Inclusion of our waterfront in the Baylands Corridor is unnecessary and unacceptable.

When we obtain dredging permits, we must receive approval and permits from approximately nine agencies. We are also subject to BCDC regulation within 100 feet of the shoreline. We do not need or want another layer of regulation.

Further, the methodology of how the boundaries of the Corridor were drawn is unclear. In Strawberry, the boundary is irregular, with some lots largely in and others scarcely at all. At best, this is confusing. Of course, if our waterfront is removed from the corridor, this point is moot.

Some of my neighbors recently asked me, "if several supervisors and planning commissioners thought we should be removed from the Corridor, why are we still in it?" I have asked myself the same question many times during the last several months and still have no answer. Who is the driving force behind this Corridor? For the last two years, we have written letters and spoken to planning staff, planning commissioners and supervisors. Whom have we left out? We can only assume that there is an ulterior motive for creating this Corridor. If the County wishes to control development in northern Marin, it should do so directly, not create some pseudo-corridor to give the appearance of equanimity. Thank you.



28<sup>th</sup> October 2005.

To Timothy Hadad

As a concerned resident of Almonte I request that your agency or the appropriate Agency will examine the impact that the county Wide Plan will have on the marsh Along the Almonte Business Section on East Shoreline, Thank you for your attention To this important matter,

Yours sincerely,



Patricia Herve,



**Ms. Patricia Herve**  
200 Morningsun Avenue  
Mill Valley, CA 94941-3581



2005 NOV -1 A 9 42  
MILL VALLEY  
CALIFORNIA  
CITY

MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION

PUBLIC SCOPING SESSION

ENVIRONMENTAL IMPACT REPORT FOR THE  
DRAFT MARIN COUNTYWIDE PLAN UPDATE 2005  
WRITTEN COMMENT FORM  
October 26, 2005

Name/Affiliation: Veit Irtenkauf

Address: 215 Julia Avenue

City: Mill Valley                      Zip Code: 94941      Telephone: (415) 384-0388

**Please provide comments and concerns regarding the environmental effects of the proposed Plan or the environmental process below:**

Please give further analysis to the environmental impact of the implementation of the Marin Countywide Plan Update 2005 on the area surrounding the Almonte District and Tam Valley District commercial section, known as Tam Junction. I am especially concerned about how the allowable density of development, including housing units (45 units per acre), in the Tam Junction area will effect Bothin Marsh and Coyote Creek. The proposed development sites sit inside a Seismic Zone, a Liquefaction zone, and a Flood Zone. These geological aspects magnify the harmful effects of development in regard to increased toxic run-off, ground pollution, water pollution, traffic congestion, air pollution, noise pollution and the leakage of sewage pipes. Such adverse consequences could damage the delicate ecosystem of Coyote Creek and Bothin Marsh, endangering the fauna and wildlife (some of which are endangered species) that live there. Don't forget that the water passing through Coyote Creek and Bothin Marsh ultimately ends up in the Bay and thus can have harmful effects on the Bay also.

In my opinion, the Marin Countywide Plan is egregious in its abuse of allowable development density in the Tam Junction area. The allowable density should be significantly lowered in the vicinity not increased.

Thank you in advance for further examination of the environmental effects of the proposed plan on the aforementioned location.

Sincerely,

  
Veit Irtenkauf

RECEIVED  
OCT 27 2005  
PLANNING DIVISION

2005 NOV -2 PM 2:39

RECEIVED

Mr. Tim Haddad  
Planning Director  
Marin Co. Community Development Agency  
3501 Civic Center Drive – Room 308  
San Rafael, CA 94903

Oct 29, 2005

2005 NOV -1 4:22

MARIN COUNTY  
COMMUNITY DEVELOPMENT

RE: Marin Countywide Plan – Environmental Impact Report

This letter urgently requests further environmental studies be conducted before the southern edge of Bothin Marsh in the unincorporated area of Mill Valley is re-zoned and filled with up to 150 living units.

AT ISSUE:

- 1) Liquefaction
- 2) Seismic Shaking
- 3) Flooding
- 4) Traffic Congestion
- 5) Protection of Sensitive Lands

DISCUSSION

It is unfathomable to me that any building be done in the Bothin Marsh area. The Plan has given considerable lipservice to limiting development in resource or hazard areas. But the Plan then recommends building up to 150 housing units in an area which is just that! The southern edge of Bothin Marsh (Map 6.1.4) is in the highest risk zones for all the above listed Issues.

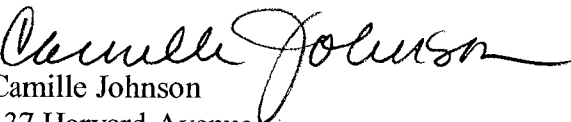
Please refer to Page 3-16 paragraph CD-2.8 of the Plan:

“Discourage development in areas with high natural resource value or threats to life or property, and restrict development in such areas to minimize adverse impacts.”

What is more threatening to life and property than liquefaction, seismic shaking, flooding, and traffic congestion? What has more natural resource potential than our irreplaceable bay and marshland, which provides habitat for all kinds of species while providing recreation and beauty for our own species?

I urge you to do what’s right and at the very least, re-examine the harmful environmental impact of building on the Bothin Marsh area of the Richardson Bay.

Sincerely,

  
Camille Johnson  
137 Harvard Avenue  
Mill Valley, CA 94941

Telephone: (415) 383-1555

Email: bobcamjohnson@earthlink.net

RECEIVED  
Rick W. Johnson  
P.O. Box 981  
Inverness, CA 94937

2005 OCT 31 P 3: 58

October 31, 2005

MARIN COUNTY  
COMMUNITY DEVELOPMENT  
Tim Haddad  
Marin County Community Development Agency  
Marin Civic Center, Room 308  
San Rafael, CA 94903

Re: Scope of Environmental Impact Report, Draft 2005 Countywide Plan Update

Dear Mr. Haddad,

I appreciate the opportunity to present my comments on the scope of the EIR for the Countywide Plan. This letter clarifies points from my letter of September 22, 2005, and documents what I said at the workshop last week

### **Noise**

Page 2-16 of the CWP has an excellent quote on the value of a natural place, unspoiled with human sounds: "Thoreau suggested that every community should have its patch of woods where people could refresh themselves. His notion of Nature as having healing powers has now the force of revealed truth." Wallace Stegner, *Where the Bluebird Sings to the Lemonade Springs*, 1992.

Does the CWP protect natural soundscapes? Will noise levels in open spaces become worse under the CWP policies? My fear is that the CWP will not protect natural soundscapes, and noise will increase. I hope that the EIR will look at alternative policies which will better protect natural soundscapes.

Part of the problem is that the measurement criteria do not seem to address the issue. Page 3-169 shows a table of unacceptable noise levels and none of the categories describes the kind of setting that Thoreau had in mind. I think Open Space should be as free of man made sounds as at least the low density residential areas, and I would argue should be even quieter.

Another measurement issue is the "Ldn," which expresses average sound level over a 24-hour period in decibels (dB). The 60 Ldn criteria given in the CWP would be very noisy in an open space. The section on noise criteria seems disconnected from the sustainability goals of the CWP. Instead, the noise section seems to be legalistic, i.e. stating the legal minimum the county is required to do.

As a first step in establishing an appropriate criterion for open space, it could be useful to identify representative locations around the county and to estimate human caused noise levels at these sites.

There are specific policies that might reduce sources of noise in Open Space.

I am glad that the new draft expands the policy, Minimize Transportation Noise (NO-1.2), to include open space, wilderness, wildlife habitat, and wetland areas. But, how is this policy implemented in the CWP?

It would also be useful to restrict general aircraft flights over some of our open space and coast line, again to protect the natural soundscape. The county should work with appropriate agencies to prohibit low level flights along the coast, as these flights cause undue disturbance of marine mammals and human visitors.

Page 3-70 of the CWP anticipates no increase in noise around airports. But, small jets are becoming more common at Gness Field, and they are extremely loud. I cannot believe that there has been no measured increase in sound around Gness Field. (Since the Ldn is a 24 hour average, it may not properly measure the degree of annoyance from periodic loud disturbances.) The jets fly in over Bahia, and take off usually to the north or north east. The county should consider banning small jets from Gness Field. (The runways are also too close to the landfill for jets according to the Redwood Landfill EIR).

“NO-1.j Consider Regulating Outdoor Amplified Music and Equipment.” is a good program. Please add exceptionally loud vehicles (cars, trucks, motorcycles, and aircraft). We should be able to enforce requirements for mufflers, best practices, and quiet operation.

### **Invasive non-native plants and animals**

Compared to the earlier draft, the current draft CWP (BIO 1.5-7) has strengthened somewhat the programs to control invasive plants and animals. But, will the policies and programs be effective in curbing and reducing the invasive populations? I doubt it.

The CWP should call for an aggressive program of a private/public partnership to remove the most invasive exotic species and control their spread. Looking at the projects of the Marin/Sonoma Weed Management Area, they are laudable but seem miniscule in comparison to the problem. And, the road department does not seem to be a participant.

The county ought to take the lead to remove invasive exotic plants along roadways. Roadways have become a corridor for propagating broom throughout the county. If this issue is neglected in this general plan, it will be an insurmountable problem by the time of the next general plan update.

### **Agricultural diversification**

Agricultural diversification is potentially environmentally damaging through loss of agricultural land, growth inducing industry, increased truck traffic on rural roads, water use, and probably other factors as well. The EIR could try to define “good” and “bad” diversification from an environmental point of view.

### **Wetland and stream side conservation**

The EIR should do a detailed comparison of the CWP to existing county, state and federal protection to see if the new plan is in fact going to provide stronger protection. There seem to be "if feasible" lines, and almost an invitation for property owners to negotiate something less protective.

Thank you for considering my comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick Johnson", with a long horizontal flourish extending to the right.

Rick W. Johnson

**ROBERT E. JOHNSON** RECEIVED

137 HARVARD AVENUE • MILL VALLEY, CA 94941 • (415) 383-1555

2005 NOV -1 P 4:15

MARIN COUNTY  
COMMUNITY DEVELOPMENT

Mr. Tim Haddad  
Planning Director  
Marin Co. Community Development Agency  
3501 Civic Center Dr – Rm. 308  
San Rafael, CA 94903

10/30/05

RE: Zoning of Bothin Marsh in Mill Valley, Marin Countywide Plan

Dear Tim,

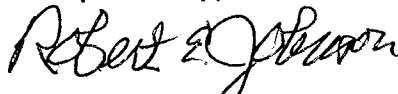
Whatever happened to protection of our environment?

Our county is now planning to construct several housing units along the south shore of Mill Valley's Bothin Marsh – an area considered for 20 years among the highest risk zones in the Bay Area for environmental issues such as floods, traffic congestion and earthquake probabilities like liquefaction and seismic shaking. Is the county ignoring long approved policies for protection of sensitive lands?

The Plan is an ecological nightmare!

Please do your best to stop this monstrosity in its tracks.

Respectfully,



Robert E. Johnson

MARGARET KETTUNEN ZEGART  
118 HIGHLAND LANE  
MILL VALLEY, CA 94941

RECEIVED  
2005 NOV - 1 10 16

October 28, 2005

PLANNING DEPARTMENT  
COMMUNITY DEVELOPMENT

Tim Haddad

Marin County Community Development Agency

3501 Civic Center Drive, Room 308

San Rafael, CA 94903-4257

**RE: EIR Scoping for Revised Public Review Draft of the Marin Countywide Plan**

Thank you for extending the scoping comment date until today. Added issues of significant impact are

° the plans to approve on November 4 by the State Publics Works Board the reduced addition of level 4 facility at San Quentin to meet the 2002 budget. However, this is estimated to be sufficient until 2010 [unless double bunking of condemned inmates which is not allowed by court law in California or elsewhere.] An additional structure to accommodate 5,000 will be built on the 20 acres of the State property, and to meet the replacement needs of the 150 year old prison. The conservation community developed the *Baylands Corridor* information to protect lands from San Pedro Point to this area and the underlined material in the County Wide Plan were results of their first draft comments> p. 3-215-223.

San Quentin's VISION plan was included as requested to Planning Staff by County elected officials. However, since development of a smaller San Quentin to meet the original approved budget for construction by next late spring will be voted on November 4 by the State Public Works Board will likely occur, smaller San Quentin addition will be added to the decrepit unsafe present complex. Adding 24-27 new condemned inmates each year finds by 2010 a new addition will need to be built. The Prison Board said they would apply to double bunk 2 inmates to a cell) but this has not been allowed by the courts. The option to expand again on the 20i acres would place prison more adversely visible and very near new housing being built in Greenbrae and Larkspur, cause more traffic congestion and be very costly to the state, now in dire financial straits.



Significant adverse aspects of this policy decision rather than an alternate suggested by the pp. 3-321-3—343 and map 3-35. include an EIR significant adverse demands upon existing data on the County Wide Plans sections including increased 3.8, housing needs, 2.5 Water Resources, sewerage, 2.8 open space and particularly 3.9 transportation / circulation and 3.11 cultural socio / economic and public safety 4.6 4.10 impacts by the major expansion of San Quentin. These issues should be addressed as well as those items in Aesthetic and Visual Resources [ impact on adjacent new development, from county properties, loss of intended museum sites, education opportunities and public health. [medical staff vacancy rates in San Quentin 28.4%;

Loss of San Quentin sites for housing, reduced housing opportunities as offered in the current Draft's options, Map 2-5a,b,and c for increased Baylands Corridor open space, is changes opportunities for Vincents'/Silvera lands for housing.

To be discussed in EIR shall be this new focus of housing sites as an issue of this ° ° °

° Significant Impact adverse affect upon Area 6, Richardson Bay – Almonte in the Tamalpais Planning and the adjacent larger community, Tamalpais Valley and junction. Though maps 2-5a,b, and c show this in Bayland Corridor options, apparently in the revised draft for Richardson Bay's marsh, its Bayfront and tidal lands the long protections under Bayfront Conservation zoning, have been removed from, rather than incorporated in text. There the Baylands Corridor protection focus is now along shoreline northward in San Pablo and San Francisco Bays. The theoretical build out for our area was 12,546 but now is increased to 16,072 in the Revised Draft enabled by a Housing Overlay map 3-2b **which adds the proposed 682 more home units** in spite of a congested traffic problem on Shoreline Highway and its and Tiburon Boulevard intersection with US Highway 101, subsidizing land causing increased construction costs (pilings) on very deep bay mud and earthquake prone liquifaction for residents in an area where egress is limited by cumulative need and access for emergency vehicles is already a problem on floodplain lands..

The revised draft is inconsistent with the *Tamalpais Planning Area Community Plan*. The Draft 2005 Update has removed the County Bay Front Conservation Zone on the southern Richardson Bay and marsh land protection. Although p 1-1 states that the Plan “guides the conservation and development of Marin County”; conservation of the marsh

and Richardson Bay has been removed. Bay Corridor language, *ie p 12-12*, "Baylands ecosystems vital to the health of San Pablo, San Francisco, [omitted Richardson Bay] and Tomaes Bay have undergone tremendous change ... " Richardson Bay noted to be included in Draft public hearings. Because undeveloped parcels of 2 acres [there are three underused parcels of this size, Jack Krystal land State Cal Trans lands and "Martin Borthers"] which may be reconsidered in court if the definition of undeveloped is a criterion and smaller developed parcels along our Almonte District marsh, shoreline and tidal lands area up to Sausalito, these valuable lands shall have no protection by the Baylands Corridor protections since the Housing Overlay may modify setbacks. The intent should be to stipulate the intended specific mixed use sites of Marin City and Strawberry Center.

° The EIR needs to have an accurate assessment of capacity - rather than issue these figures. Also, page 3-245 has a confusing Figure 3-57 and The County Housing figure of 682 units is not possible with gals FA-6.1 and 6.2.

° A third issue of importance is this Draft's inaccurate and incomplete circulation element for Southern Marin and its failure to include the interaction of State, Federal and County Roads [Tennessee Valley, Road] and significant adverse impacts for all aspects of circulation for our southern Marin residents by Marin residents and visitors to West Marin destinations. The level of service in the CWP was assessed only for a peak commute time, as Level of Service C when in fact, corrections in September 2005 forwarded to Alex Hinds from the prolonged and accurate studies by the Public Works Transportation CMT studies indicate LOS F in this area. Although the Transportation Authority of Marin assesses LOS D from Northern Avenue to Almonte Boulevard, combining Mill Valley traffic from this junction to Manzanita will undoubtedly be more as Level E may already exist on exist on sunny days.

The TAM group of supervisors and representatives from cities voted on September 22, 2005 to adopt the county document whose State Transportation Code appendix in dictates standards that enable our current Tamalpais Planning Area [to be in the Baylands Corridor] as an "infill opportunity zone ... new compact residential or mixed use development ... an intersection of at least two major bus routes, or within 300 feet of a bus rapid transit corridor, in counties with a population of over 400."

“California Code – Section 65088.4 000 The mixed use development zoning shall consist of three or more land uses that facilitate significant human interaction in close proximity, with residential use as the primary land use supported by other land uses such as office, hotel, health care, hospital, entertainment, restaurant, retail and service uses. The transit service shall have maximum scheduled headways of 15 minutes for at least 5 hours per day.

1. (i) ‘Level of service standard’ is a threshold that defines a deficiency on the congestion management program highway and roadway system which requires the preparation of a deficiency plan. It is the intent of the Legislature that the agency shall use all elements of the program to implement strategies and actions that avoid the creation of deficiencies and to improve multimodal mobility ...

4 (The city of country may designate an infill opportunity zone by adopting a resolution after determining that the infill opportunity zone is consistent with the general plan and an applicable specific plan. A city or county may not designate an infill opportunity zone after December 31, 2009.

“California Government Code – Section 65089B In no case shall the LOS standards established be below the level of service E or the current level, whichever is farthest from level of service A except when the area is in an infill opportunity zone. When the level of service on a segment or at an intersection fails to attain the established level of service standard outside an infill opportunity zone, a deficiency plan shall be adopted pursuant to Section 685089.

◦ This also may have been a reason for “smart growth” mixed use housing chosen for the Richardson Bay Planning Area 6. Using the bayshore for any housing, after the New Orleans hurricane tragedy has highlighted the fact that these shores should not be used for dense housing. Earthquake probability, liquefaction and flooded routes of egress for any of the 682 additional residents along Richardson Bay lands will compound emergency circulation problems as well. Seasonal flooding with high tide and storm surges should be discussed as a yearly hazards.

◦ Circulation should emphasize emergency care and egress routes, including helicopter sites at hospitals on high lands.

◦ Rising water levels should be assessed on homes and future sites of homes fronting bay waters with moratorium on sites’ expansion or initial development unless emergency routes established.

◦ Lack of extensive protective language in this Revised Public Review Draft to assure the county’s protection of the recreational land open space, visual aesthetics of the Bayfront path and park, the Mount Tamalpais Wildlife Refuge protection, the recreational enjoyment of the multimodal pathway along Richardson Bay and the

regional bicycle path system from Sausalito along the Bay is needed. The Bayfront Conservation zoning protections, as substituted by Bayfront Corridor, should be critiqued for the very significant adverse impact now possible for applicable to Richardson Bay tidal lands, marsh and previous filled land restoration since transportation congestion LOS and the housing overlay encouraging density per acre of 35 – 40 home units. This is contrary to the goals and implementation of planning, “sustainable communities, healthy communities, safe communities and environmental preservation and community participation.”

The state code which eliminates the deficiency plan requirement for the existing traffic congestion and a policy change p. 3-21 altering the significant adverse to our county community areas would allow the county wide rather than community plans.

.p. 3-21 INTRODUCTION Amend existing Community Plans as necessary to define how policies and programs of the Countywide Plan will be implemented. [past policy was that the Community Plan indicated specific development criteria for its area].

Our unique area 6 has hillsides homes, very narrow winding roads and pathways that need to be accepted by the county as a part of an emergency (and recreational) circulation system.

° A policy should be included to have narrow existing lanes and paths be adopted by the county for maintenance and liability protection. Residents on the “non-county roads” and pathways, pay now for county road and circulation improvements enjoyed by other tax payers. With the awakening of need for emergency circulation, this is even more needed than now for fire escape, safe routes to school and recreational enjoyment.

Please include my initial scoping letter in the FIR as I have tried to focus on issues recently coming to my attention.

Sincerely,



Margaret Kettunen Zegart

MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION

PUBLIC SCOPING SESSION

ENVIRONMENTAL IMPACT REPORT FOR THE  
DRAFT MARIN COUNTYWIDE PLAN UPDATE 2005

WRITTEN COMMENT FORM

October 26, 2005

Name/Affiliation: Dona Larkin / Sustainable West Marin  
Abalone Inn & Community Pathway Committee  
Address: Box 33  
City: Pt Reyes Zip Code: 94956 Telephone: 663-9149

Please provide comments and concerns regarding the environmental effects of the proposed Plan or the environmental process below.

CONCERN OVER MAP 3-9a showing existing pathways in West Marin & the bike shoulder along all of Sir Francis Drake Blvd.

To my understanding these are not in place. Could you clarify this please.

Please use backside of page for additional comments, if needed. This comment form for the scope of the EIR may be handed in at the scoping session to County Staff or mailed to the attention of Tim Haddad, at the Marin County Community Development Agency - Planning Division, 3501 Civic Center Drive, Room 308, San Rafael, CA 94903, **prior to October 31, 2005**. Comments by FAX or E-mail may not be able to be confirmed as officially received and accepted before the end of the comment period deadline. **Commentors are advised to mail written comments postmarked on or before October 31, 2005.**

The draft plan is posted on the County's website at www.future-marin.org and is also available for review at all public libraries and the CDA office. Plan copies in CD format or hard copy are available by calling the CDA office at (415) 499-7874 or (415) 499-6269 between the hours of 8:00 AM and 4:00 PM, Monday through Friday.

MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DIVISION

PUBLIC SCOPING SESSION

ENVIRONMENTAL IMPACT REPORT FOR THE  
DRAFT MARIN COUNTYWIDE PLAN UPDATE 2005

WRITTEN COMMENT FORM  
October 26, 2005

2005 NOV - 2 12 2: 39  
MARIN COUNTY  
COMMUNITY DEVELOPMENT

**Name/Affiliation:** Sharon Rushton, President, Almonte District Improvement Club  
**Address:** 105 Wisteria Way  
**City:** Mill Valley                      **Zip Code:** 94941                      **Telephone:** (415) 388-6828

**Please provide comments and concerns regarding the environmental effects of the proposed Plan or the environmental process below:**

On behalf of the Almonte District Improvement Club that represents 700 to 800 homes in the Almonte District, I urge you to thoroughly examine the potential adverse environmental impact that the proposed Marin Countywide Plan will have on the surrounds of Tam Junction, in particular Bothin Marsh and Coyote Creek. We are especially concerned about the density of housing units (45 units per acre) and construction that is being allowed in the Tam Junction Commercial Area, particularly in the Almonte District commercial area that lies on the east side of Shoreline, along the marsh.

The Marin Countywide Plan is in direct conflict with the Tam Valley Community Plan which clearly states that the preferred use of the Almonte District commercial land on the East side of Shoreline is conversion back to its natural state as wetland/marsh. The vast majority of people living not only in Almonte but in all of Unincorporated Mill Valley would like to see this goal of restored habitat achieved. Instead of moving towards the return of pristine natural habitat, the Countywide Plan allows for the exact opposite, extremely dense development. This potential development not only completely ignores our area's decades-old goal of natural habitat restoration but places existing pristine habitat (the marsh that sits along side the designated development site) in peril.

**Specific Environmental Concerns:**

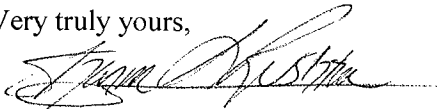
- 1) **Landfill:** All the commercial buildings that sit on the East Side of Shoreline sit on landfill. Even though raised from the natural grade through landfill, the majority of buildings along east Shoreline still experience flooding at various times of the year. Any new development would need additional extensive landfill and foundation work. This aspect is exaggerated by the Countywide Plan because the plan allows for such exorbitant development density, much much greater than that of the existing buildings. This landfill could erode and fall into the marsh, causing adverse environmental effects.
- 2) **Seismic Activity Zone & Liquefaction Zone:** The East Side of Shoreline sits in a seismic activity and liquefaction zone. During seismic activity the land fill could move and sink, allowing building material and sewage to enter the marsh. The sinking homes along Coyote Creek are an example of what we don't want to happen. The sinking has caused the sewage lines to break, exposing the creek and marsh to abundant sewage pollution.

- 3) Run-off of Toxic Chemicals into the Marsh. The density of construction and inhabitants that the Countywide Plan allows could severely increase toxic chemicals entering the marsh and creek. It is well known that an increase in paved areas creates an increase in run-off. Garden chemicals, the washing out of paintbrushes after painting a unit, and other toxic household chemicals could easily run off the development site and flow into the marsh, especially when the occupants are in such close proximity.
- 4) Flooding Zone: The pollution entering the marsh & creek from the new development will be exaggerated due to the flooding in the area. Frequent annual storm surges and high tidal activity cause high level flooding at Shoreline. The water will flood into the new development sites and then recede back into the marsh & creek carrying along with it undesirable pollutants.
- 5) Endangered Species: Several endangered species live in Bothin marsh, including the California Clapper Rail and the Salt-Marsh Harvest Mouse. It is especially important to protect the habitat of these species.
- 6) Congestion: The housing density that the Countywide Plan allows in the Tam Junction area will severely increase traffic congestion. Hwy One is already one of the most congested highways in the county. Such a growth in congestion would necessitate a reengineering of the entire road system. The surrounding environment simply can not handle such increased development.
- 7) Air Quality: The new housing will increase the number of cars in the area and thus will increase air pollution. The increased cars on the road as well as the increase of pedestrians crossing Hwy 1 will bring traffic to a standstill. It is well known that a commute in bumper to bumper traffic increases the rate at which any given car creates pollution.
- 8) Noise Pollution: Local Residents are already bothered by the ricocheting swish of traffic noise from Shoreline/Hwy One. The more cars on Hwy 1, the greater intensity and the longer lasting the noise level will be.

We believe that the fulfillment of the Marin Countywide Plan as written in the 2005 draft will significantly and adversely impact the environment within and surrounding the Tam Junction Commercial Area. We urge you to closely examine the ecological impact of the plan on this locale.

Thank you for your kind consideration.

Very truly yours,



Sharon Rushton

President

Almonte District Improvement Club

PARADISE CAY HOMEOWNERS' ASSOCIATION  
P.O. BOX 652  
TIBURON, CA 94920

Date: 26 October 2005

To: Mr Tim Haddad  
Environmental Coordinator  
Marin County Community Development Agency

From: Penny Wright-Mulligan, Co-President,  
Paradise Cay Homeowners' Association  
138 Trinidad Drive  
Paradise Cay  
Tiburon, CA 94920  
Tel. (day): 415-601-8191  
E-mail: p.mulligan@comcast.net

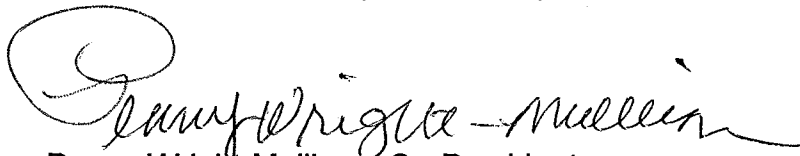
Subj: Countywide Plan Update EIR Scoping Hearing  
Wednesday, October 26, 2005  
6:00 pm-8:00 pm  
3501 Civic Center Drive, Room #328  
San Rafael, California

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Sir:

The residents of the Paradise Cay subdivision of Marin County are concerned about potential adverse effects resulting from inclusion of Paradise Cay in the County's proposed Bayland Corridor. Since the Corridor is one of the environmental issues under review in the EIR, we request that the scope of the CWP Update EIR include consideration of the issues discussed in the attached memorandum.

Please let me know if you have any questions regarding this request. Thank you.



Penny Wright-Mulligan, Co-President,  
Paradise Cay Homeowners' Association  
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E-mail: p.mulligan@comcast.net



## **Introduction – Overview of the Issue**

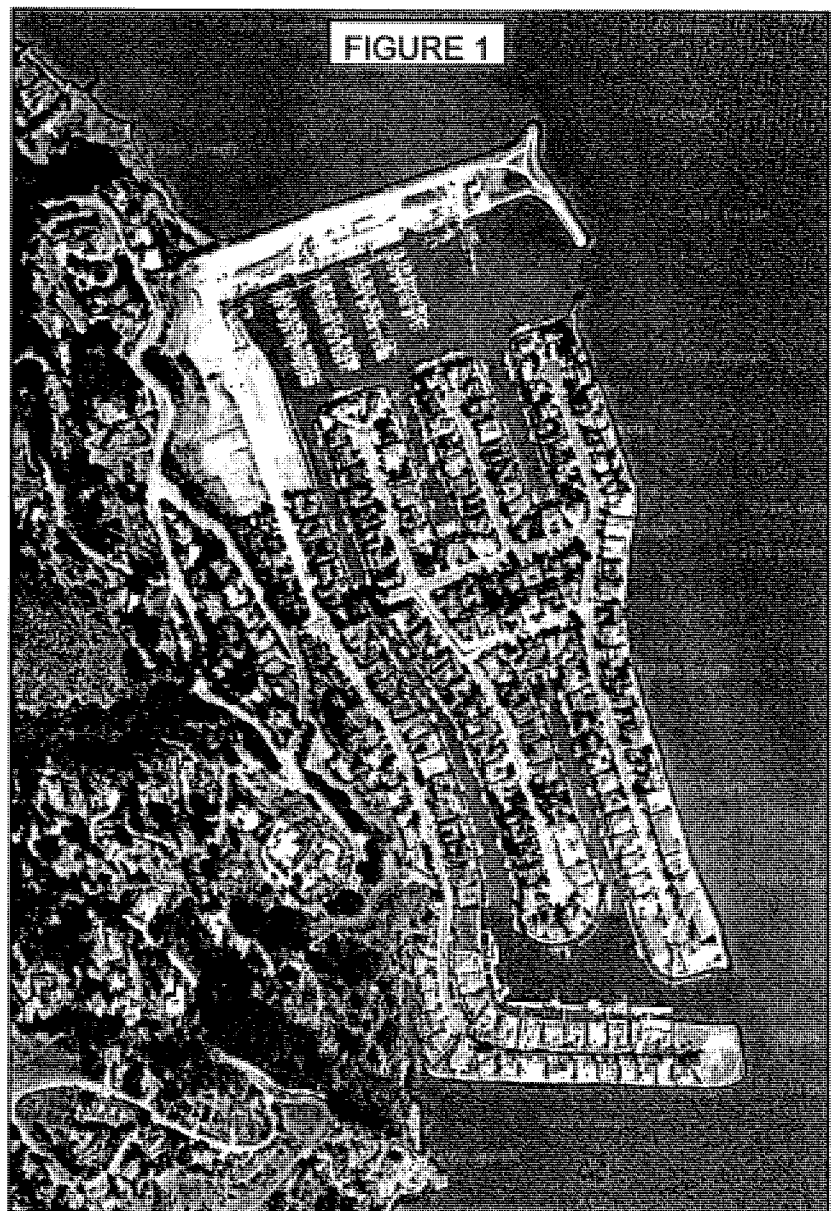
The residents of Paradise Cay, a subdivision with approximately 200 dwellings and a marina located in unincorporated county lands on the northeast side of the Tiburon peninsula, object to the potentially adverse impacts of proposed changes in the Marin Countywide Plan on the uses of their properties. Our objection arises from designation of the subdivision in the Draft CWP Update as part of the County's Baylands Environmental Corridor and part of a Bayfront Conservation Zone. The proposed designations and associated land use and environmental policies and regulations would adversely affect the ability of owners and residents to maintain and improve their properties. The subdivision does not meet the County's criteria for inclusion in the Baylands Corridor, and should be excluded from its scope. It follows that the scope of the CWP Update EIR should include consideration of this issue.

## **Baylands Corridor Issues – Which Lands Should Be Included?**

Our objection focuses on the scope of Goal BIO-5 in the Natural Systems & Agriculture Element of the Draft CWP 2005 (pp. 2-39 ff.), which describes the areas proposed for inclusion in the Baylands Corridor and a number of policies (BIO-5.1 through 5.10) for protection and restoration of environmental assets in the Corridor. Various maps are referred to, providing information on areas to be included and their associated land use policies. Paradise Cay appears on Map 2.5-b, "Baylands Corridor" (Options 1, 2 and 3), and Map 6.5, "Tiburon Peninsula Land Use Policy Map." Copies of these maps are attached as Annexes 1 and 2.

Figure 1 shows an aerial view of the Cay, which, as can be seen, is a virtually built-out suburban waterside community and marina development. The subdivision was created in the late 1950s; development plans for unbuilt areas in the northern part of the Cay, it should be noted, have been filed with the County. Individual parcels are all less than an acre in size (mostly 4-7 dwelling units per acre), and are zoned, with the exception of the marina, for residential development.

None of the lands in the subdivision satisfy the criteria for inclusion in the Baylands Corridor. According to the Draft CWP Update 2005 document, the objective of GOAL BIO-5 is to "*Preserve and enhance the diversity of the baylands ecosystem, including tidal marshes and adjacent uplands, seasonal marshes and wetlands, rocky shorelines, lagoons, agricultural lands, and low-lying grasslands overlying historical marshlands.*" [op.cit., p. 2-39] Paradise Cay has no marshes, no permanent or seasonal wetlands, no diked areas or flood basins, no freshwater streams, nor any agricultural lands or buffer areas. Drainage from built-up and upland areas is entirely via storm drains. Waterside properties are protected from tidal or wave erosion by rip-rapped embankments; there are no natural tideland wildlife habitats within the Cay.



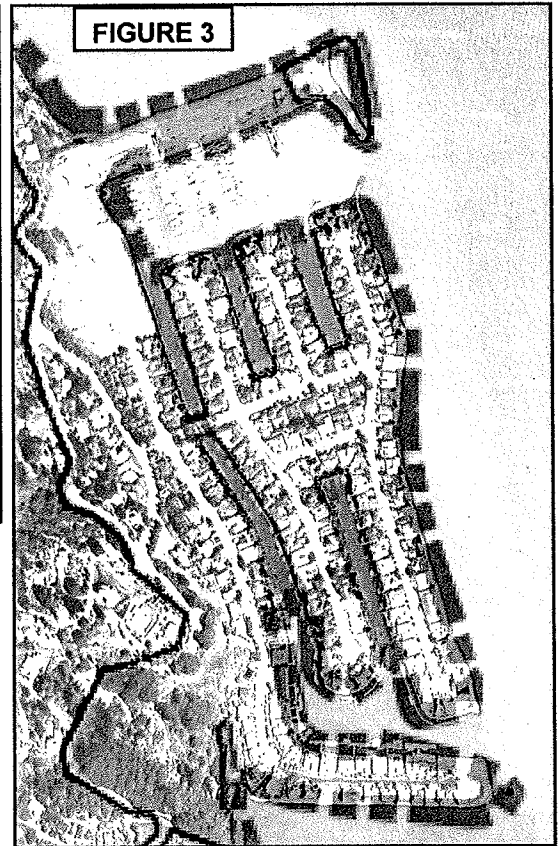
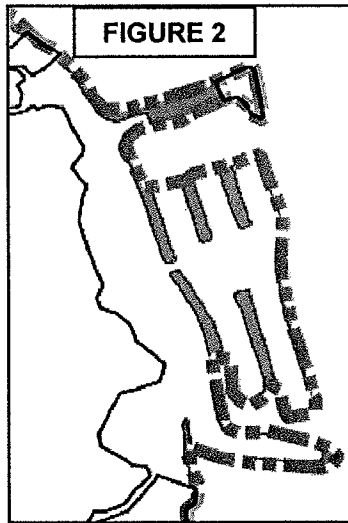
In the Draft CWP Update's discussion of Baylands Conservation Goal BIO-5, the Baylands Option 3, while explicitly naming the Las Gallinas Planning Area as the area of interest, appears to include all county lands touching San Francisco Bay (e.g., Richardson Bay) landward in the Baylands Corridor to a distance of 300 feet. Of the three classes of lands to be included in the Corridor, the third states: "On small parcels (under 2 acres in size, whether developed or undeveloped) the Baylands Corridor includes only the area that is submerged or subject to inundation by tidal action." [op.cit., p. 2-40] This policy would appear to essentially exempt the landside areas of the Cay from the provisions of the Baylands Corridor.

With respect to submerged and tidal areas in the Cay, the County's Development Code 22.14.060 – Bay-front Conservation (-BFC) Combining District, Part F.6 (Design Guidelines; Diking, filling and dredging) states "The County shall prohibit diking, filling or dredging in areas subject to tidal action (Tidelands sub-zone) **unless the area is already developed and currently being dredged. Current dredging operations for maintenance purposes may continue subject to environmental review, if necessary**" [emphasis added; op. cit. p. 11-64]. Since a County Commission (County Service Area #29 (Paradise Cay)) already exists and has the authority to approve and contract for maintenance dredging of the navigation easements in the Cay, and any construction or maintenance dredging projects must also be approved by a number of federal, state and local regulatory agencies (e.g., Army Corps of Engineers, Regional Water Quality Control Board and the Bay Conservation and Development District), it would appear that the Baylands Corridor designation for the Cay would be redundant. No good purpose is served by including Paradise Cay in the Baylands Corridor. All it does is insert another layer of bureaucracy to existing law.

### **Maps Are Source of Confusion**

Confusion as to the scope of the Baylands Corridor within Paradise Cay arises from inconsistencies in the CWP maps. Figure 2 (right) is a blow-up of the portion of CWP Map 2-5b (Option 3) of the Baylands Corridor encompassing Paradise Cay, which brings out the distribution and extent of areas (colored green) to be included in the Corridor. Figure 3 (far right) repeats the aerial view of the Cay with the CWP map portion superimposed.

As can be seen, the green areas cover only parts of the waterways within the Cay while excluding others (e.g., the marina basin on the north side and the entrance channel and portions of the canals on the south side). Also, a portion of the land area on the north spit of the Cay is included as well as several small pieces of land along the eastern edge of the Cay. This pattern of inclusions and exclusions makes no sense and serves no purpose of environmental protection or conservation. The gaps in areas encompassed by the Baylands Corridor and inconsistencies with respect to the Bayside Conservation Zone policies are puzzling and matters of concern to the residents and property owners of Paradise Cay.



### **Consideration of Paradise Cay's Issues with the Baylands Corridor must be Included in the Scope of the CWP Update EIR**

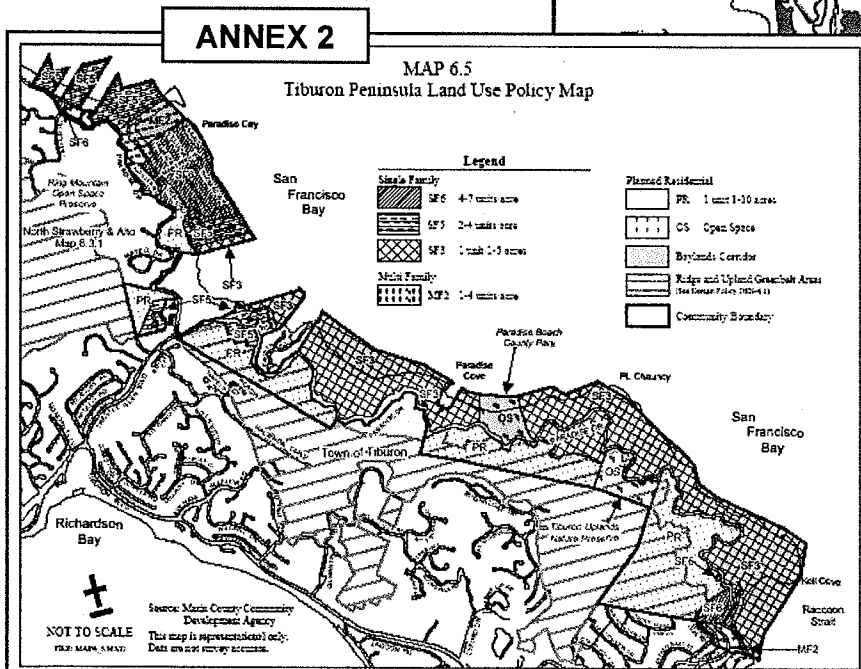
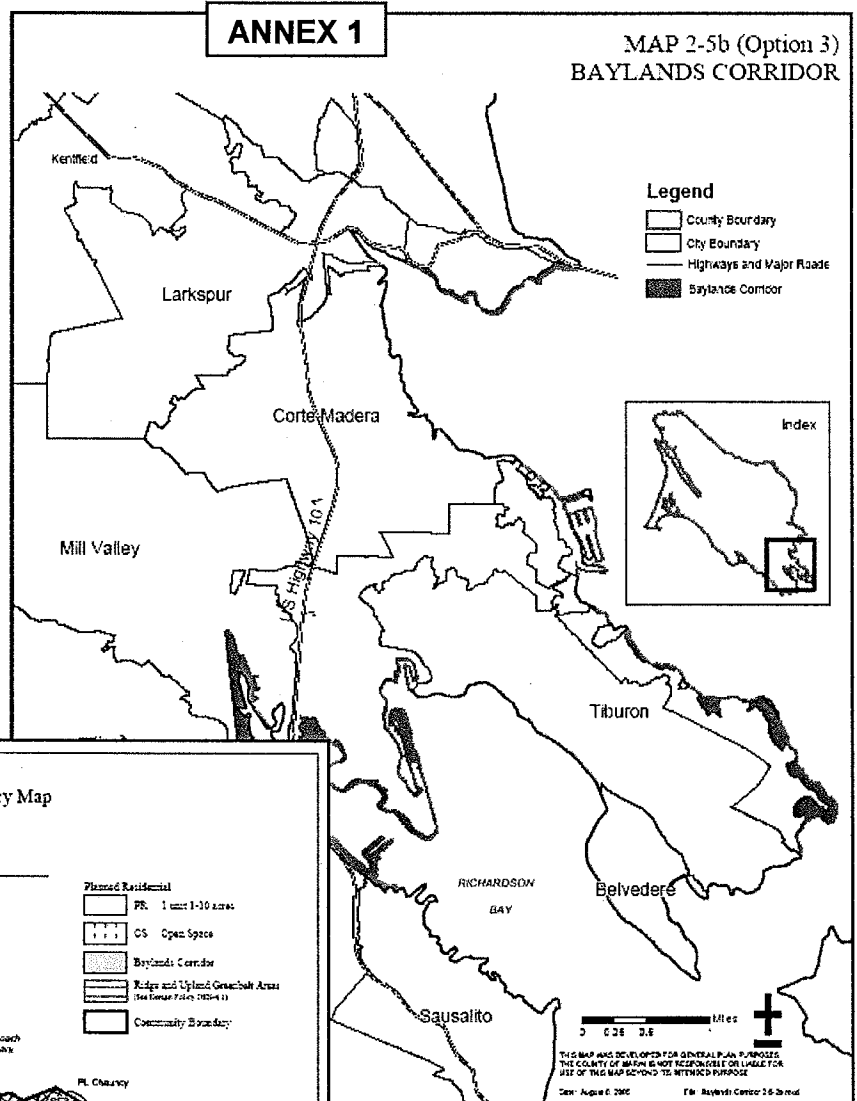
Designating Paradise Cay as part of the Baylands Corridor raises the risks of unequal treatment of property rights and imposition of unnecessary costs in various parts of the subdivision, as indicated by the areas of the Cay demarcated in green in Figures 2 and 3. The mapping and textual descriptions of the Baylands Corridor and its associated policies for uses of and changes to property parcels must be unambiguous and equitable. This is not evident from the description of the Corridor in the Draft CWP Update EIR.

In our view, existing laws, regulations and institutions completely define and regulate the permissible activities that residents and owners in Paradise Cay may take with respect to maintenance and improvement of their properties. Designation of the subdivision as part of the Baylands Corridor is redundant and unnecessary.

Unless the EIR for the Countywide Plan Update can demonstrate why the Paradise Cay subdivision should be included in the Baylands Corridor despite the absence of wildlife habitat and other environmental conditions necessary to meet the Plan's criteria for inclusion, then the subdivision should be excluded. We object to the Paradise Cay subdivision being included in the Baylands Corridor. The EIR should address this issue explicitly.

Respectfully submitted,

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## **Countywide Plan Scoping Summary Minutes October 26, 2005**

These summary minutes were written to highlight key points brought up by each speaker at the scoping session, and are not intended to be an exact transcription of what was said at the meeting.

### **Patty Jenkins- Paradise Cay Home Owner's Association:**

Paradise Cay homeowners are concerned about the Baylands Corridor. They believe that they should be exempt and excluded from the Baylands Corridor boundary. Another concern is that all of the parks in Paradise Cay are included in the Baylands Corridor, while some of the other parks that should be included are not. Overall, Paradise Cay should be excluded from the Baylands Corridor since they are already part of the CSA #29.

### **Sue Beittel- League of Women Voters, Marin Chapter:**

The transportation, land-use and housing committee reviewed the documents as members of the working group. The concerns and questions that they raised included:

County coordination: How does the Countywide Plan increase coordination among county agencies, cities and towns to minimize environmental impacts of separate uncoordinated planning processes?

Housing: What are the regional impacts of housing the county's own workforce and providing a true housing/jobs balance? What are the impacts of not having housing available for workers who provide essential services, especially emergency services?

Housing Overlay Designation: How much affordable housing can be anticipated from the housing overlay designation in the time frame of the current CWP? Explain how the housing overlay designation criterion meets the needs of the Marin workforce. Can the building of affordable work-force housing be significantly increased if the R1 parcels near transit are included in the housing overlay designation? Will St. Vincent's Silveira parcels significantly increase the area for building affordable work-force housing?

Transportation: The gap closure project will be completed through San Rafael during the life of this plan. What impacts will a continuous HOV lane cause on traffic? The EIR should evaluate the beneficial impacts on traffic resulting from adding workforce housing close to jobs in Marin County. Have we planned for sufficient park and ride lots to encourage more residents and workers to carpool or use public transit?

Baylands Corridor: Evaluate environmental evidence to justify creating a Baylands Corridor boundary up to Highway 101. What is the scientific justification for the proposed Baylands Corridor to require a 300-foot buffer for large, undeveloped parcels adjacent to Baylands?

St. Vincent's Silveira: The EIR should evaluate the future potential for agriculture on these properties, including economic and environmental studies. Delineate the effects of agricultural uses including dairy birds on wetlands and Miller Creek. Explain the source of the Ridge and Upland greenbelt boundary. What defines an upland greenbelt boundary area and its size? Evaluate the beneficial environmental impacts from realigning Miller Creek east of Highway 101 to its original course. The EIR should analyze whether athletic facilities without buildings would have an adverse effect on the scenic vistas in the St. Vincent's Silveira view corridor.

**Gordon Bennett- Sierra Club:**

The draft CWP will be compared to the build-out of the former CWP. They appreciate that the new plan will be compared to current conditions on the ground, as it allows people to understand the impacts of the plan based on what's happening now. This idea should be applied to all current EIRs in the County. The draft CWP does not include the local Coastal Plan, which makes the CWP internally inconsistent. The development code does not apply to the coastal permit. He would like to see some clarity on this point. Also, he is wondering if it is possible to extend the public review period for the Draft CWP?

**Nona Dennis- Community of Marin:**

CEQA has not kept up with the principles of sustainability, while the CWP has addressed sustainability. She requests that the EIR also include issues of sustainability.

Baylands Cooridor: A 300-foot buffer should be examined because of wetland/riparian areas associated with the system. The EIR should also clarify what happens to parcels under 2 acres.

Residential Building/Agriculture housing: The CWP lists 4 options, but she wants to request that a fifth option be listed in the EIR. The fifth option will clarify the maximum size of housing not used for agricultural purposes.

St. Vincent's Silveira land-use: She proposed a fifth option, which is that the properties be preserved for perpetuity purposes.

San Quentin: A third option should be included. This option would change the Planning Sections, Housing development and transportation/transporting development components of this section.

Land Use: The goals under the plan such as impacts of agriculture on local water sources, added value, and projected growth will have significant impacts. The land-use category has been categorized as less than significant, which should be changed to potentially significant in keeping with the logic of the EIR, since the projected growth will have potentially significant impacts. This would include the substantial alteration of character of the community and the increase of the demand for Parks and Recreation facilities.

Water: The EIR should not assume that the existing septic tanks are operating properly or in full force.

Air Quality: CEQA does not require that greenhouse gasses be regulated, but in keeping with the sustainability theme of the CWP, the EIR should analyze impacts due to greenhouse gasses.

Transportation: The category should be changed in this section from potentially significant to significant.

Emergency Access: This should also be changed from less than significant to potentially significant. Additional draft impacts should be examined particularly with respect to competing transportation systems.

Biological Resources: The broad, natural community impacts should be addressed in the EIR, not simply just the special concern species.

Natural Resources: In the CWP, the category is checked less than significant, but it should be changed to potentially significant, again related to its sustainability.

Service Systems: The EIR should evaluate environmental impacts, especially e-waste.

**Ken Fox- Tomales Bay Association:**

Wetlands and Streamside conservation area buffers are of special concern to him. There are mandatory buffers in the 1984 plan and they should remain mandatory in the 2005 CWP. There

are 100-foot setbacks, however the current standard is 100-feet for 50 feet beyond the existing vegetation. The county has not enforced those rules, which should to be enforced under CEQA. The cumulative impacts of allowing development on new properties, and on developed properties should be analyzed. Anything greater than 10% of the existing footprint should be required to go through CEQA. At this time, only 10% of the existing floor area is analyzed under CEQA standards.

He has concerns about grandfathering in developments that have happened in the past that concern the wetland areas and streamside conservation areas.

Regarding San Quentin: The County is trying to get rid of the prison. The EIR should analyze what the effects will be on the inmates. What will the changes be to the infrastructure? What will be the impacts on the families of the inmates, as well as the impacts on the surrounding transportation, fire protection and roads due to this development?

**Walt Bilofsky:**

Bayland Corridor: He appreciates that the draft of the CWP excludes small cell plots previously included in the Baylands Corridor. But, he still has concerns about inappropriate restrictions on water portions of his community's lots that contain their docks, bridge, waterways; all of which are essential to maintaining the use and in some cases the safety of their properties.

Light pollution: He appreciates that light pollution is mentioned as one of the possible impacts in the aesthetics section. But light pollution also has broader impacts, such as public safety, safe roads and energy conservation. A lot of communities have chosen to deal with light pollution in a coherent way by passing ordinances or building code restrictions that deal with light pollution and all its effects. He suggests that the EIR treat light pollution similarly whenever lighting is an issue.

**Nadia Costa:**

She requests that the letter she wrote dated September 22<sup>nd</sup> be included in the public records for these proceedings and she requests that due consideration be given to the comments that were raised, and that the considerations are listed in the EIR. Her main concern was with the St. Vincent's Silveira section of the Draft CWP.

**David Coury- representing the Housing Council:**

He believes that the overlay is the best part of the document. He is advocating lower affordability levels of eligible developments. His proposal could impact the EIR since the nature of the overlay produces some environmental benefits over the 'no project' alternative, and to an extent, over current conditions. He and the Housing Council would like to have these impacts addressed in the EIR. In particular, lower income housing provides for public transit-use, which is a more efficient use of the lower footprint, versus the 1763 development. The sections of the initial study 2B, 2C, 6A, 6E and A and B and analyzing the impact of the overlay zone relative to current conditions work as well to protect the CWP.

**Tirrell Graham- Chair of Strawberry Recreation District:**

She submitted a letter to the board dated September 20<sup>th</sup>. She found that the website and housing overlay were great resources of information. But, she has two major concerns for the Strawberry neighborhood.

Her first concern: The County should assess the impact of adding 269-362 additional housing units in Strawberry, most likely located at the Strawberry Shopping Center. The County should also study the traffic and parking implications of this proposal, as she argues that not everyone in the new housing will rely solely on public transportation. Already, the community in Strawberry has had problems with traffic congestion. She also wants the County to address how this proposal will impact basic services in their small community such as water, fire protection, sanitation, and police protection.

Her second concern: In the revised Draft CWP, Strawberry is still included in the newly created Baylands Corridor. She has some concerns about the Zone 4 dredging district included in the corridor. This makes it unclear as to what are the restrictions? She also notices that the entire Strawberry waterfront is included in this corridor, and the maps and borders are irregularly drawn. She wonders what was the methodology in drawing the boundary that determines which properties are in the corridor, and which are outside of the corridor? She also feels that the entire Strawberry area should be excluded from the Baylands Corridor.

**Madeline Swartz- Chairman of Bel Marin Keys Planning Advisory Board:**

Baylands Corridor: She is in support of sustainability of Novato Creek. She believes Novato Creek should be listed as threatened by sedimentation in the CWP. Any Countywide restoration plan should include restoring the tidal marsh and restoring the watershed to Novato Creek. There is a lot of interest in wetland restoration in that area, and it's very important that the restoration is done correctly. For the most part, the restoration that has been done in that area has been to take the tidal marshes and convert them into fresh water ponds. The tidal marshes are needed in order to maintain Novato Creek. By having the tidal prism, where the tide comes in and filters out into the marshlands daily, Novato Creek will become sustainable. The County flood control ponds have removed tidal marshes from the creek. An examination of the sustainable plan should include some kind of multiuse of that area so that some of the freshwater accumulation can be reused in the summer and the dry months to add tidal marshes to the creek. The Bel Marin Keys residents are concerned that the creek is being dredged at their expense. They are opposed to another layer of regulation. The community is concerned that the Baylands Corridor is affiliated with the previous Fish and Wildlife plan, which created the area called the Baylands Corridor. The community was unhappy that they were included in the boundary. They are asking for clarification: will Fish and Wildlife issue new regulations as a result of the CWP? If new regulations are issued, they want to know about them for the dredging and permit process.

**Marjorie Macris- Representing the Marin Chapter of the Sierra Club and the Marin Environmental Housing Collaborative:**

The Marin Environmental Housing Collaborative is a local group of environmental housing and social justice advocates. Both organizations sent letters to the County about the CWP. Their comments regarded the impacts of the additional commercial developments. The CWP anticipates about 10 million square feet of industrial, commercial development, with most of the development occurring in the cities. The adoption of the CWP only affects the unincorporated areas. However, with the impacts this much development will have on the traffic situation, along with the demand for work-force housing, the CWP has not addressed the common concerns of the cities within the County. The CWP has to involve all of the jurisdictions, and must engage the cities in preparing the CWP. The EIR should address how it is possible to meet the level of service standards in the transportation section of Level Service D on the arterials and E on the

freeways. If the standard can't be met, then the plan is not consistent and it's not legally adequate. It's not possible to look at traffic impacts without looking at what happens inside all jurisdictions. All cities in the county share the problems from excessive commercial development and we share the opportunity to accomplish the admirable goals of the CWP, such as the streamside protection and sustainability. The Countywide Planning Agency should be reactivated, so that all jurisdictions in the County can come together to address the major issues presented in the CWP. The idea presented in the EIR about traffic impacts will illustrate one of the major problems that the residents will be facing.

**Roger Roberts:**

The revised draft CWP continues to incorporate the goals of the San Quentin vision plan, and has added a shared-use alternative. It includes retention of the prison uses, plus a multi-model transit center and accompanying multi-story mixed residential area supporting commercial uses. All of this implies extensive and intensive development and urbanization of the site. This is to be done within the perimeters of not exceeding existing levels of energy and water use, and not having a greater impact on traffic or the local environment anymore than they are already impacted. While it is important to understand the present levels of energy, water use and traffic impacts by the prison as well as its present environmental impacts for information purposes, he questions the validity of accepting that particular baseline as an appropriate criteria for redevelopment of the site without further study and public review. Therefore, he does not believe that this standard should be adopted in the revised CWP as justification for the proposed uses of the site. In the shared use alternative, it too must be accomplished within the perimeters of not exceeding existing levels of energy and water use, etc. This may not be achieved unless the prison use of the site is substantially reduced. The proposed shared-use alternative could result in an even greater combined energy and water uses and environmental impacts. He hopes that the analysis of the EIR will address this issue carefully.

Green building and energy; Section 3.6: The revised CWP contains general objectives in this area. He does not object to this, however he feels the EIR should attempt to analyze the likely impacts of the implementation of the proposed green building and energy policies, across all jurisdictions. It would also be useful to know the effects that could be experienced if these measures are not implemented, in order to understand the cost to the County for failing to pursue or adopt these measures. Also, it would be useful to know how this would affect all cities within the County.

Economy; Section 4.4: The focus is largely on promoting the retention and the attraction of targeted industries. He wants the EIR to include an analysis of the potential environmental impacts and social-economic impacts of successfully implementing these policies and programs, and recommending the appropriate mitigation measures to reduce the related negative impacts, if any that might ensue.

**Bonnie Marmor- Representative of the San Pedro Road Coalition:**

She had concerns with the corridor from the intersection of Point San Pedro to the Quarry. Her concerns are with the Quarry's potential for development in the future and the current impacts it has on the air, water and traffic and the only one road going in and out. The importance of having that quarry there is of primary concern, because of the economic benefits for the County. The CWP does not adequately address the benefits of having the Quarry as a natural resource. There may be reductions in costs to having the minerals and products from the Quarry available



to the local contractors. But a study should be done to understand the real benefit. She believes that most of the benefit goes to people outside of the County. The EIR should address the cost/benefit analysis due to the tremendous environmental impacts of extracting resources from that quarry. The document does not adequately address the correlation between the development of the Loch Lomond Marina, which is immanent in all the additional housing, as well as the impacts on the nearby marshlands and wetlands. It's the cumulative affect of the development of both of those areas which raises some concern. There is also a lack of coordination between the city and the county, which also raises some concerns, and she would like to see it addressed in the EIR.

**Rick Johnson:**

Noise: Does the CWP protect the natural soundscapes?

Invasive Plants: How will the CWP control invasive plants, especially along the roadways? Will it have a positive impact, or allow them to grow out of control?

Agricultural Diversity: The EIR should explain both the positive and negative impacts. The commercialization of rural areas could bring on all sorts of environmental issues.

Wetland/Streamside Corridor protection: Some of the language in the CWP raises some concerns, such as the words "as feasible." Some areas are excluded from the plan, which invites negotiation. The EIR should contain a detailed analysis; are these policies actually better protection than what already exists under current federal/county policies?

**Ann Thomas- Representing Citizens for the Preservation of St. Vincent's Silveira:**

She and her group submitted a letter on public record. They found a number of errors in the text of the revised CWP. They are requesting that an additional option be added for evaluation of the sites in the EIR. The additional option allow for the purchase of most or all of the undeveloped portions of the St. Vincent's Silveira properties, using a combination of public and private funds. This would allow continued use and reuse of the existing complex and could allow mixed use development at a residential density of 1 unit per 10 acres in the area North of the existing H complex. There would be a proviso to this alternative stating that non-residential uses would be allowed to the extent that they do not exceed the peak hour trip generation projected for residential use. This alternative would be consistent with any number of policies contained in the plan, for example, the confining urban development infill areas limiting development in resource or hazard areas and others. These sites are environmentally because they are considered a buffer between the Marin County's two major cities. With the strong public support for preservation of the sites and the willingness of many community service groups to participate with the County in purchasing these sites, it would not be the sole responsibility of the County to purchase these sites. She urges that this be included as an alternative.

**Trip Allen- Representing San Pedro Road Coalition, Chairman of the Environmental Committee:**

His group has comments about both the Baylands Corridor and Green building plans in the draft CWP.

Baylands Corridor: His group asks that the EIR address the cumulative effects that have developed in other incorporated areas. An example is the Loch Lomond Marina area. The development and expansion of housing, traffic, energy, and water use should be considered within the Quarry and other areas. Wetlands protection should be included in the Baylands

Corridor. There are some potentially contiguous open areas or habitat spaces within incorporated areas. The EIR should look into ways to expand and integrate those habitat spaces wherever possible. Smaller habitats could become more valuable as wetland habitats decrease. There is also an issue of tidelands degradation often due to poor planning with projects that produce sedimentation. Adequate tidal flow must be maintained within the salt marsh areas in order to protect the tidal marshes. One of the effects of restricting tidal flow is the invasion of exotic, non-native weeds, which are able to flourish in areas of restricted tidal flow. In past projects, adequate safeguards were not made to ensure that there would be good tidal flow. Invasive species will continue to be a problem unless strategic plans are put in place to allow adequate tidal flow.

Greenbuilding: The EIR should carefully consider the rising cost of natural gas, which is rising faster than any other energy source. The county should place more emphasis on home heating offset issues, increasing the incentive to do passive solar design. Solar heating is a great way to offset the costs associated with heating homes in the future.

**Barbara Salzman- Representing the Marin Audubon Society:**

The decline of rare, threatened or endangered species should be considered a significant impact in the CWP EIR. Any change in diversity, or the number of a certain species present within the county needs to be addressed in the EIR. The EIR should also address the importance of the Bay habitat for wildlife. There is also a significant decline in our wetlands, and a denigration of the importance of smaller wetlands. A question that has arisen is, what does a 2 acre exclusion mean to the county? How much will we lose if it is excluded from regulation? There is a specific reference to jurisdictional wetlands in the draft CWP. The EIR should address the fact that there are many wetland definitions under CEQA. The definition of jurisdictional wetlands is very restrictive. The CWP should address other definitions of jurisdictional wetlands and adopt the most biologically protective definition. The tidelands subzone and Baylands conservation zone seem to have been rejected. The EIR should explain why they were rejected. She is also concerned that there are reduced protections for those rocky shorelines and tidal subzones. There are a number of policies that make references to such terms as sensitive resources. The definitions in the CWP are not adequate enough to protect native species that aren't endangered yet. Please address all of these concerns in the EIR.

**John Olamante- A bioregionalist, North Bay Transit Committee Member, a member of the MWP Information Project, Friends of the Railway, and soon will be a member of the TMPWM- Trains and Pathways in Marin:**

In his opinion, renewal means bioregionalism. He stresses mobility in between watersheds. Alternative forms of transportation are ideal for Marin, such as shuttles to take people to their destinations. The high speed North Bay web can take you to a ferry, or a plane, or other forms of mobility- from watershed to watershed. Driving should only be a recreational option.

**Gerald Short:**

He has concerns about introduced domestic pets. He has had first-hand experience seeing the devastation caused by domestic pets. Invasive species are essentially feral pets.

***APPENDIX 2-C  
MITIGATION MONITORING AND REPORTING PROGRAM***

# **MITIGATION MONITORING AND REPORTING PROGRAM MARIN COUNTYWIDE PLAN UPDATE**

## **INTRODUCTION**

The California Environmental Quality Act (CEQA) requires a public agency to adopt a reporting or monitoring program when approving a project or changes to a project, in order to mitigate or avoid significant effects on the environment (Public Resources Code section 21081.6). The program is based on the findings and the required mitigation measures presented in an Environmental Impact Report (EIR) that has been prepared on the project and certified by the lead agency. The reporting or monitoring program must be designed to ensure compliance during project implementation.

Pursuant to the CEQA Guidelines, a Mitigation Monitoring and Reporting Program (MMRP) must cover the following:

- The MMRP must identify the entity that is responsible for each monitoring and reporting task, be it Marin County (as lead agency), other agency (responsible or trustee agency), or a private entity (i.e., the project sponsor).
- The MMRP must be based on the project description and the required mitigation measures presented in the environmental document prepared for the project and certified by the lead agency.
- The MMRP must be approved by the lead agency at the same time of project entitlement action or approvals.

MMRP's are typically designed in chart and checklist format for ease of monitoring and reporting.

## **LOCATION AND CUSTODIAN OF DOCUMENTS**

Consistent with the California Environmental Quality Act, an EIR was prepared to address the impacts of the *Draft 2005 CWP Update*. This document, entitled *Marin Countywide Plan Update EIR* consists of two volumes (Draft EIR dated January 2007, and Response to Comments to the Draft Environmental Impact Report dated xxxx 2007), and is on file with the Marin County Community Development Agency, along with all the other documents which constitute the record of proceedings.

## **PURPOSE AND USE OF THE MONITORING AND REPORTING PROGRAM**

The purpose of the monitoring and reporting program is to provide Marin County with a simple guideline of procedures to ensure that the mitigation measures required under the Final EIR are implemented properly.

Since each required mitigation measure must be implemented, a monitoring and reporting chart was created, which is attached to this report. This chart provides the following information and direction for use.

- 1) The required mitigation measures are listed in the first column, corresponding to the list of measures provided in the Final EIR.
- 2) The second column lists the agency or entity responsible for implementing the mitigation measure.
- 3) The third column lists the timing as to when the mitigation measure is to be implemented.
- 4) The fourth column provides guidance on monitoring and reporting actions to ensure that implementation procedures are followed.

California Government Code section 65400 provides that after adoption of a plan (such as a county General Plan) planning agencies (such as Marin County) provide an annual report on the status of the plan and progress in its implementation, including the progress in meeting its share of regional housing needs.

The CEQA Guidelines (section 15097) state in part where the project at issue is the adoption of a general plan, the monitoring plan shall apply to policies and any other portion of the plan that is a mitigation measure or adopted alternatives. The monitoring plan may consist of policies included in plan-level documents. The annual report on general plan status required pursuant to the Government Code is one example of a reporting program for adoption of a city or county general plan.

As listed in the fourth column this MMRP relies on the county's General Plan Annual Report to report on the status of the policies and programs adopted in response to the Final EIR mitigation measures.

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<b>Land Use, Population and Housing</b>			
<p><b>4.1-2</b> Add the following policies and programs to the Community Development Section of the Built Environment Element.</p> <p><u>Policy CD-(new) Provide Adequate Infrastructure Capacity. Plan the circulation system and public infrastructure and services to provide capacity for the unincorporated County’s realistic buildout.</u></p> <p><u>Policy CD-(new) Correlate Development and Infrastructure.:</u> For health, safety and general welfare, new development should only occur when adequate infrastructure is available consistent with the following findings:</p> <p>a) <u>Project related traffic will not cause level of service established in the circulation element to be exceeded;</u></p> <p>b) <u>Any circulation improvements needed to maintain the level of service standard established in the Circulation Element have been programmed and funding has been committed;</u></p> <p>c) <u>Environmental review of needed circulation improvement projects has been completed;</u></p> <p>d) <u>The time frame for completion of the needed circulation improvements will not cause the level of service in the Circulation element to be exceeded.</u></p> <p><u>Wastewater, water and other infrastructure improvements will be available to serve new</u></p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
development by the time the development is constructed.			
<p>Program <b>CD-(new)</b> <u>Monitor Growth and Circulation.</u> At least every five years review the unincorporated County’s growth, planned land use, traffic capacity, funded traffic improvements, traffic mitigation list and traffic fees. Assess growth assumptions and modify land use and circulation policies as needed to ensure adequate circulation capacity to serve development.</p> <p>Program <b>CD-(new)</b> <u>Review and Correlate Countywide Growth and Infrastructure.</u> Work with the proposed City- County Committee or a similar collaborative venue (to be established pursuant to Policy CD-4) to review the countywide growth, planned land use and traffic and service capacity. As warranted by the monitoring information, encourage all jurisdictions to amend their respective general plans and zoning from allowing “theoretical full buildout”<sup>1</sup> of non-residential uses to allowing “realistic buildout” to ensure correlation of planned land uses and traffic capacity and the capacity of all essential public services. [id]</p> <p>Program <b>CD-(new) Development Review:</b> Through the development and environmental review processes, ensure that policy provisions are evaluated and implemented. If required by statute or case law, the County Review Authority may waive or modify policy requirements determined to have removed all economically viable use of the property.</p>			
<p><i>Mitigation Measure 4.1-4(a)</i></p> <p>Revise Program <b>AG-2.c</b> of the Draft 2005 CWP Update as follows</p> <p><b>AG-2c</b> Prepare Criteria and Standards. <del>Prepare criteria and standards to identify compatible agricultural activities and applicable development code requirements.</del> <u>Amend the Development Code to include criteria and standards to encourage agricultural processing and strengthen Marin’s agricultural industry, including limitations on uses that are not compatible with sustainable agriculture. Continue to support the efforts of the UC Cooperative Extension, Marin Resource Conservation District, the Marin County Farm Bureau, Marin Agricultural Land Trust, Marin Organic, Marin County Agriculture Commissioner, and the Marin County Farmer’s Market to plan for agriculture in Marin</u></p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005.</i></p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

<sup>1</sup> Theoretical full buildout refers to General Plan Floor Area Ratio or intensity limits applied to each parcel in a jurisdiction. Realistic buildout refers to the likely buildout of all parcels in a jurisdiction based on constraints, existence of economically viable uses under the allowable FAR, application of policy restrictions, and the like.

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p>and ensure that the new criteria and standards are consistent with the County's goals of <u>improved agricultural viability and preservation and restoration of the natural environment.</u></p>			
<p><i>Mitigation Measure 4.1-4(b)</i>                      The County shall obtain funding for Program <b>AG-2.c</b>.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.                       CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.1-5</i>                      In order to reduce impacts associated with development of Housing Overlay Designation sites those individual parcels that do not meet the criteria listed in Policy <b>CD-2.3</b> shall be removed from further consideration.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.                       CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>



Mitigation Measure	Implemented by	When Implemented	Monitoring or Reporting Action
<b>Transportation</b>			
<p><i>Mitigation Measure 4.2-1</i></p> <p>Add a new policy and program to the Transportation section of the Built Environment Element:</p> <p><b>Policy TR-1.(new)</b> Reduce vehicle miles traveled per person by single-occupant automobile by ten percent.</p> <p><b>Program TR-1.(new)</b> Develop a program for monitoring VMT and implementing targeted strategies for reducing VMT per person including:</p> <ul style="list-style-type: none"> <li>• All new residential projects over 50 units shall be within five miles of a major public transportation node.</li> <li>• Require that all new multi-family residential projects over ten dwelling units have TDM measures in place such as charging parking fees separate from rent, subsidized public transportation passes, or ride-matching programs based on site specific review.</li> <li>• New residential development should provide safe, convenient connections to existing pedestrian and bicycle facilities and should provide secure bicycle parking.</li> <li>• Complete key regional bikeways including the Cal-Park Hill Path and Tunnel.</li> </ul> <p>Require that new employers of 50 employees or more implement TDM programs such as parking cash out, subsidized transit passes, ridesharing incentives, and bicycle storage facilities.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Department of Public Works would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.2-3</i></p> <p>Widen State Route 1 between U.S. 101 and Almonte Boulevard from one to two lanes in each direction, which would increase roadway capacity from 800 vehicles per hour to 1,600 vehicles per hour in each direction. This would improve conditions to LOS E, which would at least provide capacity that exceeds traffic demand, but would still not satisfy the LOS D criteria for this roadway. Though full mitigation would require three full traffic lanes in each direction, this improvement is unlikely due to significant environmental impacts and lack of community support. Currently there are no plans or funds for this improvement; therefore, it is unlikely it would be completed within the time frame of the <i>Draft 2005 CWP Update</i>.</p>	<p>Caltrans in cooperation with Marin County</p>	<p>Caltrans in cooperation with Marin County would be responsible to implement improvements</p>	<p>Caltrans in cooperation with Marin County would be responsible for monitoring.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.2-4</i></p> <p>Expand State Route 131 from two to three lanes in the eastbound direction from U.S. 101 to southbound Strawberry Dr. This would expand roadway capacity in the eastbound direction from 1,920 to 2,880 vehicles per hour creating, at worst case LOS C operating conditions, thus providing an acceptable LOS.</p>	Caltrans in cooperation with Marin County	Caltrans in cooperation with Marin County would be responsible to implement improvements would be responsible to implement improvements	Caltrans in cooperation with Marin County would be responsible for monitoring
<p><i>Mitigation Measure 4.2-5</i></p> <p>Expand Sir Francis Drake Boulevard between Bon Air Road and Wolfe Grade in the westbound direction from two to three lanes. This would expand capacity from 2,400 to 3,600 vehicles per hour, providing under worst case conditions an acceptable LOS A.</p>	Marin County	Marin County would be responsible to implement improvements	Marin County would be responsible for monitoring
<p><i>Mitigation Measure 4.2-6</i></p> <p>Widen Sir Francis Drake Boulevard from two to three lanes in each direction from U.S. 101 to Eliseo Dr. This would increase roadway capacity from 2,400 to 3,600 vehicles per hour in each direction and under the worst case scenario provide LOS D operations, which would satisfy the LOS requirements for this roadway.</p>	Marin County and City of Larkspur	Marin County and City of Larkspur would be responsible to implement improvements	Marin County and City of Larkspur would be responsible for monitoring
<p><i>Mitigation Measure 4.2-7</i></p> <p>Expand East Sir Francis Drake Boulevard between the Larkspur Ferry Terminal and San Quentin from one to two lanes in each direction. This would expand capacity from 960 to 1,920 vehicles per hour, providing under worst case conditions an acceptable LOS B.</p>	Marin County and City of Larkspur	Marin County and City of Larkspur would be responsible to implement improvements	Marin County and City of Larkspur would be responsible for monitoring
<p><i>Mitigation Measure 4.2-8</i></p> <p>Expand I-580 from two to three lanes in the westbound direction from the Richmond Bridge to Sir Francis Drake Boulevard which would expand roadway capacity from 4,400 to 6,600 vehicles per hour thus providing under worst case conditions acceptable LOS C operations.</p>	Caltrans in cooperation with Marin County and the City of San Rafael	Caltrans in cooperation with Marin County and the City of San Rafael would be responsible to implement improvements	Caltrans in cooperation with Marin County and the City of San Rafael would be responsible for monitoring
<p><i>Mitigation Measure 4.2-9</i></p> <p>Expand U.S. 101 between I-580 and Sir Francis Drake Boulevard from three to four mixed-flow lanes in the southbound direction which would expand roadway capacity from 6,600 to 8,800 vehicles per hour. This would provide under worst case traffic conditions acceptable LOS D operations.</p>	Caltrans in cooperation with Marin County and the City of San Rafael	Caltrans in cooperation with Marin County and the City of San Rafael would be responsible to implement improvements	Caltrans in cooperation with Marin County and the City of San Rafael would be responsible for monitoring

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.2-10</i></p> <p>Widen U.S. 101 northbound and southbound from three lanes and one auxiliary lane to four lanes one auxiliary lane between Second Street and I-580 which would expand roadway capacity from 7,700 to 9,900 vehicles per hour. This would be enough additional capacity to accommodate the 1557 vehicles per hour, under worst case conditions, in excess of the acceptable LOS threshold.</p>	<p>Caltrans in cooperation with the City of San Rafael and Marin County</p>	<p>Caltrans in cooperation with the City of San Rafael and Marin County would be responsible to implement improvements</p>	<p>Caltrans in cooperation with the City of San Rafael and Marin County would be responsible for monitoring</p>
<p><i>Mitigation Measure 4.2-11</i></p> <p>Currently South Novato Boulevard is only one lane in each direction which provides 960 vehicles per hour of capacity. Under worst case conditions, traffic volumes are forecast to exceed this capacity by 235 vehicles per hour, and exceed the acceptable LOS threshold by 427 vehicles per hour. Thus, expanding South Novato Boulevard from one to two lanes in each direction from U.S. 101 to Sunset Parkway, which would expand roadway capacity to 1,920 vehicles per hour in each direction, would provide enough additional capacity to for an acceptable LOS.</p>	<p>City of Novato</p>	<p>City of Novato would be responsible to implement improvements</p>	<p>City of Novato would be responsible for monitoring</p>
<p><i>Mitigation Measure 4.2-12</i></p> <p>Currently Lucas Valley Road is one lane in the each direction which provides 800 vehicles per hour of capacity in each direction. Under worst case conditions, traffic volumes are forecast to exceed this capacity and acceptable LOS by 270 vehicles per hour. In order to accommodate this excess capacity via roadway expansion, Lucas Valley Road would need to be expanded from one to two lanes in both directions from Las Gallinas Ave. to Los Gamos which would expand roadway capacity from 800 to 1600 vehicles per hour.</p>	<p>Marin County</p>	<p>Marin County would be responsible to implement improvements</p>	<p>Marin County would be responsible for monitoring</p>
<p><i>Mitigation Measure 4.2-13</i></p> <p>Currently U.S. 101 at this screenline is two lanes in each direction which provides 4,400 vehicles per hour of capacity. Under worst case conditions, traffic volumes are forecast to exceed this capacity and acceptable LOS by 1,323 vehicles per hour. In order to accommodate this excess capacity via roadway expansion, U.S. 101 would need to be expanded from two to three lanes in each direction from north of Atherton Avenue, where U.S. 101 drops to two lanes, to the Sonoma County Line which would expand roadway capacity from 4,400 to 6,600 vehicles per hour.</p>	<p>Caltrans in cooperation with Marin and Sonoma Counties</p>	<p>Caltrans in cooperation with Marin and Sonoma Counties would be responsible to implement improvements</p>	<p>Caltrans in cooperation with Marin and Sonoma Counties would be responsible for monitoring</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.2-14</i></p> <p>Add an eastbound through lane on Tiburon Boulevard and a northbound right turn lane on the Redwood Highway Frontage Road.</p>	Caltrans and Marin County	Caltrans and Marin County would be responsible to implement improvements	Caltrans and Marin County would be responsible for monitoring
<p><i>Mitigation Measure 4.2-15</i></p> <p>Add a right turn lane to the northbound Grand Avenue approach at the Second Street and Grand Avenue intersection. This improvement is included as part of a fully funded roadway improvement project listed in the <i>San Rafael General Plan 2020</i>.</p>	City of San Rafael	City of San Rafael would be responsible to implement improvements	City of San Rafael would be responsible for monitoring
<p><i>Mitigation Measure 4.2-16</i></p> <p>Add a westbound thru lane on Third Street at the intersection of Third Street and Grand Avenue.</p>	City of San Rafael	City of San Rafael would be responsible to implement improvements	City of San Rafael would be responsible for monitoring
<p><i>Mitigation Measure 4.2-17</i></p> <p>Signalize the Miller Creek Road and Las Gallinas intersection plus add a westbound left turn pocket on Miller Creek Road.</p>	Marin County	Marin County would be responsible to implement improvements	Marin County would be responsible for monitoring
<p><i>Mitigation Measure 4.2-18</i></p> <p>Signalize the Miller Creek Road and U.S. 101 SB off-ramp intersection.</p>	Caltrans in cooperation with Marin County	Caltrans in cooperation with Marin County would be responsible to implement improvements	Caltrans in cooperation with Marin County would be responsible for monitoring
<p><i>Mitigation Measure 4.2-19</i></p> <p>Signalize the Miller Creek Road and U.S. 101 NB off ramp intersection plus add eastbound and northbound left turn pockets.</p>	Caltrans in cooperation with Marin County	Caltrans in cooperation with Marin County would be responsible to implement improvements	Caltrans in cooperation with Marin County would be responsible for monitoring

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<b>Air Quality</b>			
<p><i>Mitigation Measure 4.3-2(a)</i></p> <p>Add a new program to the Design Section of the Built Environment Element as follows:</p> <p><b>DES-2.(new)</b> Require new office developments with more than 50 parking spaces to offer a <i>Parking “Cash-Out” Program</i>.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><i>Mitigation Measure 4.3-2(b)</i></p> <p>It would be necessary to identify a funding source, make a higher priority or implemented sooner Programs <b>AIR-3.a</b> (funding source, higher priority, implement sooner), <b>AIR-3.d</b> (higher priority), <b>AIR-3.e</b> (higher priority), <b>TR-2.g</b> (higher priority, implement sooner), <b>TR-2.k</b> (higher priority, implement sooner), and <b>TR-1.c</b> (funding sources, higher priority, implement sooner)</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><i>Mitigation Measure 4.3-3(a)</i></p> <p>Revise Policy <b>AIR 2-1</b> of the Natural Systems &amp; Agriculture Element as follows:</p> <p><b>AIR-2.1 Buffer Emission Sources and Sensitive Land Uses.</b> Consider potential air pollution and odor impacts from land uses that may emit pollution and/or odors when locating (a) air pollution <del>point</del> sources, and (b) residential and other pollution-sensitive land users in the vicinity of air pollution <del>point</del> sources (which may include <u>freeways</u>, manufacturing, extraction, hazardous materials storage, landfill food processing, wastewater treatment, and other similar uses).</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.3-3(b)</i></p> <p>Revise Program <b>AIR-2.a</b> of the Natural Systems &amp; Agriculture Element as follows:  <b>AIR-2.a Require Separation Between <u>Air Pollution Point</u> Sources and Other Land Uses.</b> Only allow (a) emission <del>point</del> sources or (b) other uses in the vicinity of air pollution or odor <del>point</del> sources if the minimum screening ...</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.3-3(c)</i></p> <p>Add a new program to the Natural Systems &amp; Agriculture Element as follows:  <b>AIR-2.(new) <u>Health Risk Analysis for Sensitive Receptors.</u></b> Require that projects involving sensitive receptors proposed within 150 feet of reeways shall include an analysis of the potential health risks. Mitigation measures shall be identified to reduce these risks to acceptable levels.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.3-6(a)</i></p> <p>Revise Program <b>AIR-4.f</b> of the Natural Systems &amp; Agriculture Element as follows:  <b>AIR-4.f Establish a Climate Change Planning Process.</b> <u>Approve and begin implementation of the Marin County Greenhouse Gas Reduction Plan.</u> Integrate <u>Marin County Greenhouse Gas Reduction Plan</u> <del>climate change planning and program implementation</del> into long range and current planning functions and other related agencies. Establish and maintain a process to implement, measure, evaluate, and modify implementing programs, using the Cities for Climate Protection Campaign as a model.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.3-6(b)</i></p> <p>Implement proposed State programs to reduce greenhouse gas emissions including the Renewable Portfolio Standards, California Fuel Efficiency (CAFÉ) standards and a carbon cap and trade programs</p>	<p>State of California</p>	<p>California State Air Resources Board would be responsible for implementation.</p>	<p>California State Air Resources Board would be responsible for monitoring</p>
<b>Noise</b>			
<p><i>Mitigation Measure 4.4-5</i></p> <p>Revise Program <b>NO-1.i</b> of the <i>Draft 2005 CWP Update</i> as follows:</p> <p><b>NO-1.i; Regulate Noise Sources.</b> Sections 6.70.030(5) and 6.70.040 of the Marin County Code establish allowable hours of operation for construction-related activities. As a condition of permit approval for projects generating significant construction noise impacts during the construction phase, construction management for any project shall develop a construction noise reduction plan and designate a disturbance coordinator at the construction site to implement the provisions of the plan.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<b>Hydrology</b>			
<p><i>Mitigation Measure 4.5-1(a)</i></p> <p><b>4.5-1(a)</b> Revise Program <b>WR-2.i</b> of the <i>Draft 2005 CWP Update</i> as follows:</p> <p><b>WR-2.i; <del>Consider Establishing</del> a Septic Inspection, Monitoring, and Maintenance District.</b> Establish a countywide Septic Management and Monitoring District that would include all portions of unincorporated areas with septic systems. Modify applicable codes to enable the inspection and monitoring of on-site septic systems in a risk-based, comprehensive and cost effective way. <u>Establishment requires a petition or election to put the district in place.</u></p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Department of Public Works would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.5-1(b)</i></p> <p><b>4.5-1(b)</b> Continue to implement County ordinances addressing nonpoint source pollution, erosion and sediment control, and surface runoff pollution control plans to ensure that project related and cumulative impacts to water quality standards are minimized or avoided through conditions on project approval as required by the ordinances.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i></p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.5-3(a)</i></p> <p>In order to reduce impacts to groundwater resources to a less-than-significant level, the County would revise the timeframe of implementation of Program <b>PFS-2.0</b> to the medium-term or sooner.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.5-3(b)</i></p> <p>Continue to implement County ordinances that maintain continued groundwater recharge, require surface runoff pollution control plans and best management practices for new developments and redevelopments to ensure that project related and cumulative impacts to groundwater recharge are minimized or avoided through conditions on project approval as required by the ordinances.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and the Department of Public Works would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>



<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.5-4(a)</i></p> <p>Add a new policy to the Natural Systems &amp; Agricultural Element</p> <p><b>BIO-4.(new)</b> <u>Maintain Channel Stability.</u> Project applicants for new development / redevelopment projects shall, where evidence is presented to the County demonstrating the need for an assessment, be required to prepare a hydraulic and / or geomorphic assessment of on-site and downstream drainageways that are affected by project area runoff. Characteristics pertinent to channel stability would include hillslope erosion, bank erosion, excessive bed scour or sediment deposition, bed slope adjustments, lateral channel migration or bifurcation, channel capacity and the condition of riparian vegetation. The hydraulic and / or geomorphic assessment shall include on-site channel or drainageway segments over which the applicant has control and access. In the event that project development would result in or further exacerbate existing channel instabilities, the applicant could either propose their own channel stabilization program, or defer to the mitigations generated during any environmental review required by the County for the project, which could include pre-project peak flow maintenance. Any proposed stabilization measures shall anticipate any project-related changes to the drainageway flow regime. .</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><i>Mitigation Measure 4.5-4(b)</i></p> <p>Continue to implement NPDES Phase II permit requirements relating to peak flow controls to ensure that project related and cumulative impacts to peak flows are minimized or avoided through conditions on project approval as required by the ordinances.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i></p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.5-7(b)</i></p> <p>The County would obtain additional funding necessary to implement Program <b>AIR-5.c</b>. In addition, County staff would need to amend the Marin County Development Code to include construction standards for areas threatened by future sea level rise..</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><i>Mitigation Measure 4.5-7(c)</i></p> <p>Continue to implement County ordinances that regulate floodplain development to ensure that project related and cumulative impacts to flooding are minimized or avoided through conditions on project approval as required by the ordinances.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and the Department of Public Works would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<b>Biological Resources</b>			
<p><i>Mitigation Measure 4.6-1</i></p> <p>Add a new policy to the Biological Resources section as follows:</p> <p><b>BIO-2.(new):</b> <u>Continue to actively participate in the FishNet4C program and work cooperatively with participating agencies to implement recommendations to improve and restore aquatic habitat for listed anadromous fish species and other fishery resources.</u></p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Department of Public Works would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.6-2</i></p> <p>In order to reduce the impact to sensitive natural communities to a less-than-significant level, the County would obtain funding for Program <b>BIO-1.b</b>, revise its priority to medium, and improve the timeframe of its implementation to the medium-term or sooner.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Department of Public Works would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.6-4(a)</i></p> <p>Adopt Option 2 in <b>Map 2-5a</b> of the <i>Draft 2005 CWP Update</i> to provide for greater consideration of the remaining sensitive biological features on larger undeveloped properties including the St. Vincent’s / Silveira properties and in the vicinity of Gness Field. This larger corridor would ensure that any future development applications must consider how individual biological features contribute to the overall habitat values of the larger baylands ecosystem, provide adequate setbacks for areas qualifying for protection under the WCA and SCA, and ensure protection of essential linkages to permanently protected habitat. By extending the boundary of the proposed Baylands Corridor on the St. Vincent’s / Silveira properties to U.S. 101, additional emphasis would be given on providing essential linkages between the entire Miller Creek corridor, the scattered seasonal wetlands, and the oak woodlands along Pacheco Ridge. The Baylands Corridor under Option 2 would also encompass the entire 300-foot distance landward of the historic bay marshlands on the St. Vincent’s / Silveira properties recommended as a minimum setback distance from historic tidelands in the <i>Baylands Ecosystem Habitat Goals</i> report. Including the historic tidelands and adjacent uplands as part of the Baylands Corridor on the St. Vincent’s / Silveira properties would provide for recognition of the potential for possible future restoration and enhancement of the baylands on the undeveloped portion of this property.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><i>Mitigation Measure 4.6-4(b)</i></p> <p>In order to reduce impacts to wildlife habitat and movement opportunities, the County would obtain additional funding for Program <b>BIO-2.b</b> and revise the timeframe of its implementation to the medium-term or sooner.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

Mitigation Measure	Implemented by	When Implemented	Monitoring or Reporting Action
<b>Geology</b>			
<p><i>Mitigation Measure 4.7-1(a)</i></p> <p>Revise Policy <b>EH-2.2</b> (<i>Comply with the Alquist-Priolo Act</i>) and Program <b>EH-2.d</b> (<i>Limit Building Sites in Alquist-Priolo Zones</i>) of the Draft 2005 CWP Update as follows:</p> <p><b>Policy EH-2.2;</b> <i>Comply with the Alquist-Priolo Act.</i> Continue to <u>implement and enforce the Alquist-Priolo Earthquake Fault Zoning Act</u>, <del>prohibit specified types of any structures for human occupancy in State-designated active fault areas.</del></p> <p><b>Program EH-2.d;</b> <i>Limit Building Sites in Alquist-Priolo Zones.</i> Prohibit new building sites in any Alquist-Priolo <u>Earthquake Fault Zone</u>, unless a <del>geotechnical</del> <u>geotechnical</u> report prepared by a <del>certified engineering</del> <u>professional geologist</u> establishes <u>that the and sufficient and suitable land area for development pursuant to will comply with all applicable State and County earthquake standards and regulations.</u></p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.7-1(b)</i></p> <p>Add a new program to the <i>Draft 2005 CWP Update</i> in order to reduce adverse effects of surface fault rupture to critical public lifelines and access (i.e., evacuation) routes that cross an active fault trace.</p> <p><b>Program EH-2.(new)</b> <u><i>Reliability of Lifelines and Access (Evacuation) Routes.</i></u> <u>In cooperation with utility system providers, emergency management agencies, and others, assist in the development of strategies to reduce adverse effects of geologic hazards, especially fault surface rupture and landslides to critical public lifelines and access (i.e., evacuation) routes in an emergency.</u></p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.7-1(a)</i></p> <p>Continue to implement County ordinances requiring geological assessment (e.g., Preliminary Soils, Soils Investigation, and Geologic / Geotechnical reports) for new subdivisions and grading permits to identify the presence of surface fault rupture.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and the Department of Public Works would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.7-2(a)</i></p> <p><b>4.7-2(a)</b> Revise Policy <b>EH-2.3</b> (<i>Ensure Safety of New Structures</i>) and Programs <b>EH-2.e</b> (<i>Retrofit County Buildings</i>), <b>PS-3.f</b> (<i>Promote Structural Safety</i>), and <b>PS-3.g</b> (<i>Locate Emergency Services Facilities Appropriately</i>) to ensure seismic safety of all new structures, to address the proper location and retrofit of County buildings and essential critical facilities, and to promote structural and nonstructural safety (e.g., proper securing of nonstructural items within buildings).</p> <p><b>Policy EH-2.3;</b> <i>Ensure Seismic Safety of New Structures.</i> <del>would require that structures to be occupied by large groups, such as offices, restaurants, hotels, senior housing and multi-family housing are designed to be as safe as technically feasible from seismic ground shaking.</del> <u>Design and construct all new buildings to be earthquake resistant. The minimum level of design necessary would be in accordance with seismic provisions and criteria contained in the most recent version of the State and County Codes.</u> <u>Construction would require effective oversight and enforcement to ensure adherence to the earthquake design criteria.</u></p> <p><b>Program EH-2.e;</b> <i>Retrofit County Buildings and Critical Facilities.</i> Identify and remedy any County owned structures <u>and critical facilities</u> in need of seismic retrofit or other geotechnical / <u>structural</u> improvements, including <del>by</del> eliminating any potentially hazardous features, and / or relocating services if necessary.</p> <p><b>Program PS-3.f;</b> <i>Promote Structural and Nonstructural Safety.</i> <u>Provide and inform the public of the available educational guides promoting structural and nonstructural earthquake safety.</u> Encourage installation of automatic natural gas shut-off valves in buildings. <u>Encourage retrofit of older buildings and securing nonstructural elements of a building to prevent the falling or throwing of objects.</u> <del>Encourage retrofitting seismically vulnerable buildings.</del></p> <p><b>Program PS-3.g;</b> <i>Locate Emergency Services Facilities Appropriately.</i> Locate and design emergency buildings and vital utilities, communication systems and other public facilities so that they remain operational during and after an emergency or disaster. <u>Encourage that these structures and facilities are designed to be earthquake proof to ensure continuous operation even during extreme seismic ground shaking.</u></p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005.</i></p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.7-2(b)</i></p> <p>Add a new program to the <i>Draft 2005 CWP Update</i> that would create a process for systematic assessment of damaged and collapsed buildings immediately following a significant earthquake in order to determine recovery needs. This should begin with evaluation of essential service buildings and facilities and then continue with other structures.</p> <p><b><u>Program EH-2.(new); Post-earthquake Damage Assessment.</u></b> Undertake immediate damage assessment of essential service buildings and facilities and then other buildings as part of the County’s emergency response plan in response to a damaging earthquake.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><i>Mitigation Measure 4.7-2(c)</i></p> <p>Obtain funding for the revised Program <b>EH-2.e</b> (<i>Retrofit County Buildings and Critical Facilities</i>) and revise the time frame of its implementation to the medium-term or sooner.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>



<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.7-2(d)</i></p> <p>Continue to implement County ordinances to ensure new construction utilize California Building Code seismic design requirements, seismic shut off devices, and anchoring of liquid petroleum gas tanks as well as require geological assessment (e.g., Soils Investigation and Geologic / Geotechnical reports) for grading permits to determine the effects of seismic ground shaking on proposed grading.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

Mitigation Measure	Implemented by	When Implemented	Monitoring or Reporting Action
<p><i>Mitigation Measure 4.7-3(a)</i></p> <p>Revise Programs <b>EH-2.a</b> (<i>Require Geotechnical Reports</i>) and <b>EH-2.b</b> (<i>Require Construction Certification</i>) of the Draft 2005 CWP Update as follows:</p> <p><b>Program EH-2.a; Require Geotechnical Reports.</b> <del>Continue to require any applicant for land division, master plan, development approval, or new construction in a geologic hazard area to submit a geotechnical report prepared by a State-certified engineering geologist (unless waived), in conformance with the State Seismic Hazards Mapping Act (PRC Div. 2, Chapter 7.8), that</del> <u>geotechnical report prepared by a State-Certified Engineering Geologist or a Registered Geotechnical Engineer that:</u></p> <ul style="list-style-type: none"> <li>• Evaluates soil, slope, and other geologic <u>hazard</u> conditions;</li> <li>• Commits to appropriate and comprehensive mitigation measures sufficient to reduce risks to acceptable levels, including post-construction site monitoring, if applicable; and</li> <li>• Addresses <del>on-site structural engineering,</del> <u>the</u> impact of the project on adjacent lands, and potential impacts of off-site conditions.</li> </ul> <p><del>When available, post and disseminate information from Seismic Hazard Zone maps in conformance with the Act.</del></p> <p><b>Program EH-2.b; Require Construction Observation and Certification.</b> Require any work <u>or construction oversight</u> undertaken to correct slope instability or mitigate other geologic <u>hazard</u> conditions <del>to</del> be supervised and certified by a geotechnical engineer and / or, <del>when necessary,</del> an engineering geologist, <u>as deemed necessary.</u></p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.7-3(b)</i></p> <p>Add a new program to the <i>Draft 2005 CWP Update</i> that would continue to create Geologic Hazard Area maps based on the most up to date geologic and geotechnical information as it becomes available. This would be incorporated into County GIS data so that updates can be implemented as new information is obtained.</p> <p><b><u>Program EH-2.(new); Geologic Hazard Areas.</u></b> Continue to create Geologic Hazard Area maps that utilize updated information as it becomes available. These maps should be used to determine the need for geologic and geotechnical reports for a proposed development or redevelopment.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.7-3(c)</i></p> <p>Continue to implement County ordinances requiring geological assessment (e.g., Preliminary Soils, Soils Investigation, and Geologic / Geotechnical reports) for new subdivisions and grading permits to identify hazards associated with seismic-related ground failure.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.7-4(b)</i></p> <p>Continue to implement County ordinances requiring a Stability Report for new construction in specified areas on County slope stability maps, assessment of storm related landslide damage, limits to slope steepness. In addition, continue to implement County ordinances requiring geological assessment (e.g., Preliminary Soils, Soils Investigation, and Geologic / Geotechnical reports) for new subdivisions and grading permits to identify hazards associated with landsliding.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and the Department of Public Works would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.7-5(b)</i></p> <p>Revise the timeframe of implementation of Program <b>EH-2.g</b> to the medium-term or sooner.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.7-5(c)</i></p> <p>Continue to implement County ordinances that provide guidelines for subsidence evaluations of land that are or could be prone to subsidence as well as requiring geological assessment (e.g., Preliminary Soils, Soils Investigation, and Geologic / Geotechnical reports) for new subdivisions and grading permits to identify hazards associated with subsidence and settlement.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and the Department of Public Works would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.7-6(b)</i></p> <p>Continue to implement County ordinances that provide soil classification guidelines and design considerations for development in areas of expansive soils as well as requiring geological assessment (e.g., Preliminary Soils, Soils Investigation, and Geologic / Geotechnical reports) for new subdivisions and grading permits to identify hazards associated with expansive soils.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and the Department of Public Works would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.7-7</i></p> <p>In order to reduce adverse effects from septic system use in unsuitable soils to a less-than-significant level, the County would obtain funding for Program <b>WR-2.e</b> (<i>Continue Providing High-Priority Inspections</i>) in order to continue no-cost inspections of septic systems in high priority areas.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Environmental Health Services would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<p><i>Mitigation Measure 4.7-8(a)</i></p> <p>Revise Policy <b>EH-2.4</b> (<i>Protect Coastal Areas from Tsunamis</i>) and Programs <b>EH-3.a</b> (<i>Regulate Development in Flood and Inundation Areas</i>) and <b>EH-3.g</b> (<i>Locate Critical Facilities Safely</i>) as follows.</p> <p><b>Policy EH-2.4;</b> <i>Protect Coastal Areas from Tsunamis.</i> <del>Consider</del> <u>When inundation maps become available, address</u> tsunami wave runup and inundation impacts when reviewing proposed development along coastal areas of Marin County.</p> <p><b>Program EH-3.a:</b> <i>Regulate Development in Flood and Inundation Areas.</i> Continue to require all improvements in Bayfront, Floodplain, Tidelands, and Coastal High Hazard Zones to be designed to <del>withstand impacts</del> <u>be more resistant to damage</u> from flooding, tsunamis, seiches, and related waterborne debris, and to be located so that buildings and features such as docks, decking, floats, and vessels <u>would be more resistant to damage.</u> <del>do not become dislodged.</del></p> <p><b>Program EH-3.g;</b> <i>Locate Critical Facilities Safely.</i> Amend the Development Code to prohibit placement of public safety structures within <u>tsunami inundation or</u> flood-prone areas.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.7-8(b)</i></p> <p>Add a new program to the <i>Draft 2005 CWP Update</i> that would require Marin County’s participation in the National Weather Service’s <i>TsunamiReady</i> program to create public awareness and community preparedness in hazard areas. Certification would be accomplished by satisfying criteria including 1) establishing an emergency operations center; 2) creating multiple ways of receiving National Weather Service tsunami warnings; 3) the ability to disseminate a tsunami warning; 4) having a tsunami hazard plan; and 5) creating a community awareness program.</p> <p><b>Program EH-2.(new);</b> <u>Make Marin County TsunamiReady. Become a National Weather Service TsunamiReady community in order to promote public awareness, community preparedness, and facilitate quick recovery in the event of a tsunami.</u></p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and Division of Building and Safety would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><b>Water Supply and Demand</b></p>			
<p><i>Mitigation Measure 4.9-1(a)</i></p> <p>Revise Programs <b>PFS-2.c, PFS-2.d, PFS-2.g, PFS-2.h, PFS-2.j, PFS-2.m, PFS-2.o, PFS-2.p, PFS-2.q, WR-2.k, and WR-3.b</b> of the <i>Draft 2005 CWP Update</i> as follows:</p> <p><b>PFS-2.c;</b> <u>Promote Ahwahnee Principles for Water Supply. EncourageSupport guidelines for local water providers to enact programs that promote the Ahwahnee Principles for water supply. Support These should include investigations of new sustainable sources such as groundwater, surface water, recycled water, graywater or desalination facilities that match water quantity and quality to the beneficial uses. Support and the perfection or securing of additional water rights for the water purveyors.</u></p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><b>PFS-2.d; Support Water Demand Planning.</b> <del>Work with the</del> Provide Countywide Plan buildout information in the form of letters for water supply purveyors to use in the development of their respective Urban Water Management Plans (UWMPs) to use the Countywide Plan and cities' and towns' General Plans ultimate build-out numbers. Assist the water purveyors in the preparation of these UWMPs by reviewing these documents and providing comments. Initiate discussion with or letters to small water systems, which are not required by the California Water Code to prepare UWMPs because they have fewer than 3,000 connections, urging them to adopt use of the UWMP format for planning. The water shortage contingency plan portion of the UWMP would provide the means to identify shortages on a consistent basis, to define water shortage stages and appropriate response measures, and to develop relevant ordinances, resolutions, or rules to manage water shortages.</p>			



<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><b>PFS-2.g;</b> <i>Promote Xeriscaping, Site Appropriate Landscaping and Native Plants.</i> Amend the Development Code to require <u>site appropriate, drought-tolerant, low water use, native landscaping and ultra-efficient irrigation systems</u> where appropriate for development applications and re-landscaping projects. <del>and</del> Limit the amount of <u>water intensive landscaping particularly lawn area</u> allowed to reduce the amount of water <del>needed</del><u>required</u> for irrigation.</p> <p><b>PFS-2.h;</b> <i>Promote Site Appropriate, Low-water Use and Drought Tolerant Native Plants in Public Facilities.</i> Restore and promote the native plants <del>garden</del> at the Civic Center, and <u>incorporate the development of similar landscaping for all public facilities.</u> <u>Create a Landscaping Master Plan for Public Facilities that specifies appropriate species, methods, and technologies for water-wise landscaping.</u></p> <p><b>PFS-2.j;</b> <i>Upgrade West Marin Systems.</i> <del>Encourage</del><u>Promote</u> assistance to water service providers to upgrade the water delivery systems in West Marin to reduce the incidence of saltwater intrusion and leakage <u>by reviewing plans and initiating discussion among West Marin water providers of viable programs.</u> <u>The County should promote the upgrade and improvement of water supply development (e.g., wells), water treatment, water delivery and water storage facilities for the purpose of providing supplemental and backup water supplies for peaking and emergency purposes.</u> <u>Upgrade of water systems should be consistent with the Ahwahnee Principles for water supply that encourage a diverse water portfolio, matching of water supply with intended use, protection of natural systems and water resources, and evaluation of the multiple benefits of a water system upgrade program, among others.</u></p>			

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><b>PFS-2.m; Promote <u>Onsite Rainwater Capture and Retention</u> <del>Catchments</del>. Encourage Support the use of on-site rainwater <del>catchments</del> capture, storage, and infiltration for irrigation and other non-potable uses, <u>where appropriate</u>, <del>and work with Environmental Health Services and water service providers to</del> Establish standards for rainwater quality and use and include provisions to prevent contaminating local groundwater and surface water or damaging local septic and water systems.</b></p> <p><b>PFS-2.o; Assess Project Impacts to <u>Surface Water and Groundwater</u>.</b> Require documentation that new development projects with the potential to degrade or deplete <u>surface water or groundwater</u> resources will not adversely affect a basin or subbasin, <u>where appropriate</u>.</p> <p><b>PFS-2.p; Investigate and Consider Appropriate Small-Scale Wastewater <u>Reduction, Treatment, and Use Technologies</u>.</b> Work with water agencies to <u>identify and resolve</u> conflicting regulations regarding pre-treated septic drip dispersal systems and appropriate graywater use, <del>to</del> evaluate the potential of small-scale portable graywater converter systems as <u>possible</u> sources for landscaping water, and <del>to</del> modify regulations as necessary to encourage safe graywater use (such as by allowing dual systems that employ graywater to support landscaping). Include <u>the potential to use composting toilets, waterless urinals and other appropriate water saving technologies</u>.</p>			

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><b>PFS-2.q;</b> <del>Encourage</del> <u>Provide letters of support to Marin County water agencies without tiered billing rates all Marin County water agencies to adopt the California Urban Water Conservation Council’s Best Management Practice of tiered billing rates to encourage water conservation. The tiers should be based on conserving levels of per capita water use, rather than those based on historical non-conserving levels. Offer comprehensive conservation incentive programs to assist customers to achieve conserving levels of use.</u></p> <p><b>WR-2.k;</b> <u>Establish Educational Partnerships to Protect Water Quality.</u> <del>Coordinate</del> <u>Initiate discussions</u> with the Regional Water Quality Control Boards, Marin Resource Conservation District, University of California Cooperative Extension, Natural Resources Conservation Service, Marin County Stormwater Pollution Prevention Program, watershed groups, the public, stakeholders and other interested parties to develop and implement public education programs and provide technical assistance to find alternatives and minimize erosion and sedimentation, pathogen and nutrient, and chemical sources of water pollution. <u>This would begin with letters to establish a lead agency to direct the effort. This would include soliciting the input from</u> <del>Coordinate with</del> local, State, and Federal recreation management agencies to educate boaters and other recreational groups regarding proper management and disposal of human waste.</p> <p><b>WR-3.b;</b> <u>Support and Integrate Water District Conservation Efforts.</u> <del>Support</del> <u>Assist</u> the efforts of the water districts to reduce waste and increase reuse through integrated planning of programs and complementary land use and building regulations. Assess and remove barriers to integrated water planning and mitigate the demand for water in new development. <u>Assess the degree of demand hardening.</u> (Also see policies and programs under Goals AG-1 in the Agricultural and Food section of this Element, and PF-2 in the Public Facilities and Services section of the Built Environment Element).</p>			

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.9-1(b)</i></p> <p>Add the following policies to the Public Facilities and Services section of the Built Environment Element.</p> <p><b>PFS-2.(new) Sustainable Water Supply Required.</b> <u>No new development project shall be approved without a specific finding, supported by facts in the administrative record, that an adequate, long-term, and sustainable water supply is available to serve the project.</u></p> <p><b>PFS-2.(new) Offset New Water Demand.</b> <u>In water districts where there is insufficient water to serve new development, the County shall require new development to offset demand so that there is no net increase in demand through one or more the of the following measures: use of reclaimed water; water catchments and reuse on site; water retention serving multiple sites; retrofits of existing uses in the district to offset increased demand; other such means. These measures should be achieved in partnership with the applicable water district.</u></p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><i>Mitigation Measure 4.9-1(c)</i></p> <p>The County would be required to obtain funding for Programs <b>PFS-2.e, PFS-2.k, PFS-2.n, PFS-2.p, WR-2.k, WR-3.a, and WR-3.b</b>, set the priority of <b>PFS-2.k, WR-2.k</b>, and to “medium” or higher, and revise the time frame of implementation of <b>PFS-2.f, PFS-2.n, PFS-2.o, and WR-2.k</b> to the medium-term or sooner.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><i>Mitigation Measure 4.9-4(a)</i></p> <p>Revise Programs <b>PFS-2.m, PFS-2.p, WR-2.d, and WR-2.h</b> of the <i>Draft 2005 CWP Update</i> and add a new program to the Water Resources section as follows:</p> <p><b>PFS-2.m; Promote Onsite Rainwater Capture and Retention</b><del>Catchments. Encourage</del> <u>Support the use of on-site rainwater catchments capture, storage, and infiltration for irrigation and other non-potable uses, where appropriate., and. work with Environmental Health Services and water service providers to e</u> Establish standards for rainwater quality and use and include provisions to prevent contaminating local groundwater and surface water or damaging local septic and water systems.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><b>PFS-2.p;</b> <u>Investigate and Consider Appropriate Small-Scale Wastewater Reduction, Treatment, and Use Technologies.</u> Work with water agencies to <del>identify and resolve</del> conflicting regulations regarding pre-treated septic drip dispersal systems and appropriate graywater use, <del>to</del> evaluate the potential of small-scale portable graywater converter systems as <del>possible</del> sources for landscaping water, and <del>to</del> modify regulations as necessary to encourage safe graywater use (such as by allowing dual systems that employ graywater to support landscaping). Include <u>the potential to use composting toilets, waterless urinals and other appropriate water saving technologies.</u></p> <p><b>WR-2.d;</b> <u>Monitor and Maintain Septic Systems and Wells.</u> Establish watershed-wide septic maintenance programs to ensure proper septic system monitoring, repair, and function. Establish the frequency of required inspections based on the <u>risks to the environment and to groundwater supplies</u> associated with the location of the septic system. For example, a high-priority system near a waterway may need to be inspected as frequently as every two years, while a system in a well drained, dry upland may need inspection only every 5-10 years. Septic program and permitting procedures must at a minimum comply with State law. <u>Document local wells and groundwater use as part of this program, and include monitoring of groundwater quality, as warranted.</u></p>			
<p><b>WR-2.h;</b> <del>Pursue Establishment of Marshall</del> <u>Additional County Service Areas.</u> <del>Pursue</del> <del>Establishment of a Marshall County Service Area</del> to relocate septic systems away from Tomales Bay, and to <del>instigate establish septic</del> monitoring of on-site septic systems in a risk based, comprehensive and cost effective manner. The proposed boundary of the County Service Area should include the entire East Shore planning area. <u>Additional County Service Areas should include the rural communities of Tomales and Nicasio. In addition to wastewater services, County service areas should provide water supply services.</u></p> <p><b>WR-2.(new);</b> <u>Establish a Groundwater Monitoring Program for Unincorporated County Areas.</u> Establish a countywide groundwater monitoring program that would include all or portions of unincorporated areas that use groundwater. <u>Conduct periodic water level measuring and water quality sampling with regular reporting (at least annual) to the Board of Supervisors.</u></p>			

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.9-4(b)</i></p> <p>The County would be required to obtain funding for Programs <b>PFS-2.k</b>, <b>PFS-2.n</b>, <b>PFS-2.p</b>, <b>WR-2.d</b>, <b>WR-2.h</b>, <b>WR-2.i</b>, and the new programs. The County would also be required to set the priority of Program <b>PFS-2.k</b>, and the new program to “medium” or higher, and revise the time frame of implementation of Program <b>PFS-2.n</b>, and the new program to the medium-term or sooner.</p>			
<p><b>Public Services</b></p>			
<p><i>Mitigation Measure 4.10-1(a)</i></p> <p>Add a new program to facilitate public education regarding the safe use, transport, and disposal of hazardous materials and to encourage the use of less-toxic or non-toxic materials as a substitute.</p> <p><b>Program PS-4.(new); Hazardous Materials Education.</b> Continue to educate the public about the safe use, transport, and disposal of hazardous materials and encourage the use of less-toxic substances in residential and County operations.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and the Department of Public Works – Waste Management Division would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.10-1(b)</i></p> <p>Add a new program to inform and encourage the public to use the available hazardous waste disposal facilities in Marin County.</p> <p><b>Program PS-4.(new); Hazardous Materials Disposal.</b> Promote, educate and encourage the public and businesses to properly dispose of any hazardous materials or waste at the Marin County’s permanent household hazardous waste collection facility.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and the Department of Public Works – Waste Management Division would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><i>Mitigation Measure 4.10-2(a)</i></p> <p>Revise Policy <b>EJ-1.1</b> in order to ensure that mapping would locate known sources of hazardous materials.</p> <p><b>Policy EJ-1.1; Identify and Target Impacted Areas.</b> Use available measurement data to map locations with <del>high levels of</del> <u>known</u> toxins and other health-threatening pollutants.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and the Department of Public Works – Waste Management Division would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.10-2(b)</i></p> <p>In order to reduce impacts related to hazardous emissions, materials, and waste, near Marin County’s schools to a less-than-significant level, the County would need to obtain funding for program <b>EJ-1.a</b> (<i>Investigate a Possible Nexus</i>) and revise the time frame of implementation for programs <b>PS-4.a</b> (<i>Regulate Development Near Waste Sites</i>), <b>EJ-1.g</b> (<i>Deny Pollution-Source Proposals</i>), and <b>EJ-1.h</b> (<i>Require Pollution Analysis</i>) to the medium-term or sooner.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and the Department of Public Works – Waste Management Division would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><i>Mitigation Measure 4.10-3</i></p> <p>Revise Policy <b>EJ-1.1</b> (<i>Identify and Target Impact Areas</i>) in order to ensure that mapping would locate known sources of hazardous waste.</p> <p><b>Policy EJ-1.1; Identify and Target Impacted Areas.</b> Use available measurement data to map locations with high levels of known toxins and other health-threatening pollutants</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) and the Department of Public Works – Waste Management Division would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>
<p><i>Mitigation Measure 4.10-4</i></p> <p>In order to reduce this impact to a less-than-significant level, the County shall continue to cooperate with the Bolinas Community Public Utilities District to maintain the existing moratorium on new development and deny discretionary projects until such time the district is able to construct new or expanded facilities with sufficient capacity to accommodate such growth.</p>	<p>Marin County and Bolinas Community Public Utilities District</p>	<p>Ongoing</p>	<p>Ongoing</p>



<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.10-8</i></p> <p>In order to reduce energy impacts related to energy consumption from building construction and retrofit to a less-than-significant level, the County would be required to obtain additional funding for and implement <b>EN-1.a</b> (<i>Establish a Permanent Sustainable Energy Planning Process</i>) and <b>EN-3.h</b> (<i>Adopt LEED Standards for Public Buildings</i>) in a timely manner.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<b>Cultural Resources</b>			
<p><i>Mitigation Measure 4.11-1</i></p> <p>In order to reduce impacts to historical resources to a less-than-significant level, the County would be required to obtain additional funding for programs <b>HAR-1.g</b> (<i>Create a County Historical Commission</i>), <b>HAR1.i</b> (<i>Adopt Preservation Guidelines</i>), and <b>HAR-1.m</b> (<i>Require Design Compatibility</i>) and revise the time frame of their implementation to the medium-term or sooner.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>
<b>Visual Resources</b>			
<p><i>Mitigation Measure 4.12-2</i></p> <p>In order to reduce impacts to the visual character of Marin County's communities to a less-than-significant level, the County would be required to obtain funding for program <b>DES-1.a</b> and revise the time frame of its implementation to the medium-term or sooner. In addition, the Marin County Community Development Agency would be responsible for revising design guidelines of community plans to be consistent with the <i>Draft 2005 CWP Update</i>.</p>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County's General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<p><i>Mitigation Measure 4.12-4</i></p> <p>In order to minimize light trespass, light pollution, and glare, new development and projects that would make significant parking lot improvements or add new lighting would be required to prepare a lighting plan for design review by County staff. Therefore, the following new program would need to be added to the Built Environment Element of the <i>Draft 2005 CWP Update</i>:</p> <p><u>Program <b>DES-1.(new)</b> <i>Lighting Design Guidelines</i>. Amend the Development Code to include lighting design guidelines. Require new development and projects that would make significant parking lot improvements or add new lighting to submit a lighting plan consistent with these guidelines for design review by County staff. Lighting design guidelines should address:</u></p> <ul style="list-style-type: none"> <li>● <u>Efficiency – Cost effective energy efficient standards for outdoor lighting shall be developed to conserve energy thereby reducing excessive lighting, light pollution, light trespass, and glare;</u></li> <li>● <u>Reasonableness of Intensity – Acceptable standards shall be defined for various land uses and development types specifying the maximum allowable total lumens per acre;</u></li> <li>● <u>Directional Control – Standards shall be developed to minimize the upward transmission and intensity of light at various distances from its source through the use of full-cutoff lighting, downward casting, shielding, visors etc;</u></li> </ul>	<p>Marin County Board of Supervisors</p>	<p>Adopted as a part of the <i>Marin Countywide Plan 2005</i>.</p>	<p>Community Development Agency (CDA) would be responsible for monitoring implementation of program.</p> <p>CDD shall report on the implementation of this program as a part of the County’s General Plan Annual report.</p>

<b>Mitigation Measure</b>	<b>Implemented by</b>	<b>When Implemented</b>	<b>Monitoring or Reporting Action</b>
<ul style="list-style-type: none"> <li>● <u>Signage – Standards with respect to illuminated signs shall be developed that prohibit or limit the size, spacing, design, upward transmission of light, and hours of operation. In addition, signs should be white or light colored lettering on dark backgrounds;</u></li> <li>● <u>Night Lighting – Hours of operation for various uses shall be specified in order to prohibit all-night lighting except when warranted for public safety reasons. On demand lighting shall be encouraged;</u></li> <li>● <u>Education – A voluntary educational component of this program shall include the distribution of informational materials for use by county residents, developers, and lighting supply retailers. These materials shall provide specific methods and product information necessary for compliance of new development as well as aiding the conversion of existing lighting sources;</u></li> <li>● <u>Incentives – The County shall develop incentives for residents and businesses encouraging the conversion of existing lighting sources to compliant ones; and</u></li> <li>● <u>Enforcement – These standards shall be incorporated into the County Development Code and design review process for new development.</u></li> </ul>			

***APPENDIX 2-D  
LAND USE MAP CHANGES***

## LAND USE MAP CHANGES

### PLANNING AREA #1 – NOVATO

#### North Novato Land Use Policy Map 1.1a [formerly Map 1.3a]

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 125-160-01 and 125-180-05	707	A60	AG1	OS	Property owned by State and part of the Olompali State Park.
B. 125-130-24 and 125-160-15	505	A60	OS	AG1	Incorrectly shown as part of Olompali State Park. Privately owned ag land.
C. 125-130-08	191	A60	AG1	OS	Marin Audubon Society, which owns the land, requested change.
D. 125-090-06	43	A2:B4	SF3	PF-OS	Publicly owned non-taxable by NMWD.

\*Parcels numbers may have changed.

#### North Novato Land Use Policy Map 1.1b [formerly Map 1.3b]

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. no parcel number(s)	693	None	AGC3	No designation.	Parcel(s) do not exist for this area. Marsh area.
B. 125-190-02, 10	9	A2	AG3	PF-AG3	Part of the NWP railroad right-of-way.
C. 125-190-62, 63	2	RCR	IND	PF-RC	Part of the NWP railroad ROW. Consistent with zoning.
D. 125-190-71	3	RCR	RC	OS	Rear former crosswind runway area now owned by the State. Wetlands area.
E. 125-190-72	44	RCR, M3	AGC1	OS	Wetlands parcel owned by State.
F. 125-190-73	26	RCR, M3	AG1	OS	Wetlands parcel owned by State.
G. 125-160-06, 12 125-190-01	54	A2	AG3	AGC3	Privately owned, unimproved parcels. Change requested by Planning Commissioner Dickinson 6/28/04.

**West Novato Land Use Policy Map 1.2 [formerly Map 1.4]**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 125-090-07 & 08	613	A2:B4	OS	PF-OS	Parcel owned by NMWD and part of Stafford Lake watershed.
B. 900-290-01	0.02	A2:B4	OS	PF-OS	Privately owned mobile home inside of NMWD Stafford Lake property. Lease for residence will be terminated in ~ 5 years.

**Indian Valley Land Use Policy Map 1.3 -- No Changes**

No proposed changes to this map.

**Southwest Novato Land Use Policy Map 1.4 -- No Changes**

No proposed changes to this map.

**Black Point Land Use Policy Map 1.5 [formerly Map 1.2]**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 143-110-15, 23, 33, 41, 56, 57, 89	4	A2	AG3	AG3	Technical correction to show more clearly.
B. 157-031-02, 04, 06, 12 & 13 157-051-06 – 09 157-091-02, 06, 08, 29, 38, 39, 47	15	VCR	RS	NC	The RS land use designation has been renamed to NC (Neighborhood Commercial)
C. 143-110-12	19	ARP-60	AG1	OS	Marin Audubon Society, which owns the land, requested the change to protect the habitat. Wetlands area near Deer Island Open Space Preserve.
D. 153-190-23	59	ARP-60, F2	AG1	OS	Marin Audubon Society, which owns the land, requested the change to protect the habitat. Wetlands area near Deer Island Open Space Preserve.
E. 153-190-27	87	ARP-60	AG1	OS	Marin Audubon Society, which owns the land, requested the change to protect the habitat. Wetlands area near Deer Island Open Space Preserve.

**Bel Marin Keys Land Use Policy Map 1.6 [formerly Map 1.1]**

Parcel(s) or General Area	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 157-172-06, 07, 08, 37, 38, 41	1531	BFC-RSP-0.5	AGC3	OS	State owned land.
B. 157-172-40	7	BFC-RSP-0.5	AGC3	SF3 (Keep as AGC3)	Headquarter's Hill (aka Brahma Kumaris) property. Keep as AGC3.
C. 157-171-08, 09	44	BFC-ARP-2	AGC3	AGC1	Property in F-1 overlay & is identified as a wetland.

**Loma Verde Land Use Policy Map 1.7 - No Changes**

No proposed changes to this map.

**PLANNING AREA #2 – LAS GALLINAS VALLEY**

**Lucas Valley Environs Land Use Policy Map 2.1 [formerly Map 2.3]**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 164-320-06	0.76	A2	AG3	AG3	Technical correction.
B. 164-320-10	0.65	A2	AG3	PF	MMWD tank lot. Parcel is now shown more clearly.

**Lucas Valley Land Use Policy Map 2.2 – No changes [formerly Map 2.1]**

No proposed changes to this map.

**Marinwood Land Use Policy Map 2.3 [formerly Map 2.2]**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 164-290-80	3	RMP-0.1	AG3	PR	Reflects the zoning. Carmelite Monastery property.
B. 164-471-63, 64, 65, 69, 70, 71, 72	6	CP	RT	GC	The RT land use designation has been combined with GC.



**St Vincent's/Silveira Land Use Policy Map 2.4 [formerly Map 2.6]**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. Various	1204	A2	UCR	PD: Ag and Environmental Resource Area (ERA)	New designation. UCR was an interim designation.
B. 155-010-22	9	A2	UCR	PF	Parcel owned by the GGB&HD—part of proposed SMART corridor. UCR was an interim designation.
C. 155-060-17, 19, 24-30, 34, 35	223	BFC-ARP-2	OS	OS	State and County owned parcels.
D. 155-121-20	0.3	A2	UCR	PF	Part of the Las Gallinas Valley Sanitary District treatment facility. UCR was an interim designation.
E. 155-121-16	4	A2	PF-UCR	PD: Ag and ERA	Privately owned parcel leased by County for use as the honor farm.
F. 155-010-73, 74	165	A2	Tidelands	PD: Ag and ERA	"Tidelands" is not a land use designation. Tidelands area owned by CYO.

**Santa Venetia Land Use Policy Map 2.5.1**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 179-460-01 through 05	5	RSP-0.95	PR	PR	Technical correction.
B. 180-281-09	1	A2:B2	SF5	OS	Owned by MCOSD and part of San Pedro Open Space Preserve.
C. 180-281-10	4	RMP-8	MF3	OS	Owned by MCOSD and part of San Pedro Open Space Preserve.
D. 179-301-23, 179-311-20 and 23	1	C1-H	RT	GC	RT land use category was combined with GC land use category.
E. 180-183-05, 06, 08	0.7	C1-H	RT	GC	RT land use category was combined with GC.

**Santa Venetia Land Use Policy Map 2.5.2**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 180-036-18	0.5	RMPC	RS	NC	RS has been renamed to NC
B. 180-053-13 & 23	0.8	A2:B2, R1:B1	SF5	SF6	Lot characteristics are similar to surrounding neighboring properties, which are SF6.
C. 180-053-14	0.1	A2:B2	SF5	PF	"Candy's Park" owned by the LGVSD; Publicly owned non-taxable.

**Los Ranchitos Land Use Policy Map 2.6 [formerly Map 2.4]**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 179-242-36	0.1	A2:B4	SF3	OS	Owned by MCOSD and part of the Terra Linda/Sleepy Hollow Open Space Divide.

**PLANNING AREA #3 – SAN RAFAEL BASIN**

**Upper Sun Valley Land Use Policy Map 3.1 [formerly Map 3.4]**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 010-341-45	0.07	RMP-0.2	OS	OS	No change.

**Point San Pedro Land Use Policy Map 3.2**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 184-010-09, 15, 16, 52	289	RMPC	MR	MR, PD: Reclamation Area	Retain MR overlay and add new Planned District designation.
B. 186-010-06	79	BFC-RSP-4.36	SF6	OS	Wetlands area owned by the National Audubon Society. Property to be transferred to the State.
C. 186-010-13	2	BFC-RMP-0.1	PR	OS	Part of China Camp State Park. Location of abandoned sewage pump station adjacent to a ranger residence.

**Bayside Acres and Country Club Land Use Policy Map 3.3 [formerly Map 3.1]**

No proposed changes to this map.

**California Park Land Use Policy Map 3.4 [formerly Map 3.3]**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. various parcels	15	RSP-4	SF5	MF2	Lomita area. Potential area for affordable housing.
B. 013-162-22	0.2	R3:G1	MF4	MF4	Technical correction.

**PLANNING AREA #4 – UPPER ROSS VALLEY**

**Sleepy Hollow Land Use Policy Map 4.1**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 176-300-29	0.7	RSP-1.0	PR	PR	No change.
B. 176-300-28	1	RSP-1.0, RMP-1.0	PR	PR	No change.
C. 177-220-10	11	RMP-1.33	MF2	PR (Keep as MF2)	This property is to be downzoned to RMP-1.0, which is consistent with MF2. Property should remain as MF2.
D. 176-092-01 & 06	0.9	A2:BD	SF3	SF4	Lot characteristics are similar to surrounding properties, which are SF4.

**West of Fairfax Land Use Policy Map 4.2 [formerly Map 4.3]**

Parcel(s) or General Area*	Land Area (Acres)	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 174-011-25, 30-33, 35	2.5	C1-H	RT	GC	RT land use designation has been combined with GC.

**Southwest of Fairfax Land Use Policy Map 4.3 [formerly Map 4.2]**

No proposed changes to this map.

**PLANNING AREA #5 – LOWER ROSS VALLEY**

**Kentfield Land Use Policy Map 5.1.1**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 075-280-11	0.5	RSP-0.019	SF2	SF1	Consistent with zoning. Parcel is unimproved and vacant. Used for access.
B. 075-214-05, 06, 07, 075-280-01, 03, 04, 05	26.3	RSP-0.2	PR	PR	No change.
C. 074-052-18	0.3	R1	SF6	SF6 (No change)	Privately owned non-taxable; Owned by Ross Valley Nursery School, Inc.
D. 022-010-21, 35	21.2	R1:B2	SF5	SF5 (No change)	Privately owned non-taxable parcel. Marin Catholic High School.
E. 074-101-02	1.8	CP	RT	GC	RT has been combined with GC.
F. Various parcels in book 074, page 031.	6.8	RMPC	RS	NC	RS has been renamed to Neighborhood Commercial (NC)
G. 074-122-27 074-111-13	2.1	R1:B1	SF5	OS	Ca State Lands Commission approved change to OS on Salcido request. Within Corte Madera Creek riparian area.

**Kentfield Land Use Policy Map 5.1.2**

No proposed changes to this map.

**Greenbrae Boardwalk Land Use Policy Map 5.2 [formerly Map 5.3]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 023-040-14	4.9	PF, R1	PF, SF6	PF, PF-SF6	Publicly owned non-taxable. Owned by the GGBH&T District. Portion of NWP ROW. Consistent with Policy PA-5.1.
B. 023-040-13	0.9	PF, M2-H	PF, IND	PF, PF-IND	Publicly owned non-taxable. Owned by the GGBH&T District. Portion of NWP ROW. Consistent with Policy PA-5.1.

**San Quentin Land Use Policy Map 5.3 [formerly Map 5.2]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 018-152-12, 018-154-05, 06, 07, 10, 15, 16, 16, 17, 18	280.5	various	various	PF, PD: Transit Village Area	Retain PF overlay and add new Planned Development designation.

**PLANNING AREA #6 – RICHARDSON BAY**

**Tamalpais Area (Muir Woods Park) Land Use Policy Map 6.1.1 [formerly Map 6.3.4]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 046-161-13	2.1	RMP-0.5, R1:B4	PR, SF3	PR, SF3	Technical correction for clarification.

**Tamalpais Area (Homestead Valley) Land Use Policy Map 6.1.2 [formerly Map 6.3.3]**

No proposed changes to this map.

**Tamalpais Area Land Use Policy Map 6.1.3a [formerly Map 6.3.1b]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 050-252-02, 21, 26, 28 050-251-30	0.9	C-1-H	RT	GC	RT land use category has been combined with GC land use category.

**Tamalpais Area Land Use Policy Map 6.1.3b [formerly Map 6.3.1a]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 052-051-01, 02, 11, 16-19, 23-25, 27, 31, 32, 052-061-14, 17-19	9.0	RMPC-6	RS	NC	RS has been renamed to Neighborhood Commercial (NC)

**Tamalpais Area (Almonte) Land Use Policy Map 6.1.4 [formerly Map 6.3.2]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 052-052-39  052-182-02, 03, 04  052-211-01, 02, 052-23101, 02, 03	28.0	BFC-RMPC-2.16, RMPC-2.16  RMPC-1  RMPC-0.1	RS	NC	RS has been renamed to Neighborhood Commercial (NC)
B. 052-184-03, 05	0.9	RMP-0.5	PR	PF	Within Caltrans ROW.
C. (no parcel)	13.4	None	PF	PF	No change. Within Caltrans ROW.
D. 051-245-01, 02, 21	1.0	CP	RT	GC	RT has been combined with GC.

**Marin City Land Use Policy Map 6.2 [formerly Map 6.1]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 200-051-06	42.7	OA, A2:B2	OS, SF5	OS	Vacant land. Part of GGNRA.
B. 052-140-09, 10	18.9	RMP-0.5	PR	OS	Vacant. Part of GGNRA.
C. 052-161-10	9.9	RA:B1	SF6	OS	Vacant. Part of GGNRA
D. 052-162-07	32.8	OA, R1:B1	OS, SF6	OS	Vacant. Part of GGNRA
E. 052-140-38	0.8	RMPC	RS	NC	RS has been renamed to NC
F. 052-140-34	94.7	RMP-0.5	PR	OS	Vacant. Part of GGNRA.
G. 052-113-07 and 08	5.0	PF	PF	GC	Site undergoing redevelopment.

**North Strawberry Land Use Policy Map 6.3.1 [formerly Map 6.2.2]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 030-351-01 – 10	0.5	R3:G4	MF4.5	MF4	Consistent with zoning.
B. 034-071-06, 07, 08, 09, 034-072-50	1.2	RMPC-7	RS	NC	RS has been renamed to Neighborhood Commercial
C. 038-361-15	0.02	RSP-0.187	Not shown	SF2	Technical correction.

**South Strawberry Land Use Policy Map 6.3.2 [formerly Map 6.2.1]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 043-241-04, 14, 16, 18, 20 – 23, 36	5.1	BFC-RSP-3.6, BFC-CP	SF6, RT	SF6, GC	RT combined with GC land use designation.
B. 043-251-10, 11	0.1	A2:B2	SF5	OS	Owned by MCOCD. Part of "Strawberry Tide" park.
C. 043-081-23	5.0	R1, A2:B2	SF5, SF6	PF-SF5, PF-SF6	Publicly owned non-taxable by the Strawberry Recreation District. Developed with tennis courts & pool.
D. 043-261-21	1.0	R1	SF6	PF-SF6	Privately owned non-taxable by Southern Marin Fire Protection District. This is the main district firehouse.
E. 043-271-61	35.8	BFC-RMP-0.2	PR	OS	Owned by MCOCD. Part of the Aramburu Wildlife Preserve. Vacant.

**Waldo Point Land Use Policy Map 6.4 [formerly Map 6.5]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 052-301-03, 05, 07	0.7	CP	RT	GC	RT has been combined with GC
B. 052-301-06, 11	0.5	RF, CP	FH, RT	FH, GC	RT has been combined with GC

**Tiburon Peninsula Land Use Policy Map 6.5**

**[formerly Map 6.4]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 058-100-64	0.8	BFC-RSP-1	OS	OS	Federally owned. Publicly owned non-taxable. Water tank parcel; part of the Tiburon Oceanographic Center. No change.
B. Various (Paradise Cove area)	44.7	BFC-RSP-1.0 BFC-RSP-0.5 BFC-RSP-0.25	SF3	SF3	No change.



## PLANNING AREA #7 – WEST MARIN

### Dillon Beach Land Use Policy Map 7.1 [formerly Map 7.13]

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 100-121-12	0.2	C-RA:B5, C-R1:BD	C-SF3	C-SF3, C-SF4	Technical correction to reflect the zoning.
B. Various	33.9	C-RMPC-1.2	C-RS	C-RC	Area not changed to C-NC like other C-RS areas. Site not appropriate for NC since no infrastructure available to support it and the higher FAR's are not reasonable, since area is adjacent to Lawson's Landing, which is C-RC. Sand dune area.

### Tomales Land Use Policy Map 7.2 [formerly Map 7.12]

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 102-080-04, 06	33.1	C-RSP-1.6	C-SF3	C-SF3	No change.
B. 102-080-05, 07	2.7	C-VCR:B4	C-RS	C-PF-NC	Owned by Tomales High School District. RS has been changed to NC.
C. Various	3.1	C-VCR:B1	C-RS	C-NC	RS has been renamed to NC

### East Shore Land Use Policy Map 7.3.1 [formerly Map 7.11.1]

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 104-110-08	32.1	C-RCR	C-RC	C-OS	Federally owned. Part of the GGNRA. Vacant.
B. 104-230-09	0.8	C-RSP-0.5	C-SF3	C-OS	Federally owned. Part of the GGNRA. Vacant.
C. 106-210-57, 60, 64	49.4	C-ARP-2	C-AG3	C-OS	Federally owned. Part of the GGNRA. Vacant.

**East Shore Land Use Policy Map 7.3.2**

**[formerly Map 7.11.2]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 106-040-01	0.3	C-RSP-0.5	C-SF3	C-OS	Part of MCOSD.
B. 106-270-04, 07, 14	3.9	C-RSP-0.33	C-SF3	C-OS	Part of the GGNRA.
C. 106-290-04	5.1	C-RSP-0.33	C-SF3	C-OS	Part of the GGNRA. Vacant.
D. 119-060-05 - 10, 17 - 20	231.4	C-APZ-60	C-AG1	C-OS	Part of Tomales Bay State Park.
E. 106-010-02, 03, 05 - 11 106-020-01, 14, 38, 39	14.6	C-VCR	C-RS	C-NC	RS has been renamed to Neighborhood Commercial (NC)
F. 106-050-01, 02, 11, 12, 20	19.3	C-VCR	C-RS	C-NC	RS has been renamed to Neighborhood Commercial (NC)
G. 106-210-54	48.5	C-RMPC	C-RS	C-NC	RS has been renamed to NC

**Northwest Marin County Land Use Policy Map 7.4.1**

**[formerly Map 7.7.1]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 104-140-02	4.3	C-RMPC	C-RS	C-NC	RS has been renamed to NC
B. 100-100-48	244.8	C-RCR, C-APZ-60	C-RS	C-RS, C-AG1	Consistent with zoning. RC has been combined with RS.

**Northwest Marin County Land Use Policy Map 7.4.2**

**[formerly Map 7.7.2]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 166-010-24 - 27, 31	1088.2	C-APZ-60	C-AG1	C-OS	Part of the GGNRA. 24 & 25 have ag contracts.
B. 166-070-22	945.2	OA, A2	OS, AG3	OS	Part of the GGNRA.
C. 109-090-07	513.5	C-APZ-60, A-60	AG1	C-OS, OS	Part of the PRNS. This is the AT&T site.
D. 109-090-14	24.7	A60	AG1	C-OS	Part of the PRNS.

**Point Reyes Station Land Use Policy Map 7.5**

**[formerly Map 7.9]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 119-040-26, 27	337.9	C-APZ-60	C-AG1	C-OS	Owned by the GGNRA. Agricultural unimproved.
B. 119-240-02, 55	16.3	C-RMPC	C-RS	C-NC	RS has been renamed to NC
C. various parcels	38.2	C-VCR:B2	C-RS	C-NC	RS has been changed to NC
D. 119-202-56	0.3	C-VCR:B2	C-SF4	C-NC	Technical correction.
E. 119-270-02, 03, 04, 05, 06, 07, 08, 10, 12, 13	5.3	C-RMP-4.3	C-SF4	C-MF2	Parcel rezoned for the affordable housing project.
F. 119-260-06, 119-270-10	3.7	C-RMP-3.2	C-RS, C-SF4	C-MF2	Parcel rezoned for the affordable housing project.
G. 119-270-09	3.3	C-RA:B3, C-OA	C-SF4, C-RS	C-SF4	Parcel rezoned for the affordable housing project.
H. 119-260-05, 119-270-11	3.5	C-OA	C-RS, C-SF4	C-OS	Parcel rezoned for the affordable housing project.
I. 119-206-03	2.0	C-RMPC	C-RS	C-NC	Parcel rezoned for the affordable housing project.
J. 119-260-02	0.6	C-RMPC	C-RS	C-NC	Parcel rezoned for the affordable housing project.

**Inverness Land Use Policy Map 7.6**

**[formerly Map 7.10]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 112-091-04, 06, 09	2.4	C-RSP-1	C-SF3	C-OS	County owned parcels. Part of Chicken Ranch Beach.
B. 114-011-01	4.8	C-R1:B5	C-SF3	C-OS	State owned parcel. Part of Tomales Bay State Park.
C. 114-120-14, 56, 57 114-150-02, 12, 33, 34, 43, 48, 49, 50	10.6	C-RSP-0.25	C-SF3	C-OS	Federally owned. Part of the PRNS.
D. 114-130-21, 57, 58, 65	4.2	C-RSP-0.25	C-SF3	C-OS	Federally owned. Part of the PRNS.
E. 114-320-09 114-330-18, 21, 22 114-340-07	32.5	C-RSP-0.1	C-SF2	C-OS	Federally owned. Part of the PRNS.
F. 119-040-12, 28	139.4	C-APZ-60	C-AG1	C-OS	Federally owned. Part of the PRNS.
G. 166-020-44	32.5	C-RSP-0.16	C-SF2	C-OS	Federally owned. Part of the PRNS.
H. 166-020-50	6.0	C-RSP-0.144	C-SF2	C-OS	Federally owned. Part of the PRNS.
I. 166-150-29	7.0	C-RSP-0.33	C-SF3	C-OS	Federally owned. Part of the PRNS.
J. 112-340-18	16.1	C-RCR	C-RS	C-RC	Parcel was incorrectly changed to C-RS in 1997 update. Parcel was formerly C-RC.
K. 112-101-01 – 03, 12, 13	3.7	C-RCR	C-RS	C-RC	Parcels were incorrectly changed to C-RS in 1997 update. Parcels were formerly C-RC.
L. 112-151-22	3.4	C-RCR	C-RS	C-RC	Parcel was incorrectly changed to C-RS in 1997 update. Parcel was formerly C-RC.
M. 112-296-24	0.2	C-CP, C-RSP-1.0	C-GC	C-GC, C-SF3	Technical correction.
N. 114-062-01	2.0	C-RCR	C-RS	C-RC	Parcel was incorrectly changed to C-RS in 1997 update. Parcel was formerly C-RC. Inverness Motel.

**Olema Land Use Policy Map 7.7 [formerly Map 7.8]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 166-181-01, 03, 04, 166-220-16, 18, 19	6.6	C-VCR	C-RS	C-NC	RS has been renamed to Neighborhood Commercial (NC)
B. various	15.4	C-VCR	C-RS	C-NC	RS has been renamed to Neighborhood Commercial (NC)
C. 166-230-08-10, 12 - 16	43.1	C-ARP-5	C-AG3	C-OS	Part of the GGNRA. All vacant but records show 14 with a structure on it which doesn't show on aerials.

**Southwest Marin County Land Use Policy Map 7.8 [formerly Map 7.1]**

No proposed changes to this map.

**Nicasio Land Use Policy Map 7.9 [formerly Map 7.6]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 121-210-52	676.1	ARP-20, ARP-60	AG1	AG1, AG2	Technical correction due to improved software.
B. 121-280-33	22.6	ARP-10, ARP-20, ARP-60	AG2	AG1, AG2	Technical correction due to improved software.
C. 121-080-03 – 07 121-090-03, 04, 07, 10, 11	10.0	RMPC-1	RS	NC	RS has been renamed to Neighborhood Commercial (NC)

**San Geronimo Land Use Policy Map 7.10.0**

**[formerly Map 7.5.0]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 172-272-01, 03, 04 172-360-17, 21, 35, 57, 59, 60 and 172-331-11	43.0	RSP-0.05	OS	SF1	Reflects zoning. 172-272-01, 03 are County owned. 172-360-21, 35, and 172-272-07 are owned by MMWD.
B. 172-131-09 172-380-01, 02 172-132-01 172-360-27, 29 – 31, 36, 37, 42, 43	140.4	RSP-0.05	OS	SF1	Reflects zoning. All privately owned except 172-360-27 and 172-360-27 (both MMWD).
C. 169-331-15	12.1	RSP-0.47	OS	SF3	Privately owned, unimproved. Reflects the zoning.
D. 169-302-09	3.1	RSP-0.05	OS	SF1	Privately owned, unimproved. Reflects the zoning.
E. 170-093-01 170-094-01	0.2	RSP-0.05	OS	SF1	Reflects the zoning. Both unimproved.
F. 169-133-01 170-120-04 170-014-22, 23 170-120-05 170-102-12	30.4	RSP-0.05, R1:B3	OS, SF4	SF1, SF4	Reflects the zoning. All privately owned except for 170-102-12 (County).

**Woodacre Land Use Policy Map 7.10.1**

**[formerly Map 7.5.1]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 172-061-various 172-062-various	3.1	VCR	RS	NC	RS has been renamed to Neighborhood Commercial (NC)
B. 172-012-various 172-052-01 172-053-various	2.2	VCR	RS	NC	RS has been renamed to Neighborhood Commercial (NC)
C. 172-291-17 172-292-02, 05 172-311-05, 07 – 09, 12, 15	12.1	RSP-0.47	SF3	OS	Owned by MCOSD. Part of the Giacomini Open Space Preserve.

**San Geronimo Land Use Policy Map 7.10.2**

**[formerly Map 7.5.2]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 169-281-02	6.9	RSP-0.47	SF3	OS	Owned by MCOSD. Part of the Giacomini OS Preserve.
B. 169-222-06 169-301-01	4.1	RSP-0.47	SF3	OS	Owned by MCOSD. Part of the Giacomini OS Preserve.

**Forest Knolls Land Use Policy Map 7.10.3****[formerly Map 7.5.3]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. various	9.0	VCR	RS	NC	RS has been renamed to NC
B. 169-162-07 169-163-02	4.4	RSP-0.47	SF3	OS	Owned by MCOSD. Part of the Giacomini Open Space Preserve.
C. 169-311-07, 10 169-351-01, 02, 04, 05, 06	3.4	RSP-0.47	SF3	OS	Owned by MCOSD. Part of the Giacomini Open Space Preserve.
D. 169-132-20	0.3	R1:B2	SF4	SF5	Technical correction due to improved software.

**Lagunitas Land Use Policy Map 7.10.4****[formerly Map 7.5.4]**

No proposed changes to this map.

**Bolinas Land Use Policy Map 7.11****[formerly Map 7.4]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 188-170-12	192.5	C-ARP-20	C-AG2	C-OS	Purchased by NPS & part of PRNS. Vacant land.
B. 188-170-61, 62	222.1	C-APZ-60	C-AG1	C-OS	Purchased by NPS. Lease on property expires in 2009.
C. 193-103-12, 13, 14	0.6	C-RA:B2	C-SF5	C-OS	Parcels are owned by the County. Part of Bolinas Park.
D. 193-151-04	0.8	C-RA:B2	C-SF5	C-OS	Owned by State. Part of the beach area.
E. Various parcels	7.3	C-VCR	C-RS	C-NC	RS has been renamed to NC

**Stinson Beach Land Use Policy Map 7.12**

**[formerly Map 7.3]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 195-061-01, 03, 04, 05, 13, 15, 21	1.0	C-R1	C-SF6	C-OS	Owned by MCOSD and part of the Bolinas Lagoon Reserve.
B. 195-066-01	0.09	C-RSP-2	C-SF4	C-OS	Owned by County. Part of Upton Beach.
C. 195-132-28, 29, 30, 31, 195-162-39 195-101-16	5.0	C-H1 C-R1, C-H1	C-RT C-SF6, C-RT	C-GC C-SF6, C-GC	RT has been combined with GC land use category.
D. 195-171-15	2.0	C-R1:B3	C-SF4	C-OS	Parcel owned by State. Location of butterfly habitat; parcel protected by conservation easement.
E. 195-194-01	0.4	C-VCR	C-RS	C-OS	This is the County owned community park.
F. 195-260-44, 46	40.1	C-OS	Not shown on existing map.	C-OS	Parcel not shown on previous maps. Publicly owned beach and water parcel.
G. various	6.8	C-VCR	C-RS	C-NC	RS has been renamed to NC
H. 195-201-02	12.6	C-OA	Not shown on existing map.	C-OS	Federally owned parcel. Part of the Stinson Beach park area and the GGNRA. Area not shown on previous maps.

**Muir Beach Land Use Policy Map 7.13**

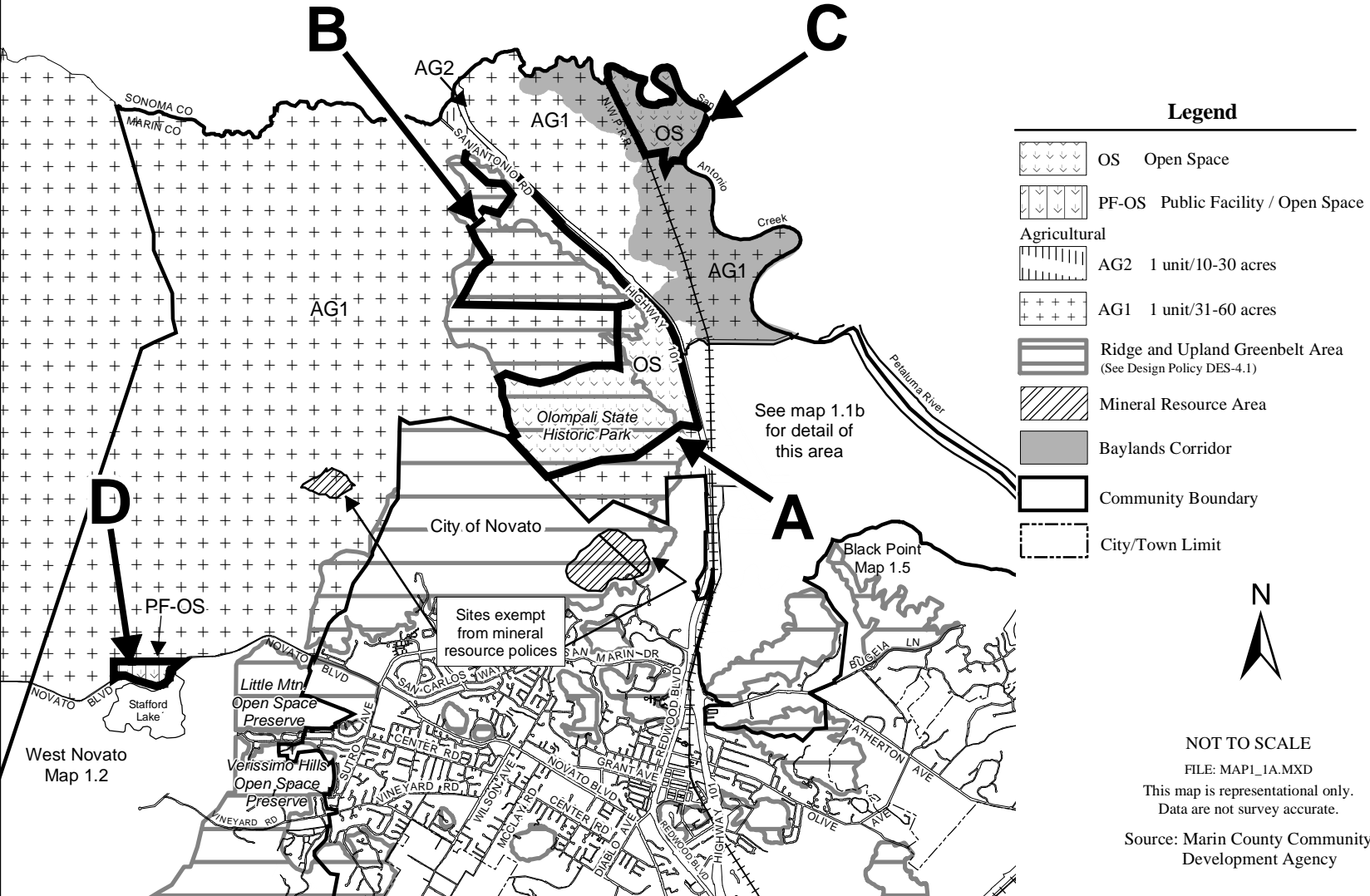
**[formerly Map 7.2]**

Parcel(s) or General Area	Acreage	Zoning	Existing CWP Designation	Revised CWP Designation	Notes
A. 199-191-13	6.8	C-RA:B4	C-SF3	C-OS	Part of GGNRA. Plan to restore creek and floodplain habitat.
B. 199-201-02	0.5	C-RA:B4	C-SF3	C-PF	Water tank site owned by Muir Beach CSD.
C. 199-213-05	1.5	C-RA:B4	C-SF3	C-OS	Part of GGNRA.
D. 199-191-12	1.9	C-VCR, C-RA:B4	C-RS, C-SF3	C-NC, C-SF3	RS has been renamed to Neighborhood Commercial (NC)

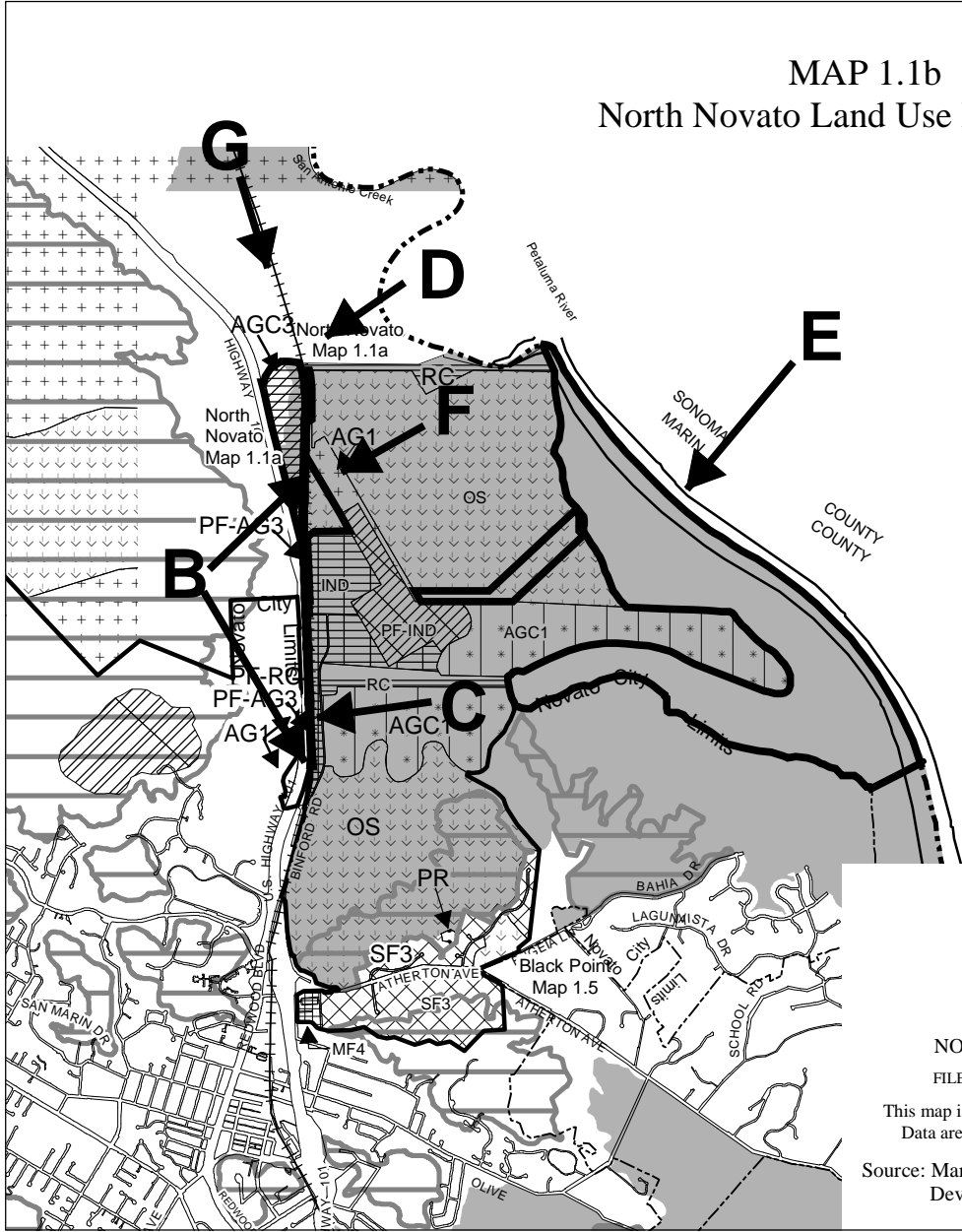
V:\CWP Update\LU Maps\Record of LU Map Changes to Draft CWP.doc



# MAP 1.1a North Novato Land Use Policy Map



# MAP 1.1b North Novato Land Use Policy Map

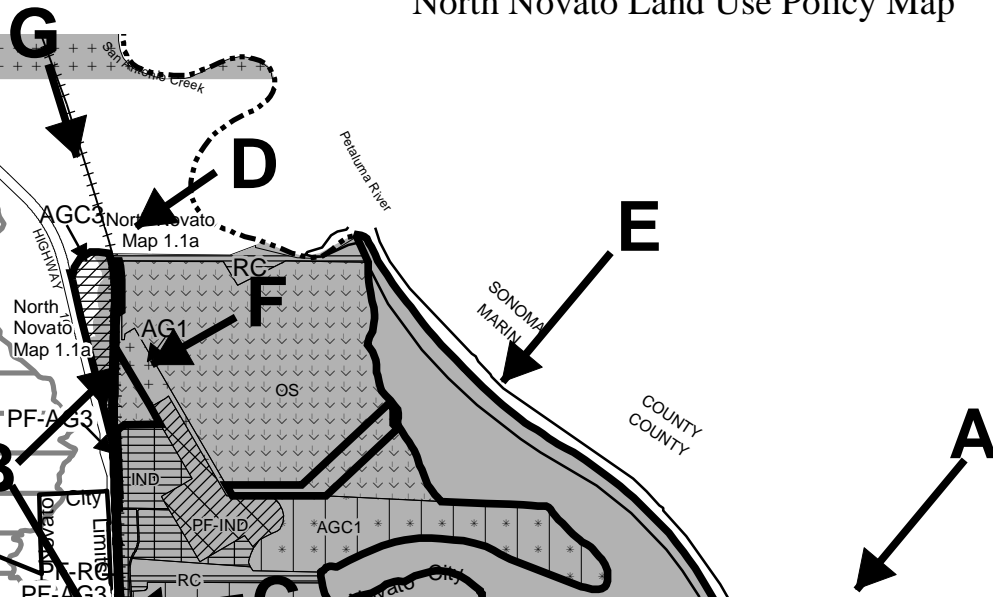


Legend	
	Single Family SF3 1 unit/1-5 acres
	Multi Family MF4 11-30 units/acre
	Planned Residential PR 1 unit/1-10 acres
	Recreational Commercial RC F.A.R. = 0.01 TO 0.03
	Industrial IND F.A.R. = 0.04 TO 0.35
	Public Facility / Industrial PF-IND F.A.R. = 0.04 TO 0.35
	Public Facility / Recreational Commercial PF-RC F.A.R. = 0.01 TO 0.30
	Public Facility / Agricultural PF-AG3 1 unit/1-9 acres
	OS Open Space
	Agricultural AG1 1 unit/31-60 acres
	Agriculture and Conservation AGC3 1 unit/2-9 acres
	AGC1 1 unit/31-60 acres
	Mineral Resource Area
	Ridge and Upland Greenbelt Areas (See Design Policy DES-4.1)
	Baylands Corridor
	County Boundary
	Community Boundary
	City/Town Limit
F.A.R. = Floor Area Ratio	

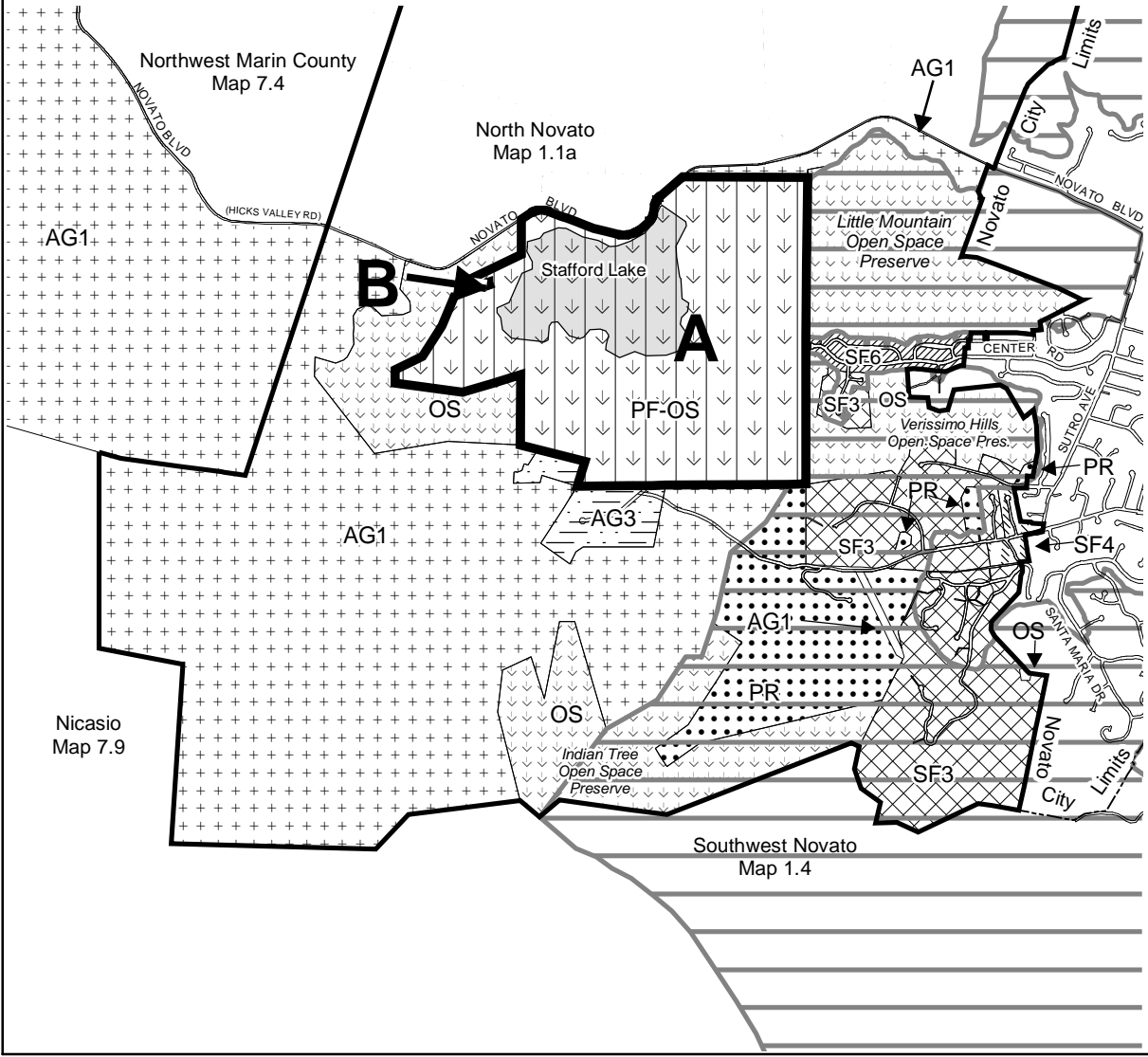


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FILE: MAP1\_1B.MXD












This map is representational only.  
Data are not survey accurate.  
Source: Marin County Community  
Development Agency



# MAP 1.2 West Novato Land Use Policy Map



### Legend

- Single Family**
-  SF6 4-7 units/acre
-  SF4 1-2 units/acre
-  SF3 1 unit/1-5 acres
- Planned Residential**
-  PR 1 unit/1-10 acres
- Agricultural**
-  AG3 1 unit/1-9 acres
-  AG1 1 unit/31-60 acres
-  OS Open Space
- Public Facility / Open Space**
-  PF-OS
-  Ridge and Upland Greenbelt Areas (See Design Policy DES-4.1)
-  Community Boundary
-  City/Town Limit



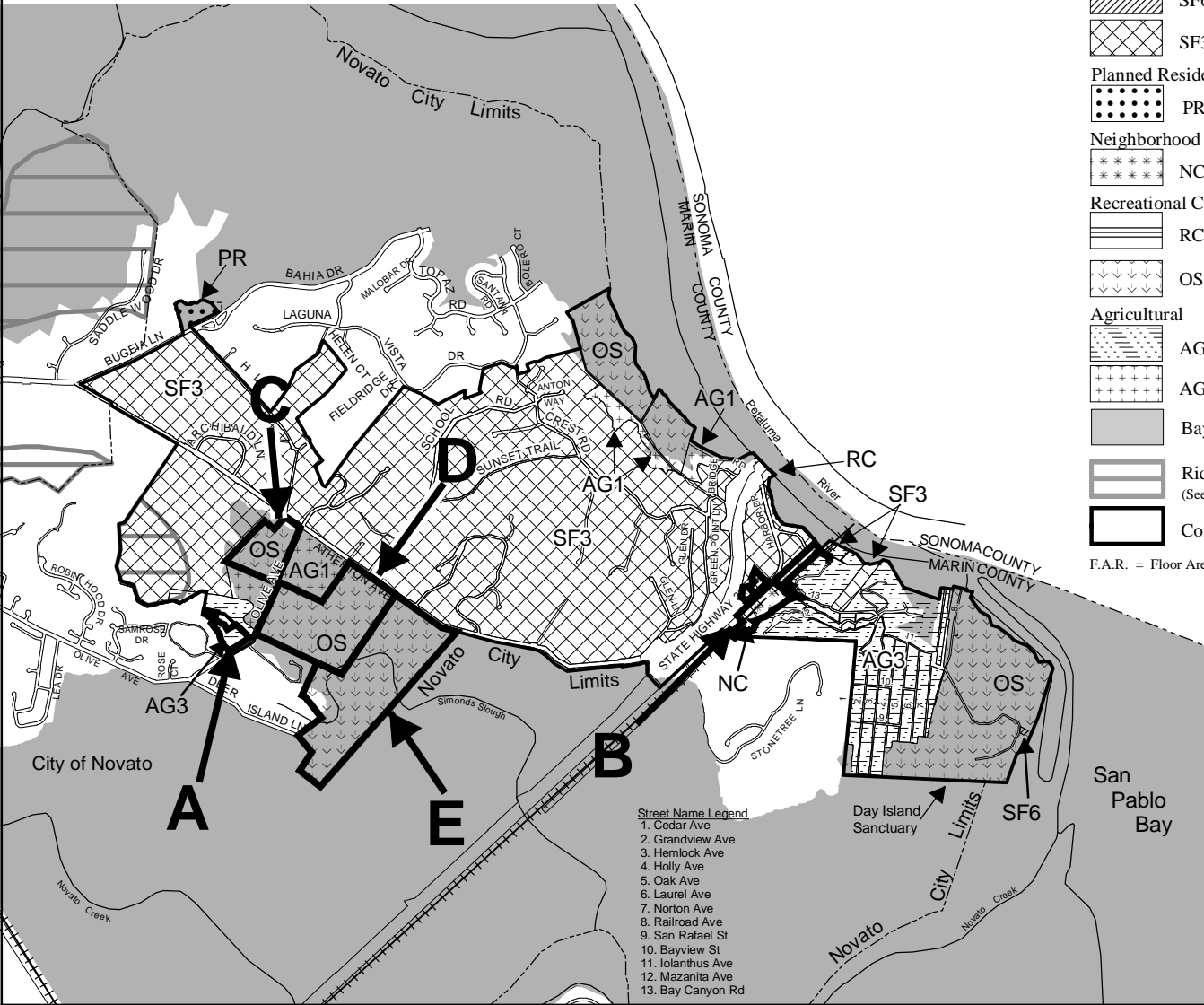
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FILE: MAP1\_2.MXD












This map is representational only.  
Data are not survey accurate.

Source: Marin County Community  
Development Agency

# MAP 1.5 Black Point Land Use Policy Map



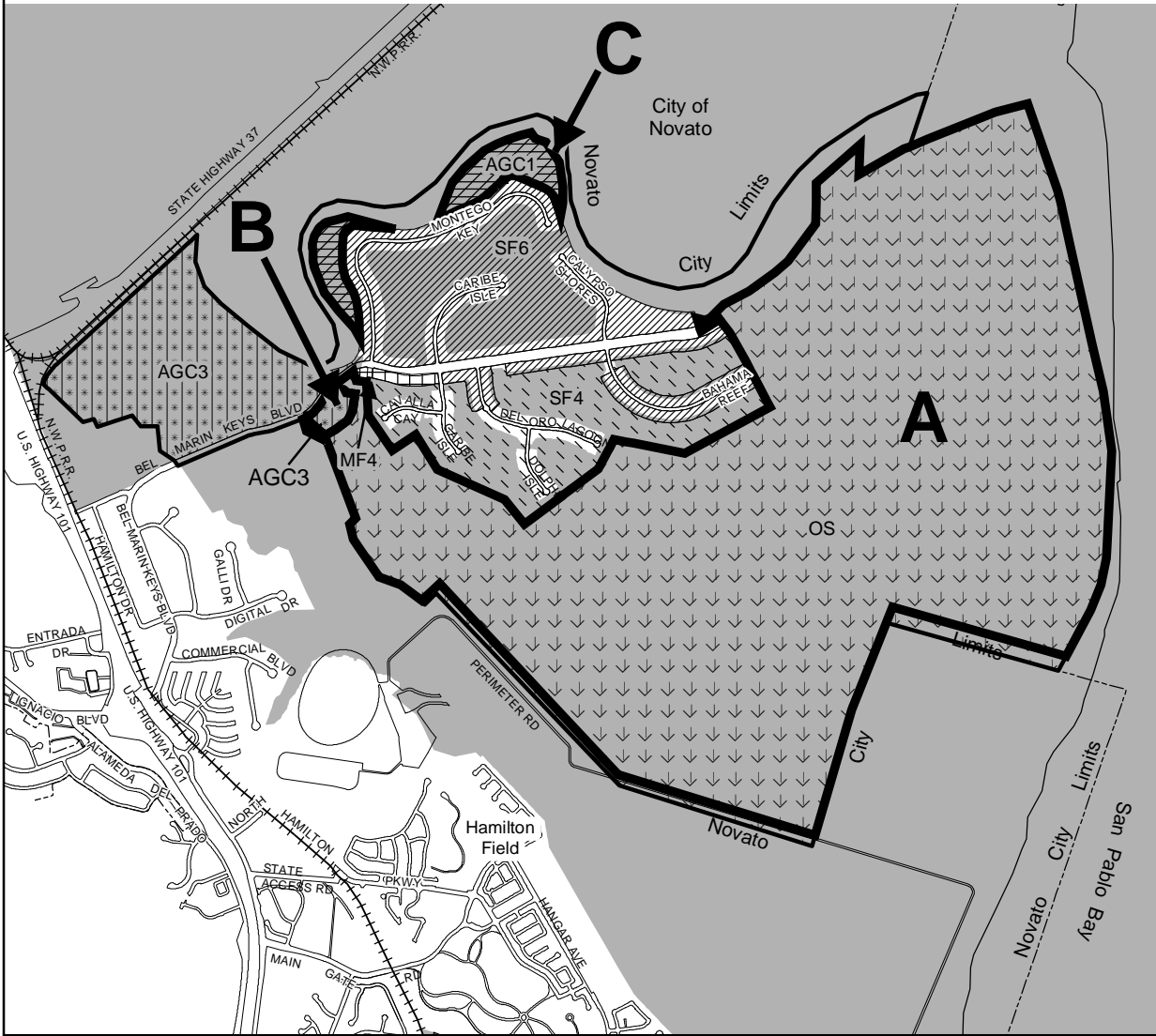
**Legend**

- Single Family**
  -  SF6 4-7 unit/acre
  -  SF3 1 unit/1-5 acres
  - Planned Residential**
  -  PR 1 unit/1-10 acres
  - Neighborhood Commercial / Mixed Use**
  -  NC F.A.R.= 0.10 TO 0.30
  - Recreational Commercial**
  -  RC F.A.R.= 0.10 TO 0.30
  -  OS Open Space
  - Agricultural**
  -  AG3 1 unit/1-9 acres
  -  AG1 1 unit/31-60 acres
  -  Baylands Corridor
  -  Ridge and Upland Greenbelt Areas (See Design Policy DES-4.1)
  -  Community Boundary
- F.A.R. = Floor Area Ratio



NOT TO SCALE  
 FILE: MAP1\_5.MXD  
 This map is representational only.  
 Data are not survey accurate.  
 Source: Marin County Community  
 Development Agency

# MAP 1.6 Bel Marin Keys Land Use Policy Map

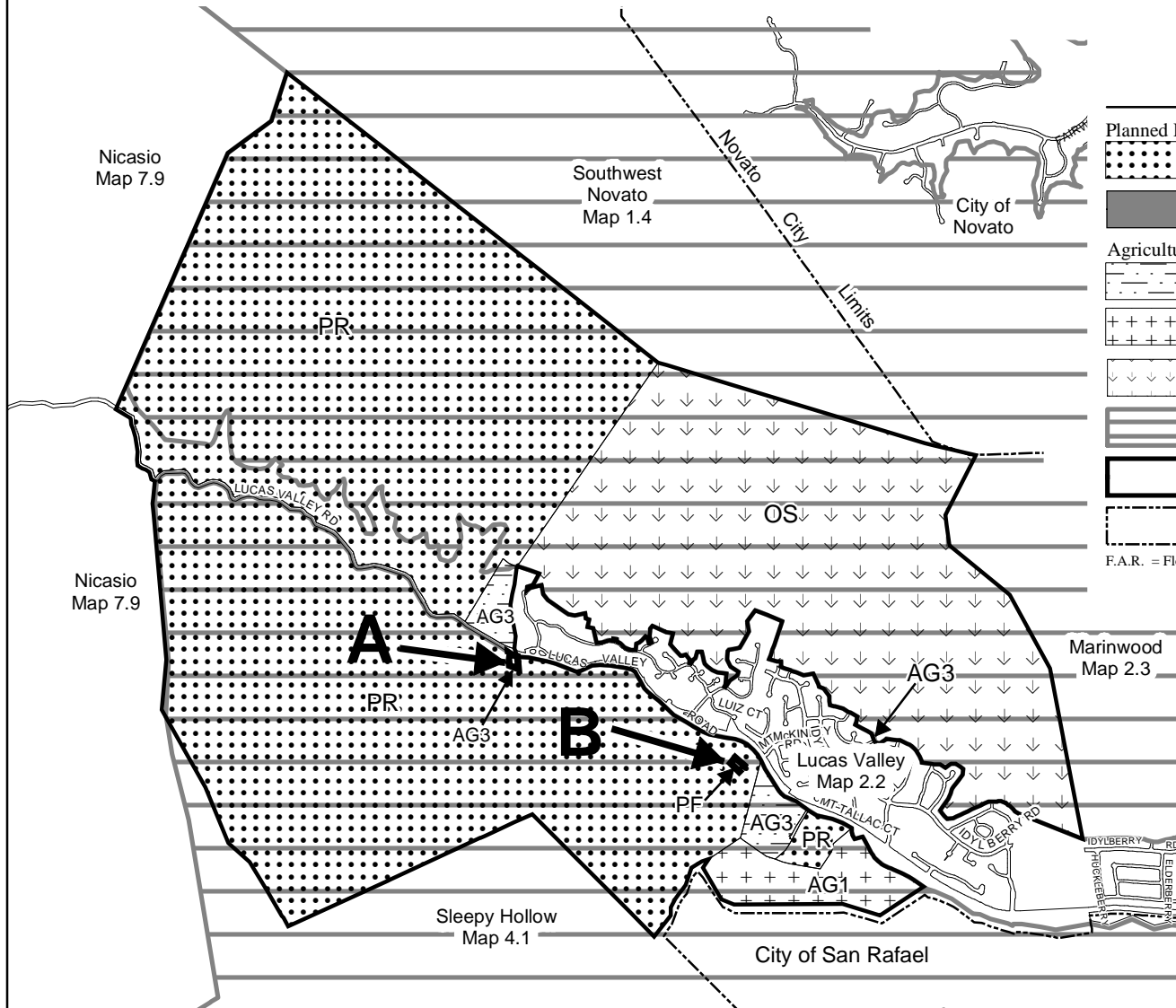


Legend	
<b>Single Family</b>	
	SF6 4-7 units/acre
	SF4 1-2 units/acre
	SF3 1 unit/1-5 acres
<b>Multi Family</b>	
	MF4 11-30 Units / Acre
<b>Agriculture and Conservation</b>	
	AGC3 1 unit/2-9 acres
	AGC1 1 unit/31-60 acres
	OS Open Space
	Baylands Corridor
	Community Boundary
	City/Town Limits











NOT TO SCALE  
 FILE: MAP1\_6.MXD  
 This map is representational only.  
 Data are not survey accurate.  
 Source: Marin County Community  
 Development Agency

# MAP 2.1 Lucas Valley Environs Land Use Policy Map



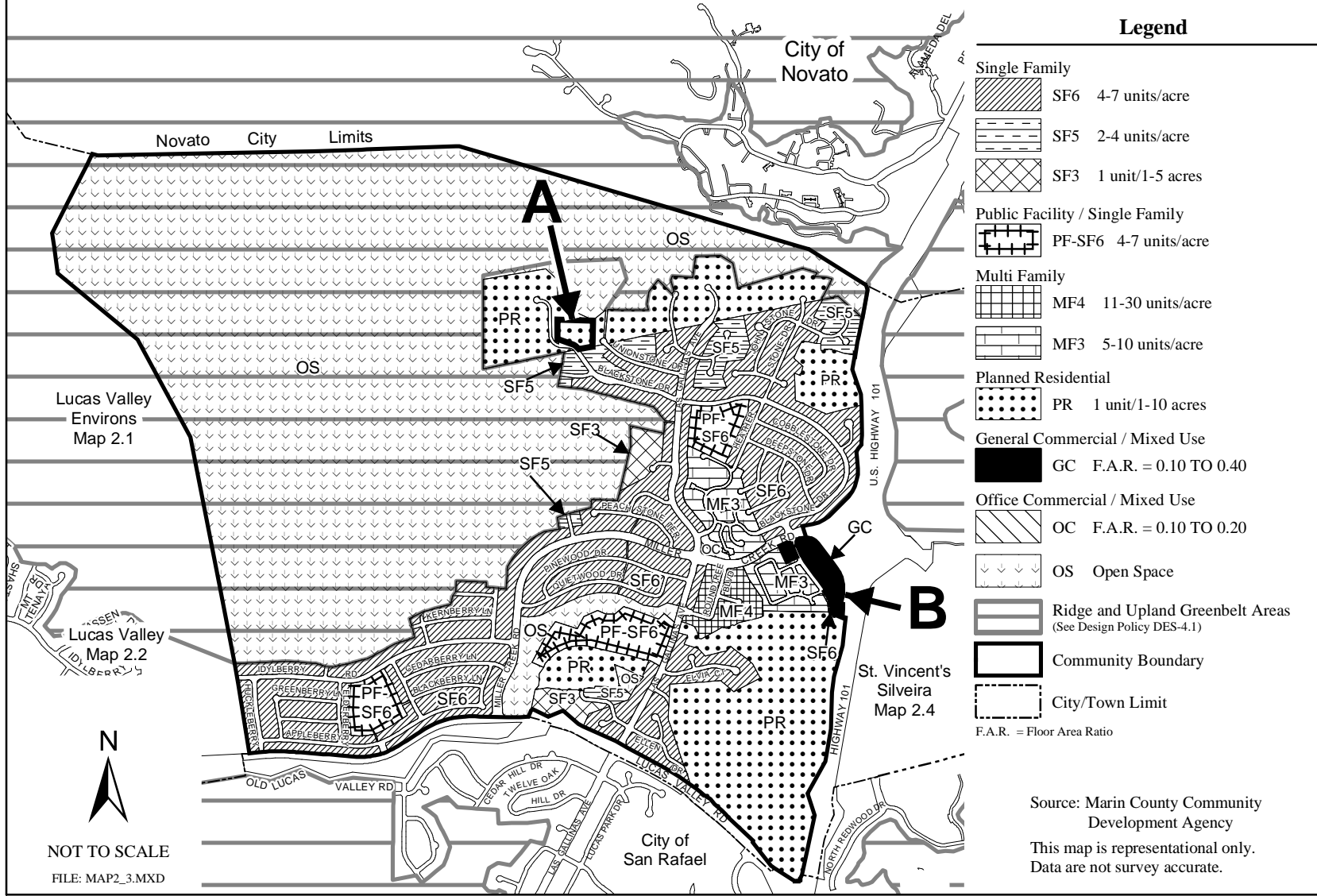
## Legend

- |   |   |
|---|---|
| <b>Planned Residential</b>  |   |
|  | PR 1 unit/1-10 acres  |
|  | PF Public Facility  |
| <b>Agricultural</b>   |   |
|  | AG3 1 unit/1-9 acres  |
|  | AG1 1 unit/31-60 acres  |
|  | OS Open Space   |
|  | Ridge and Upland Greenbelt Areas<br>(See Design Policy DES-4.1) |
|  | Community Boundary  |
|  | City/Town Limit   |
| F.A.R. = Floor Area Ratio   |   |

  
 NOT TO SCALE  
 FILE: MAP2\_1.MXD

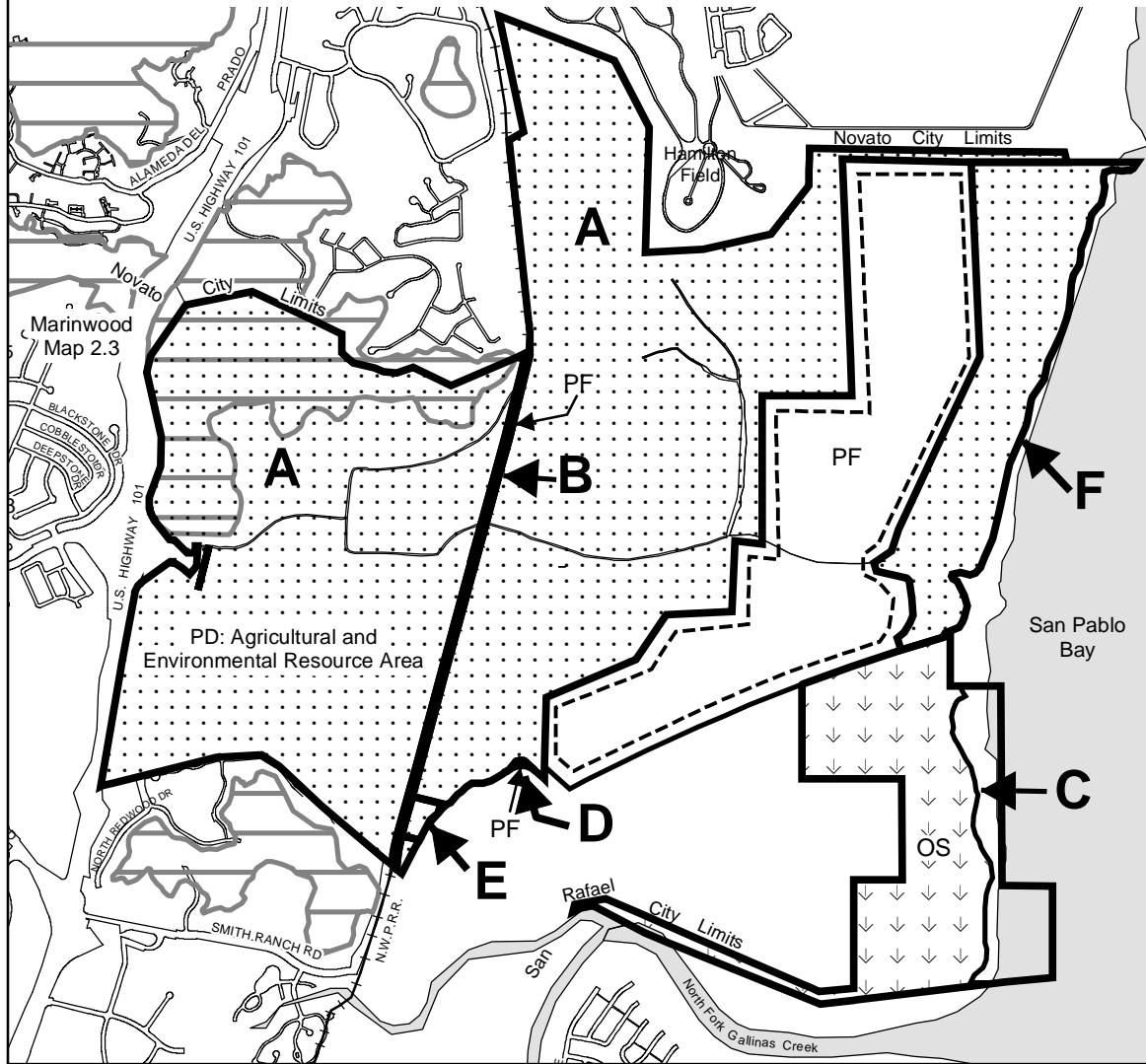
Source: Marin County Community  
 Development Agency  
 This map is representational only.  
 Data are not survey accurate.

# MAP 2.3 Marinwood Land Use Policy Map









NOT TO SCALE  
FILE: MAP2\_3.MXD

# MAP 2.4 St. Vincent's / Silveira Land Use Policy Map



### Legend

-  PD Planned Designation: Agricultural and Environmental Resource Area
-  PF Public Facility
-  OS Open Space
-  Ridge and Upland Greenbelt Areas (See Community Design Policy DES-4.1)
-  Community Boundary
-  City/Town Limit



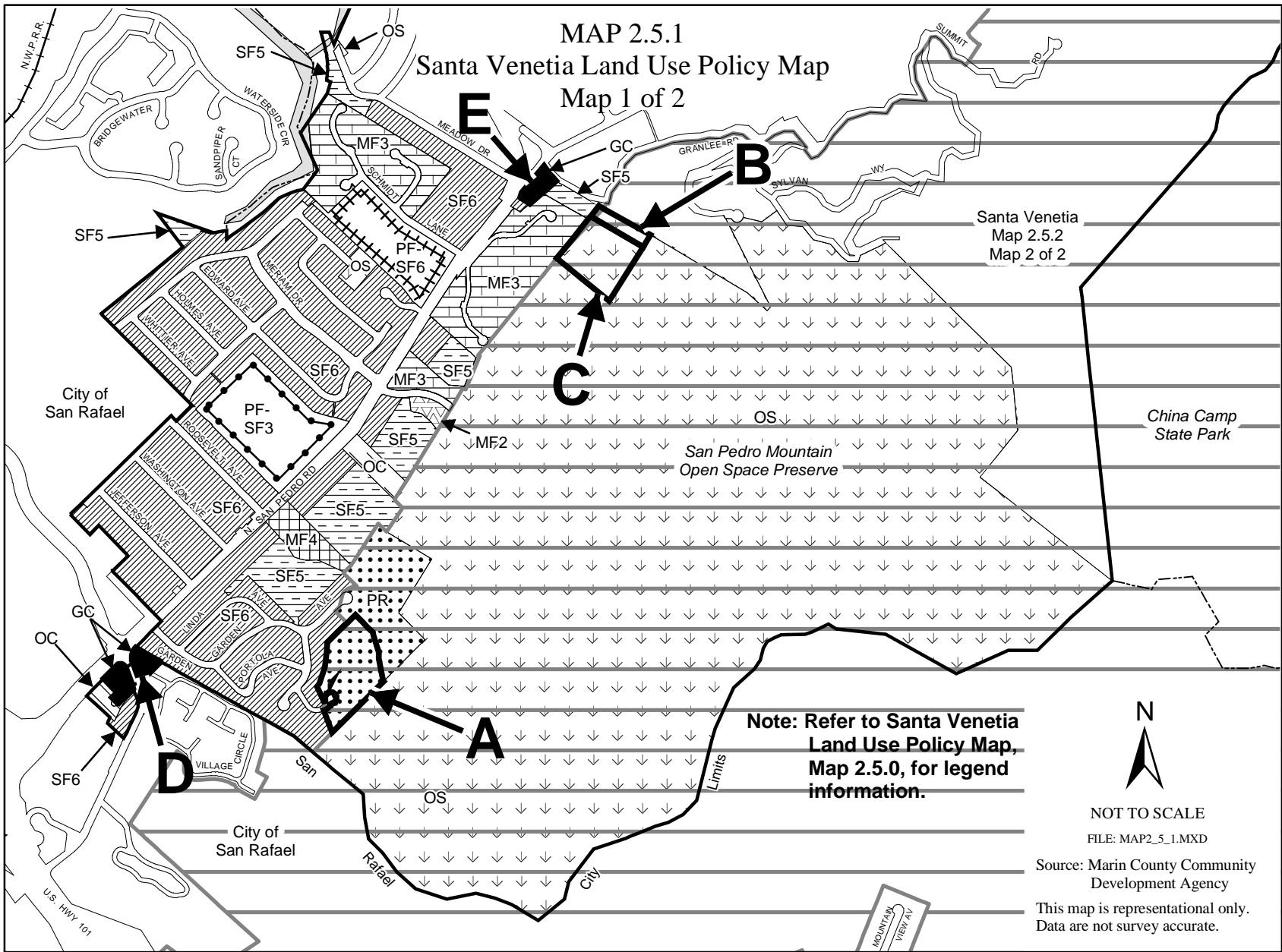
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FILE: MAP2\_4.MXD

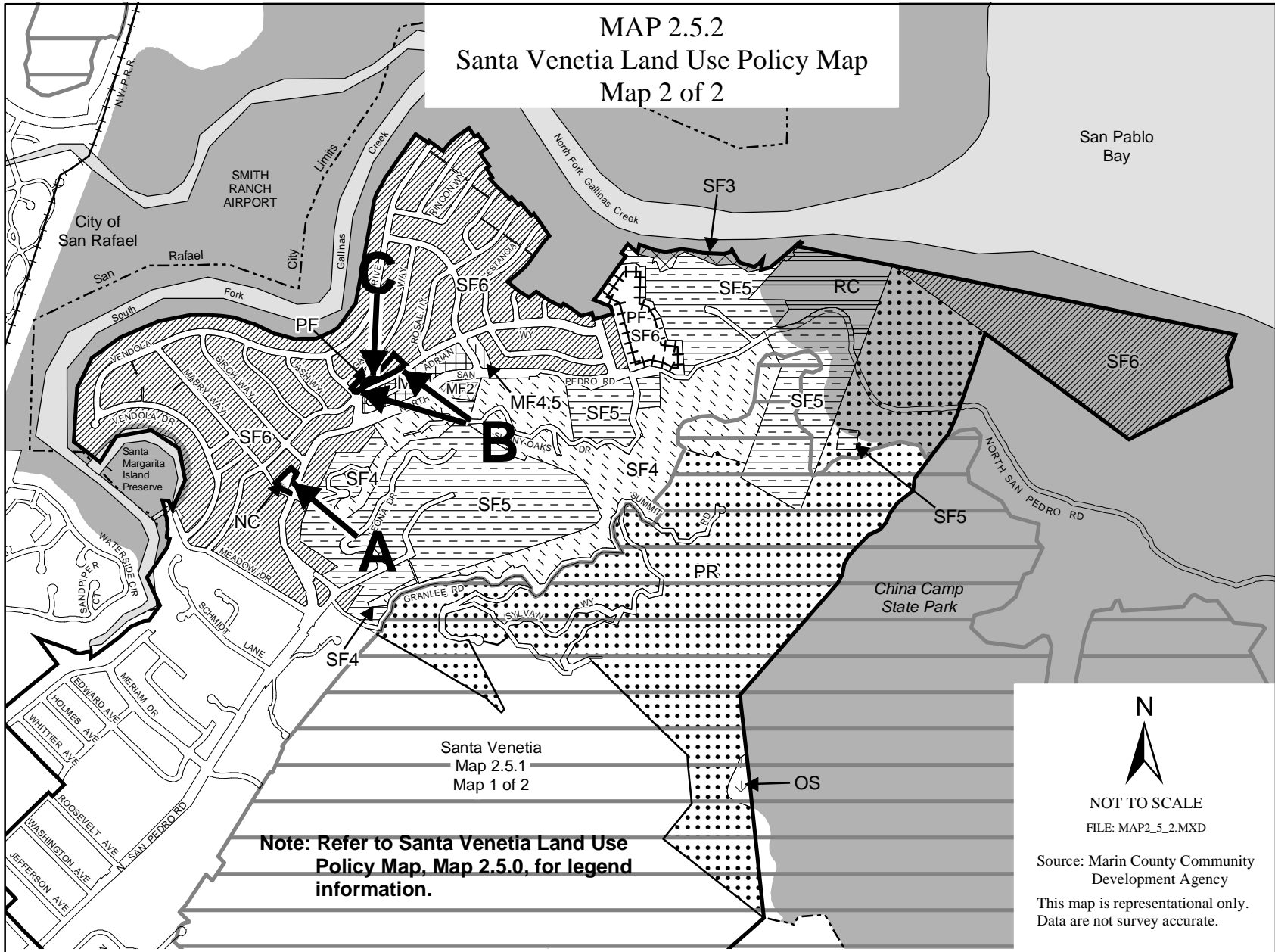
Source: Marin County Community Development Agency

This map is representational only.  
Data are not survey accurate.





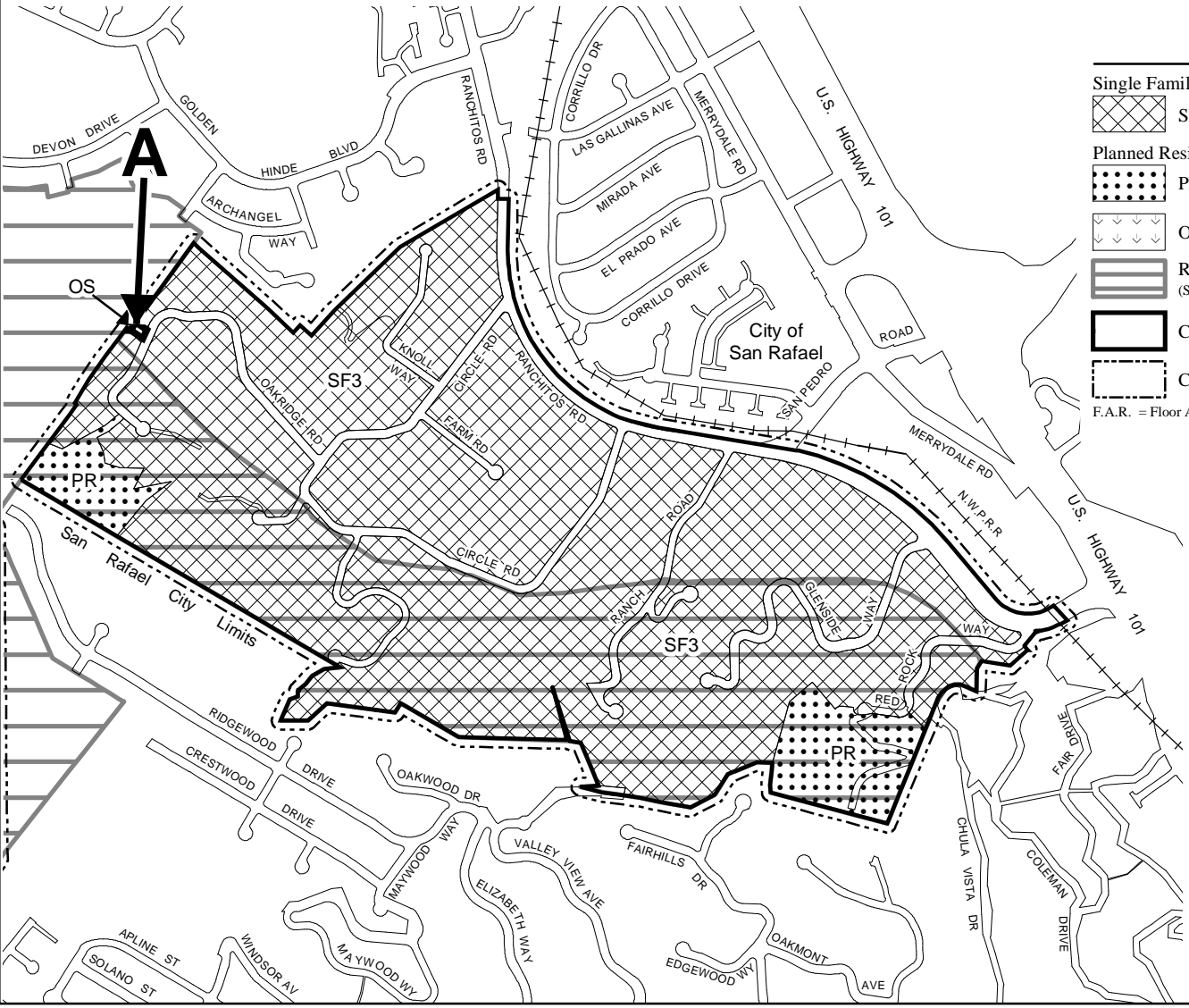
MAP 2.5.2  
 Santa Venetia Land Use Policy Map  
 Map 2 of 2



Note: Refer to Santa Venetia Land Use Policy Map, Map 2.5.0, for legend information.

N  
 NOT TO SCALE  
 FILE: MAP2\_5\_2.MXD  
 Source: Marin County Community Development Agency  
 This map is representational only. Data are not survey accurate.

# MAP 2.6 Los Ranchitos Land Use Policy Map



### Legend

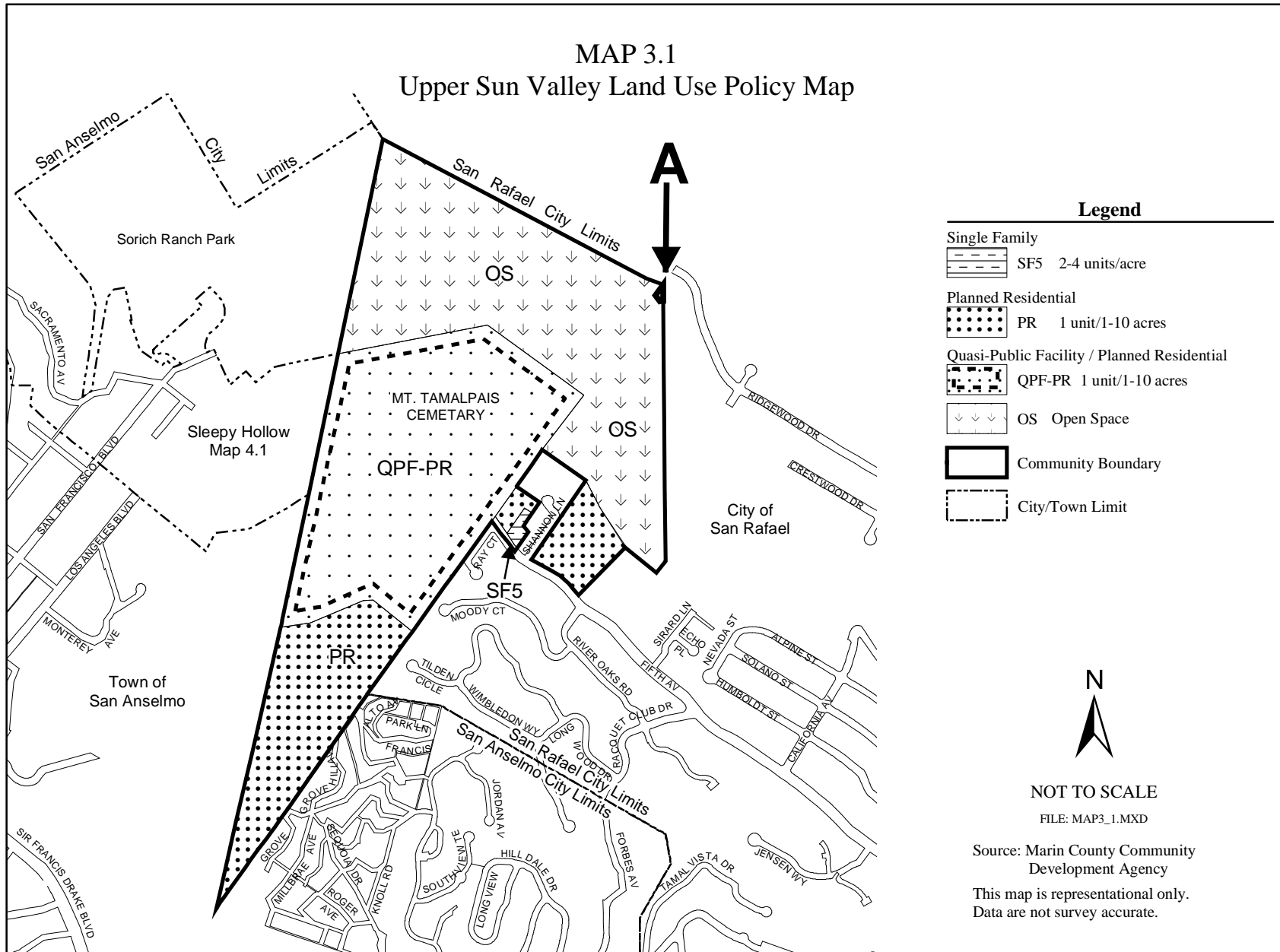
- Single Family
    - SF3 1 unit/1-5 acres
  - Planned Residential
    - PR 1 unit/1-10 acres
    - OS Open Space
  - Ridge and Upland Greenbelt Areas  
(See Design Policy DES-4.1)
  - Community Boundary
  - City/Town Limit
- F.A.R. = Floor Area Ratio



NOT TO SCALE  
FILE: MAP2\_6.MXD

Source: Marin County Community Development Agency  
This map is representational only.  
Data are not survey accurate.

# MAP 3.1 Upper Sun Valley Land Use Policy Map



### Legend

- Single Family**
  - SF5 2-4 units/acre
- Planned Residential**
  - PR 1 unit/1-10 acres
- Quasi-Public Facility / Planned Residential**
  - QPF-PR 1 unit/1-10 acres
- OS Open Space
- Community Boundary
- City/Town Limit



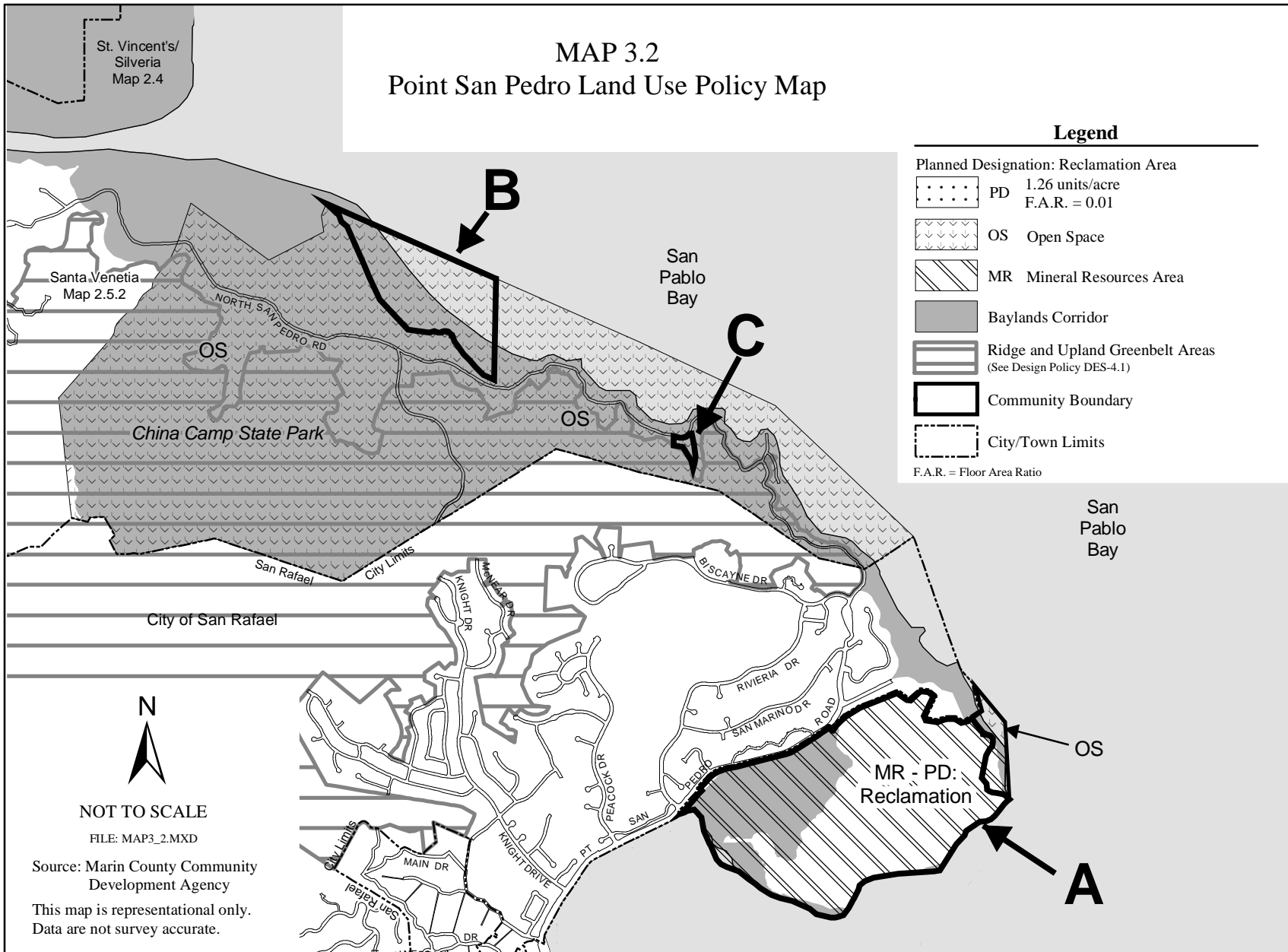
NOT TO SCALE

FILE: MAP3\_1.MXD

Source: Marin County Community Development Agency

This map is representational only. Data are not survey accurate.

# MAP 3.2 Point San Pedro Land Use Policy Map



## Legend

- Planned Designation: Reclamation Area
  - PD 1.26 units/acre  
F.A.R. = 0.01
  - OS Open Space
  - MR Mineral Resources Area
  - Baylands Corridor
  - Ridge and Upland Greenbelt Areas  
(See Design Policy DES-4.1)
  - Community Boundary
  - City/Town Limits
- F.A.R. = Floor Area Ratio



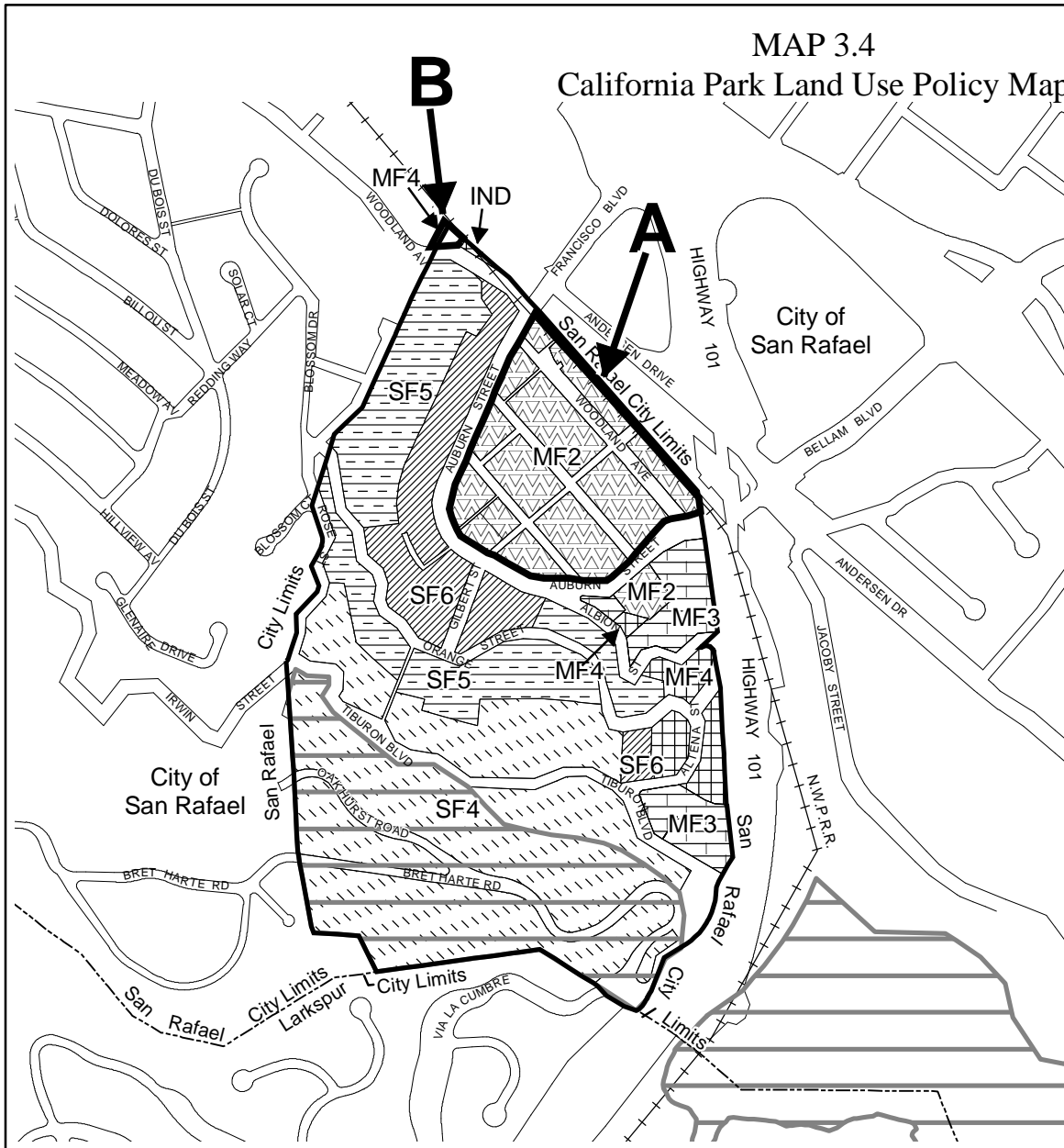
NOT TO SCALE

FILE: MAP3\_2.MXD

Source: Marin County Community  
Development Agency

This map is representational only.  
Data are not survey accurate.

# MAP 3.4 California Park Land Use Policy Map



## Legend

### Single Family

- SF6 4-7 units/acre
- SF5 2-4 units/acre
- SF4 1-2 units/acre

### Multi Family

- MF4 11-30 units/acre
- MF3 5-10 units/acre
- MF2 1-4 units/acre

### Industrial

- IND F.A.R. = 0.10 TO 0.33

Ridge and Upland Greenbelt Areas  
(See Design Policy DES-4.1)

Community Boundary

City/Town Limit

F.A.R. = Floor Area Ratio



Source: Marin County Community Development Agency

This map is representational only.  
Data are not survey accurate.





NOT TO SCALE

FILE: MAP3\_4.MXD


# MAP 4.1 Sleepy Hollow Land Use Policy Map

## Legend

### Single Family

-  SF6 4-7 units/acre
-  SF5 2-4 units/acre
-  SF4 1-2 units/acre
-  SF3 1 unit/1-5 acres


### Multi Family

-  MF2 1-4 units/acre

### Planned Residential



-  PR 1 unit/1-10 acres

### Public Facility / Single Family


-  PF-SF4 1-2 units/acre


-  OS Open Space

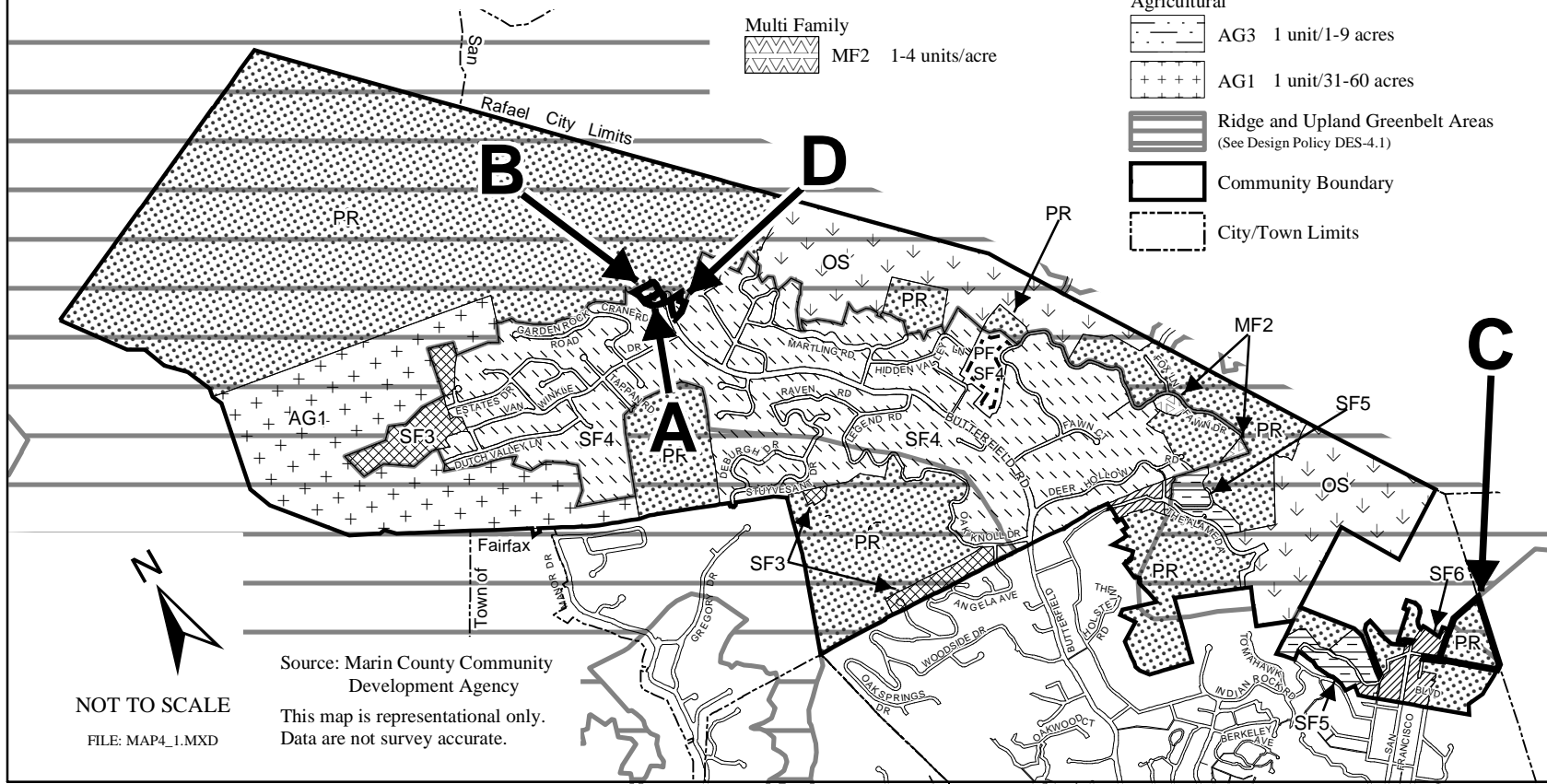
### Agricultural


-  AG3 1 unit/1-9 acres
-  AG1 1 unit/31-60 acres

-  Ridge and Upland Greenbelt Areas  
(See Design Policy DES-4.1)

-  Community Boundary

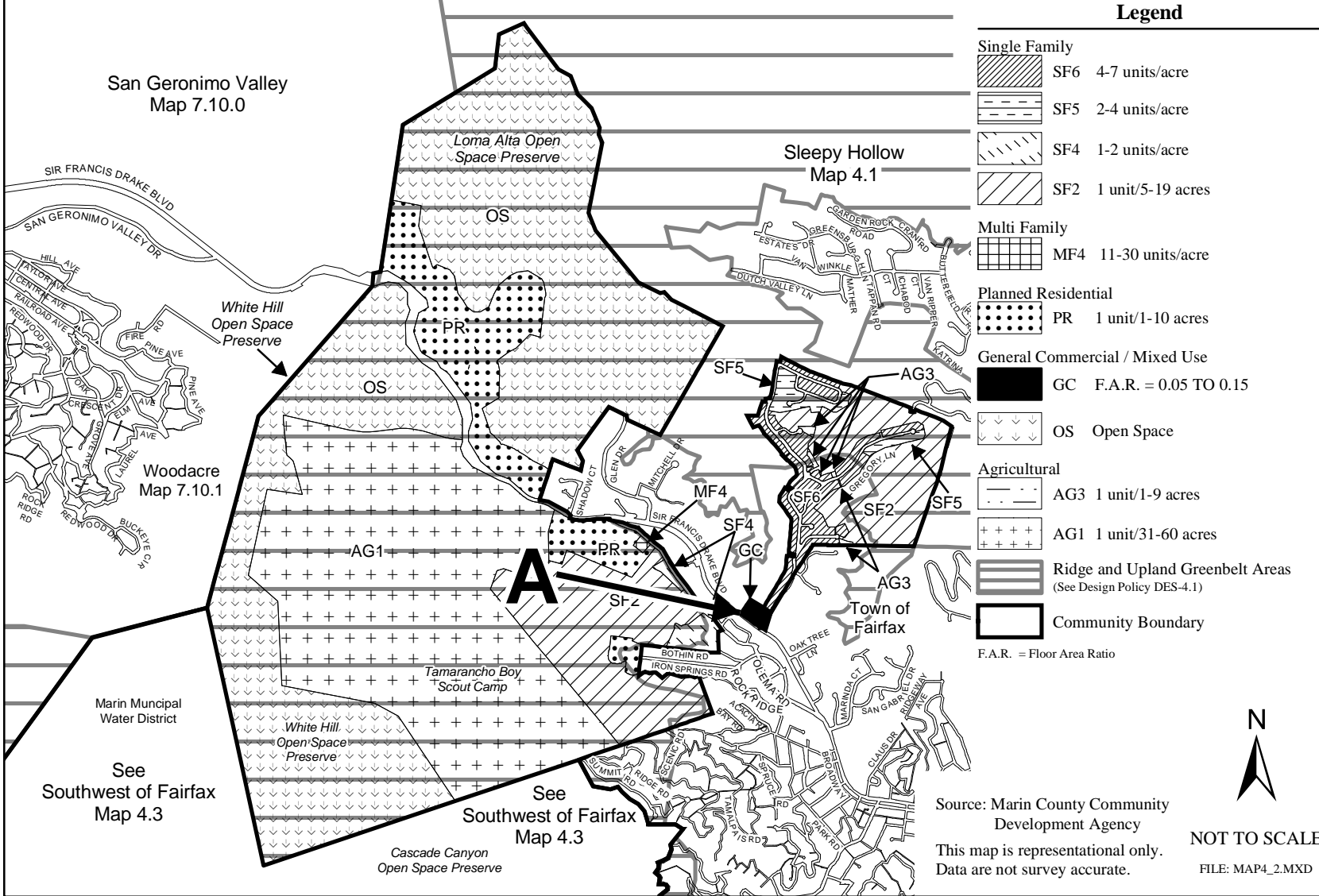
-  City/Town Limits



  
**NOT TO SCALE**  
 FILE: MAP4\_1.MXD

Source: Marin County Community  
 Development Agency  
 This map is representational only.  
 Data are not survey accurate.

# MAP 4.2 West Fairfax Land Use Policy Map



### Legend

- Single Family**
    - SF6 4-7 units/acre
    - SF5 2-4 units/acre
    - SF4 1-2 units/acre
    - SF2 1 unit/5-19 acres
  - Multi Family**
    - MF4 11-30 units/acre
  - Planned Residential**
    - PR 1 unit/1-10 acres
  - General Commercial / Mixed Use**
    - GC F.A.R. = 0.05 TO 0.15
  - Open Space**
    - OS Open Space
  - Agricultural**
    - AG3 1 unit/1-9 acres
    - AG1 1 unit/31-60 acres
  - Ridge and Upland Greenbelt Areas**  
(See Design Policy DES-4.1)
  - Community Boundary
- F.A.R. = Floor Area Ratio



Source: Marin County Community Development Agency

This map is representational only.  
Data are not survey accurate.

NOT TO SCALE

FILE: MAP4\_2.MXD

San Geronimo Valley  
Map 7.10.0

Sleepy Hollow  
Map 4.1

Woodacre  
Map 7.10.1

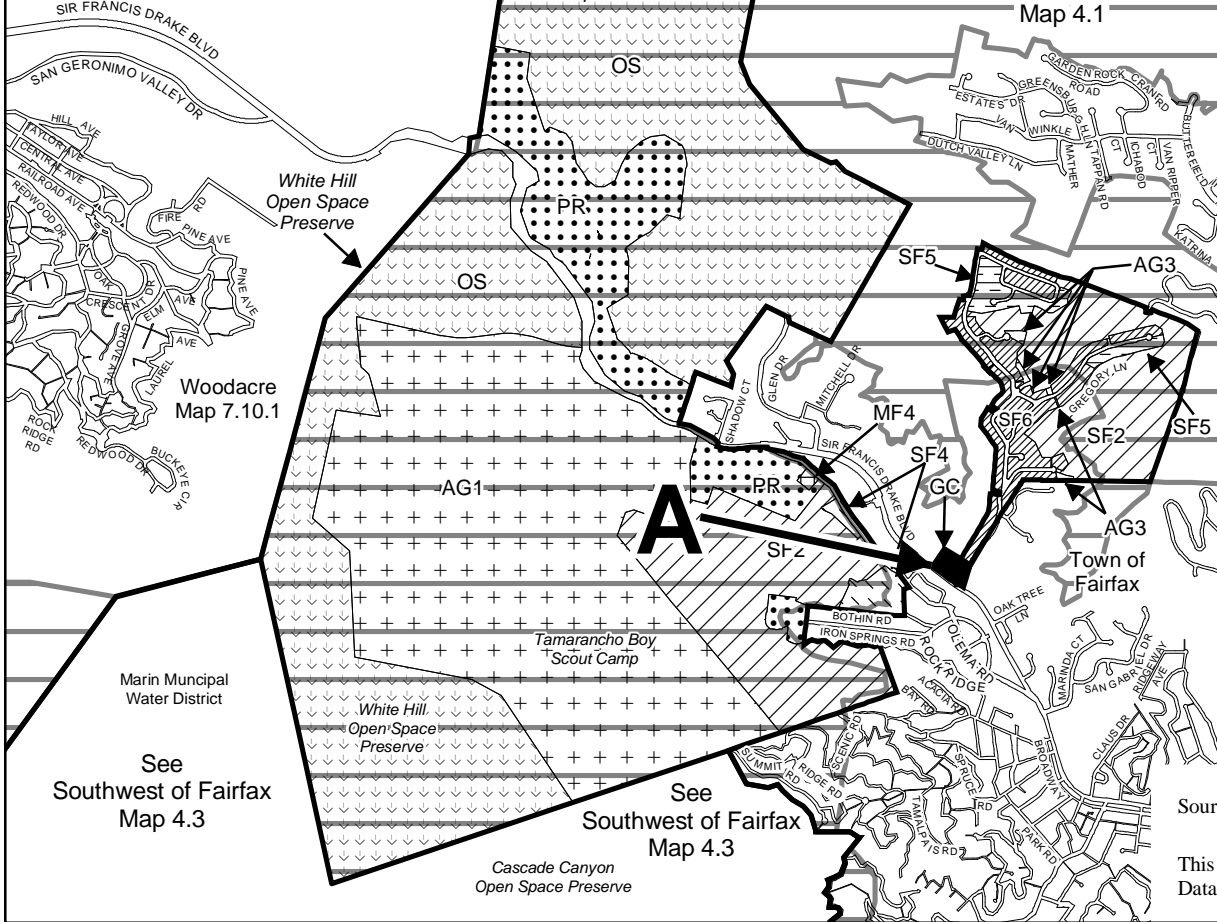
See  
Southwest of Fairfax  
Map 4.3

See  
Southwest of Fairfax  
Map 4.3

Cascade Canyon  
Open Space Preserve

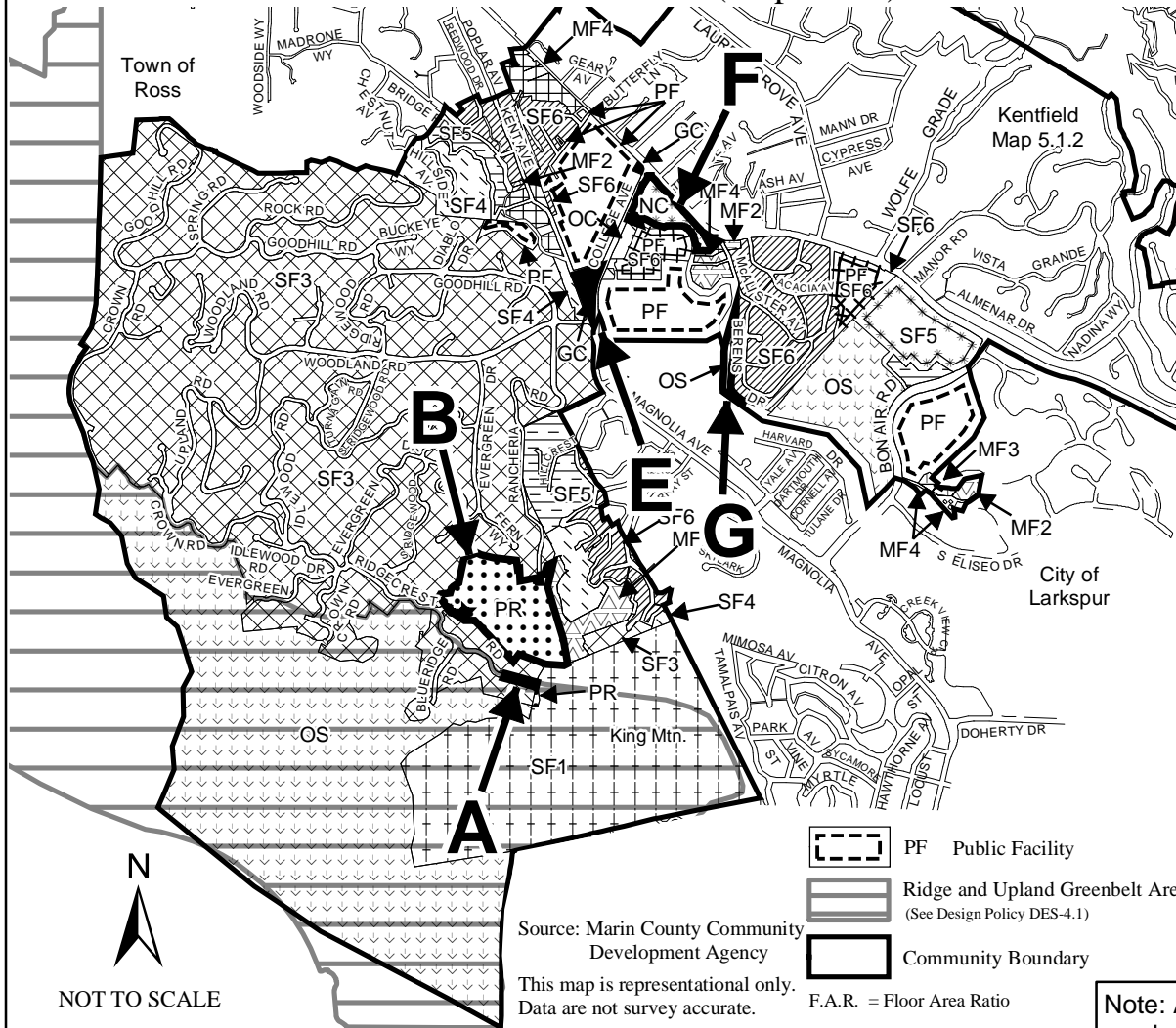
**A**

Town of Fairfax





# MAP 5.1.1 Kentfield Land Use Policy Map (Map 1 of 2)



## Legend

- |  |   |
|--|---|
| <b>Single Family</b>                       |   |
|  | SF6 4-7 units/acre                          |
|  | SF5 2-4 unit/acre                           |
|  | SF4 1-2 units/acre                          |
|  | SF3 1 unit/1-5 acres                        |
|  | SF1 1 unit/20-60 acres                      |
| <b>Multi Family</b>                        |   |
|  | MF4 11-30 units/acre                        |
|  | MF3 5-10 units/acre                         |
|  | MF2 1-4 units/acre                          |
| <b>Planned Residential</b>                 |   |
|  | PR 1 unit/1-10 acres                        |
| <b>General Commercial / Mixed Use</b>      |   |
|  | GC F.A.R. = 0.10 TO 0.35                    |
| <b>Office Commercial / Mixed Use</b>       |   |
|  | OC F.A.R. = 0.10 TO 0.35                    |
| <b>Neighborhood Commercial / Mixed Use</b> |   |
|  | NC F.A.R. = 0.10 TO 0.35<br>5-10 units/acre |
|  | OS Open Space                               |
| <b>Public Facility / Single Family</b>     |   |
|  | PF-SF6 4-7 units/acre                       |
|  | PF-SF5 2-4 units/acre                       |

Source: Marin County Community Development Agency

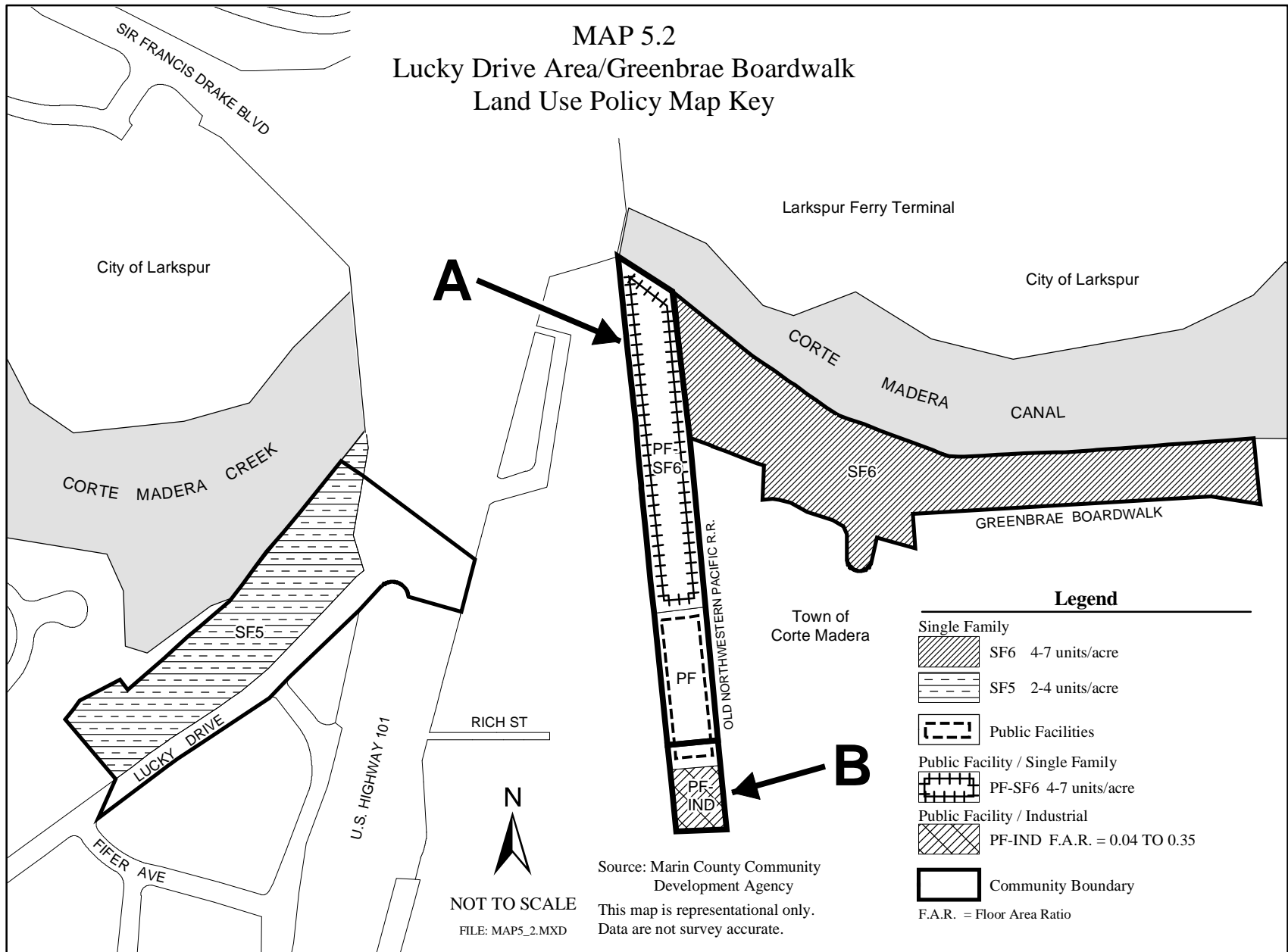
This map is representational only. Data are not survey accurate.

- |  |   |
|--|---|
|  | PF Public Facility  |
|  | Ridge and Upland Greenbelt Areas<br>(See Design Policy DES-4.1) |
|  | Community Boundary  |
- F.A.R. = Floor Area Ratio

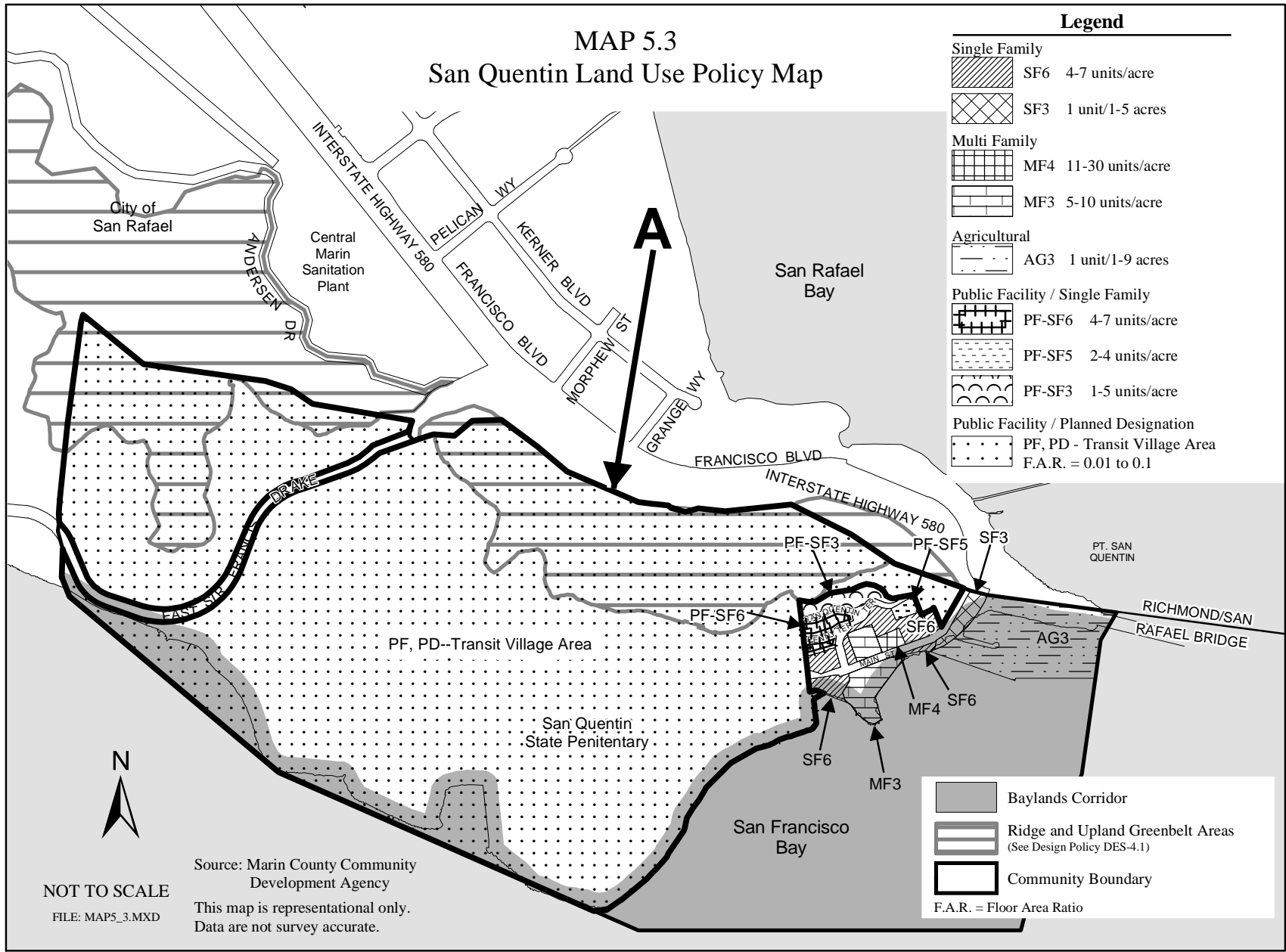
Note: Areas C and D were removed since no changes were made.

NOT TO SCALE  
FILE: MAP5\_1\_1.MXD

# MAP 5.2 Lucky Drive Area/Greenbrae Boardwalk Land Use Policy Map Key



# MAP 5.3 San Quentin Land Use Policy Map



## Legend

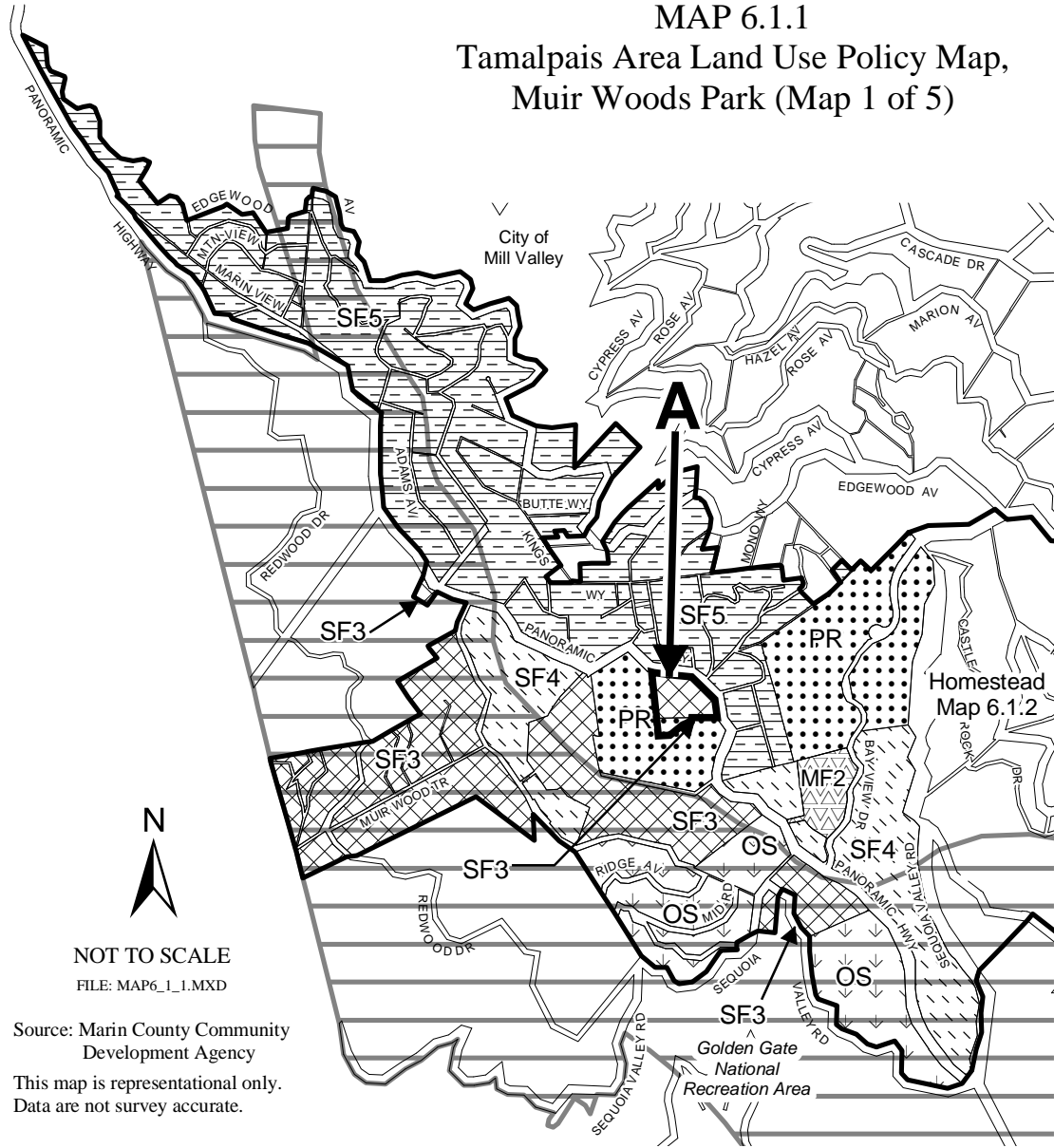
- Single Family**
  - SF6 4-7 units/acre
  - SF3 1 unit/1-5 acres
- Multi Family**
  - MF4 11-30 units/acre
  - MF3 5-10 units/acre
- Agricultural**
  - AG3 1 unit/1-9 acres
- Public Facility / Single Family**
  - PF-SF6 4-7 units/acre
  - PF-SF5 2-4 units/acre
  - PF-SF3 1-5 units/acre
- Public Facility / Planned Designation**
  - PF, PD - Transit Village Area  
F.A.R. = 0.01 to 0.1

- Baylands Corridor
- Ridge and Upland Greenbelt Areas  
(See Design Policy DES-4.1)
- Community Boundary
- F.A.R. = Floor Area Ratio









NOT TO SCALE  
FILE: MAP5\_3.MXD

Source: Marin County Community Development Agency  
This map is representational only.  
Data are not survey accurate.

# MAP 6.1.1 Tamalpais Area Land Use Policy Map, Muir Woods Park (Map 1 of 5)



### Legend

- Single Family**
-  SF5 2-4 units/acre
-  SF4 1-2 units/acre
-  SF3 1 unit/1-5 acres
- Multi Family**
-  MF2 1-4 units/acre
- Planned Residential**
-  PR 1 unit/1-10 acres
-  OS Open Space
-  Ridge and Upland Greenbelt Areas  
(See Design Policy DES-4.1)
-  Community Boundary



NOT TO SCALE  
FILE: MAP6\_1\_1.MXD

Source: Marin County Community  
Development Agency  
This map is representational only.  
Data are not survey accurate.

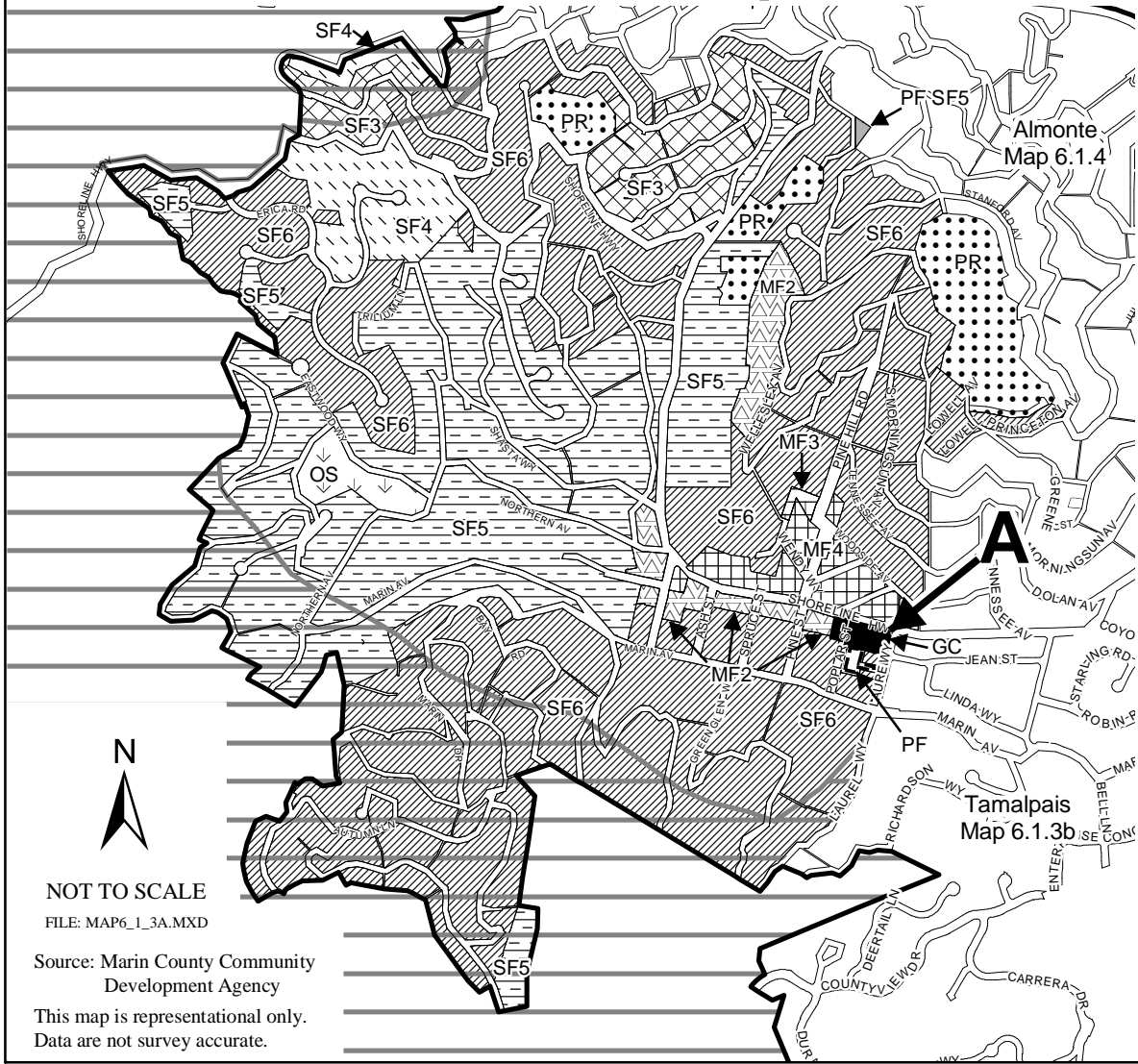
Homestead  
Map 6.1.2

Golden Gate  
National  
Recreation Area

City of  
Mill Valley

**A**

# MAP 6.1.3a Tamalpais Area Land Use Policy Map (Map 3 of 5)



## Legend

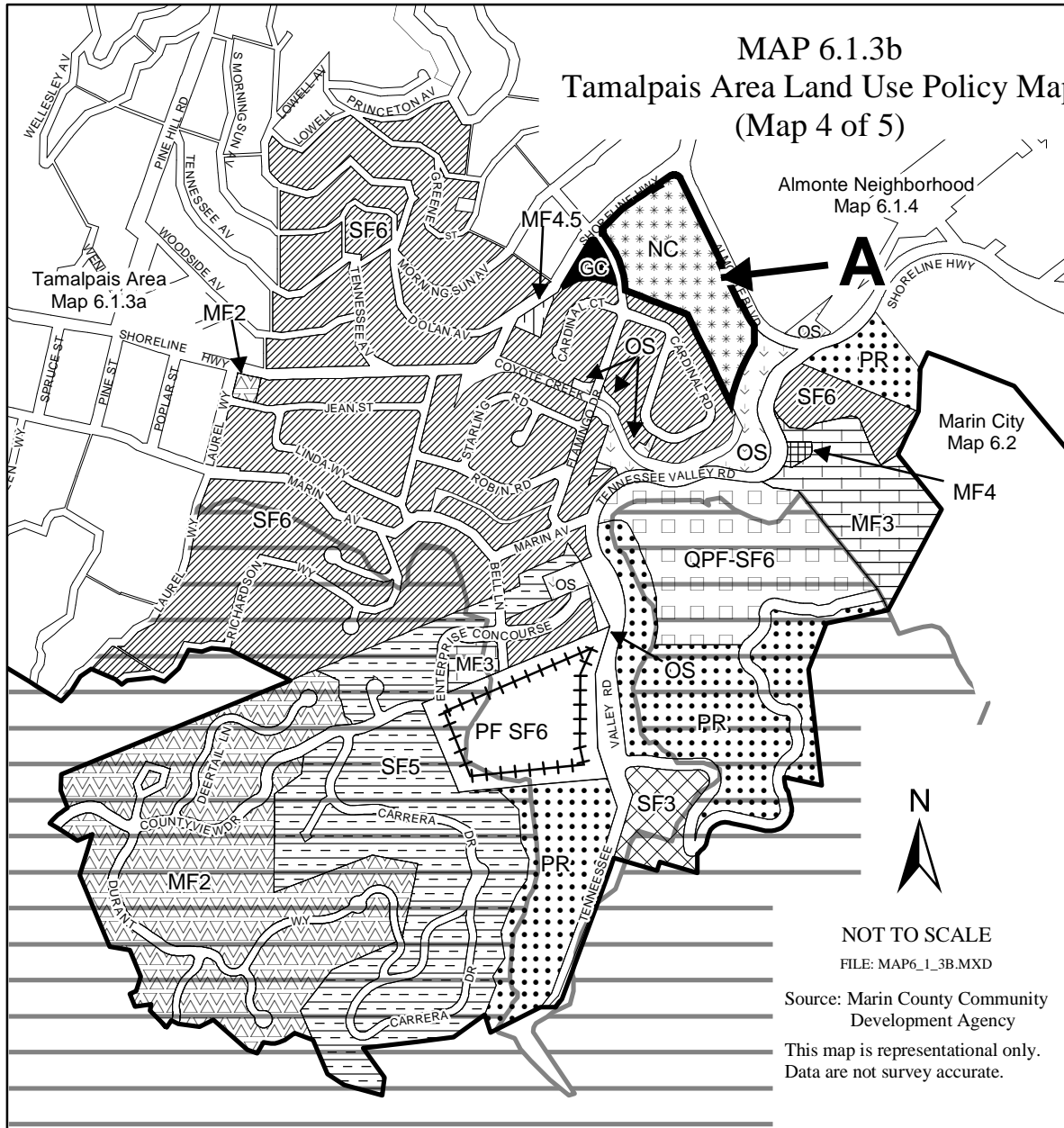
- |  |   |
|--|---|
| <b>Single Family</b>                   |   |
|  | SF6 4-7 units/acre  |
|  | SF5 2-4 units/acre  |
|  | SF4 1-2 units/acre  |
|  | SF3 1 unit/1-5 acres  |
| <b>Multifamily</b>                     |   |
|  | MF4 11-30 units/acre  |
|  | MF3 5-10 units/acre   |
|  | MF2 1-4 units/acre  |
| <b>Planned Residential</b>             |   |
|  | PR 1 unit/1-10 acres  |
| <b>General Commercial / Mixed Use</b>  |   |
|  | GC F.A.R. = 0.05 TO 0.30  |
|  | PF Public Facility  |
| <b>Public Facility / Single Family</b> |   |
|  | PF SF5 2-4 units/acre   |
|  | OS Open Space   |
|  | Ridge and Upland Greenbelt Areas<br>(See Design Policy DES-4.1) |
|  | Community Boundary  |
- F.A.R. = Floor Area Ratio

NOT TO SCALE  
FILE: MAP6\_1\_3A.MXD

Source: Marin County Community  
Development Agency

This map is representational only.  
Data are not survey accurate.

# MAP 6.1.3b Tamalpais Area Land Use Policy Map (Map 4 of 5)



## Legend

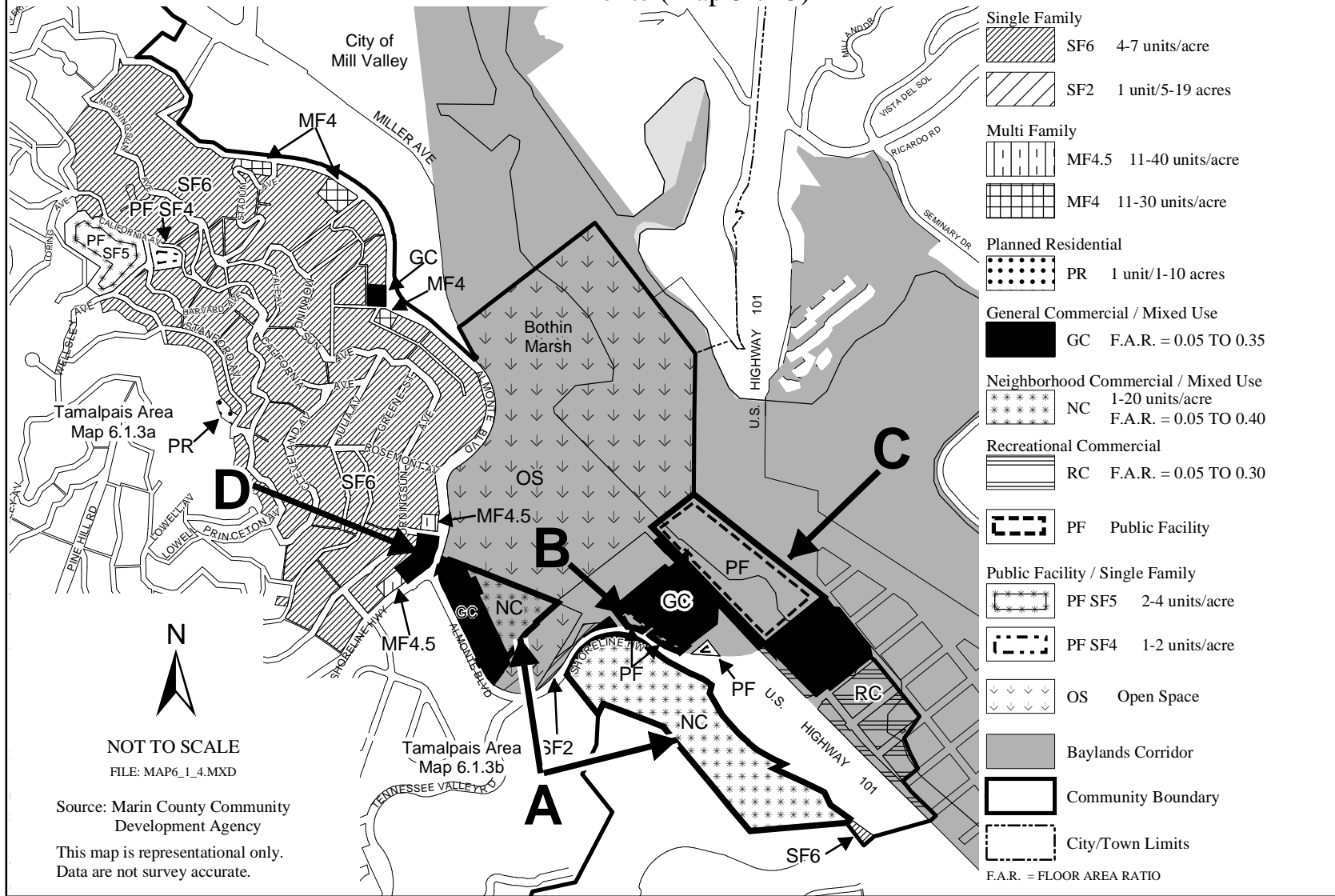
<b>Single Family</b>	
	SF6 4-7 units/acre
	SF5 2-4 units/acre
	SF3 1 unit/1-5 acres
<b>Multi Family</b>	
	MF4.5 11-40 units/acre
	MF4 11-30 units/acre
	MF3 5-10 units/acre
	MF2 1-4 units/acre
<b>Planned Residential</b>	
	PR 1 unit/1-10 acres
<b>General Commercial / Mixed Use</b>	
	GC F.A.R. = 0.05 TO 0.30
<b>Neighborhood Commercial / Mixed Use</b>	
	NC 1-20 units/acre F.A.R. = 0.05 TO 0.40
<b>Public Facility / Single Family</b>	
	PF SF6 4-7 units/acre
<b>Quasi-Public Facility</b>	
	QPF SF6 4-7 units/acre
	OS Open Space
	Ridge and Upland Greenbelt Areas (See Design Policy DES-4.1)
	Community Boundary
F.A.R. = Floor Area Ratio	

NOT TO SCALE  
FILE: MAP6\_1\_3B.MXD

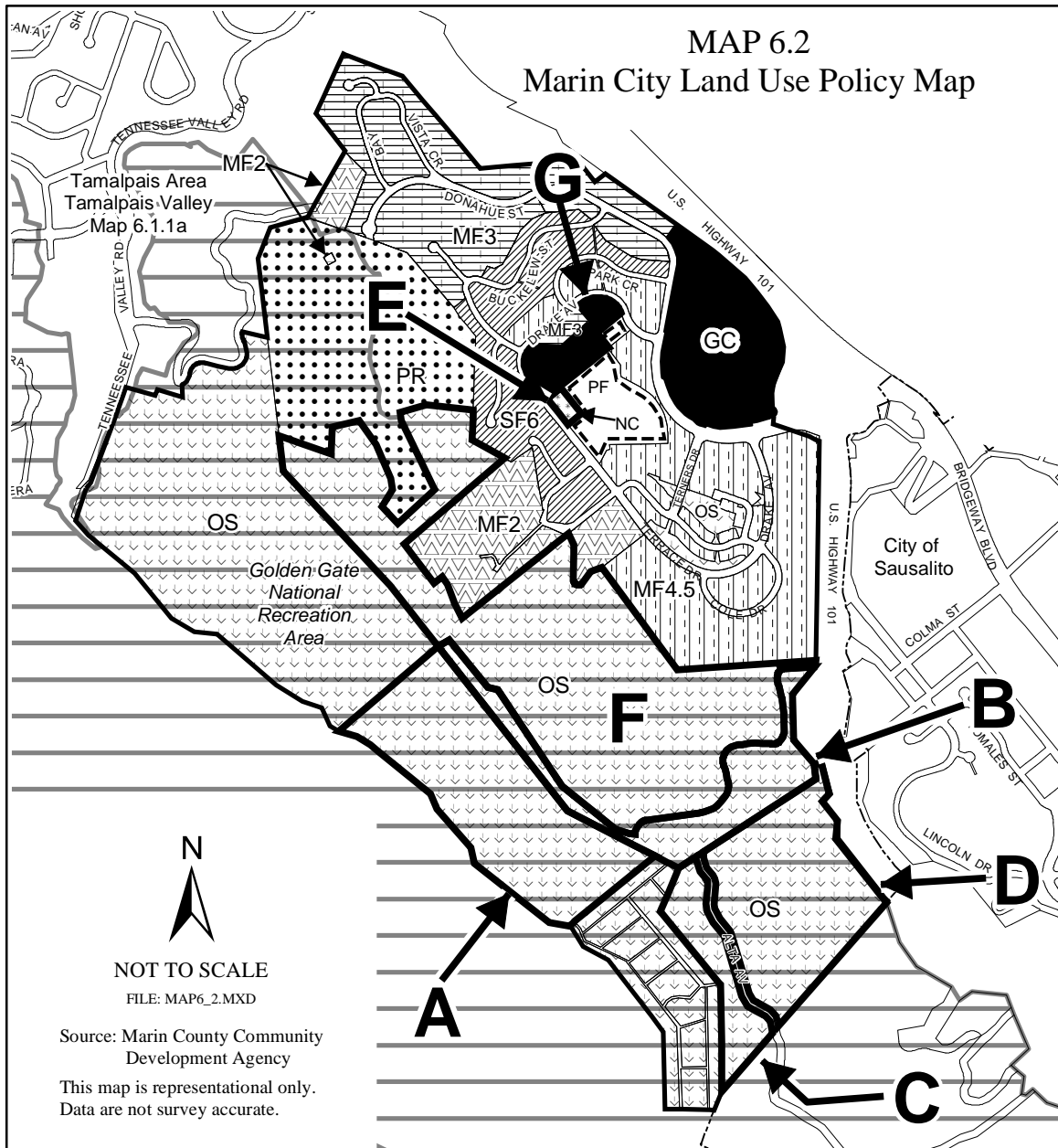
Source: Marin County Community  
Development Agency

This map is representational only.  
Data are not survey accurate.

# MAP 6.1.4 Tamalpais Area Land Use Policy Map, Almonte (Map 5 of 5)



# MAP 6.2 Marin City Land Use Policy Map



## Legend

- Single Family**
    - SF6 4-7 units/acre
  - Multi Family**
    - MF4.5 11-40 units/acre
    - MF3 5-10 units/acre
    - MF2 1-4 units/acre
  - Planned Residential**
    - PR 1 unit/1-10 acres
  - General Commercial / Mixed Use**
    - GC F.A.R. = 0.60 TO 0.90
  - Neighborhood Commercial / Mixed Use**
    - NC 1-20 units/acre  
F.A.R. = 0.30 TO 0.50
  - PF Public Facilities**
  - OS Open Space**
  - Ridge and Upland Greenbelt Areas**  
(See Design Policy DES-4.1)
  - Community Boundary**
  - City/Town Limits**
- F.A.R. = Floor Area Ratio



NOT TO SCALE













FILE: MAP6\_2.MXD




Source: Marin County Community Development Agency

This map is representational only.  
Data are not survey accurate.

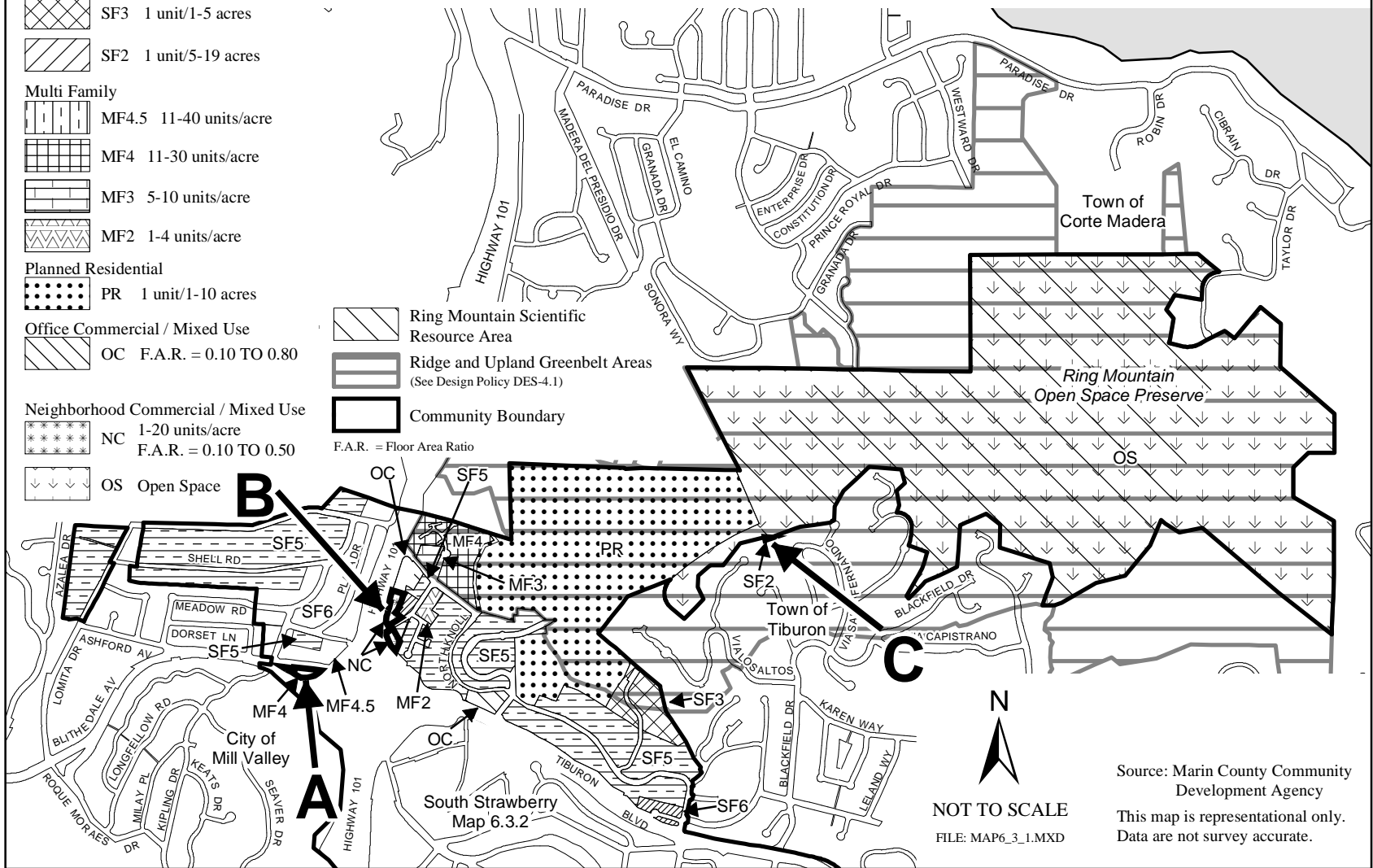


**Legend**

-  SF6 4-7 units/acre
-  SF5 2-4 units/acre
-  SF3 1 unit/1-5 acres
-  SF2 1 unit/5-19 acres
- Multi Family**
-  MF4.5 11-40 units/acre
-  MF4 11-30 units/acre
-  MF3 5-10 units/acre
-  MF2 1-4 units/acre
- Planned Residential**
-  PR 1 unit/1-10 acres
- Office Commercial / Mixed Use**
-  OC F.A.R. = 0.10 TO 0.80
- Neighborhood Commercial / Mixed Use**
-  NC 1-20 units/acre  
F.A.R. = 0.10 TO 0.50
-  OS Open Space

-  Ring Mountain Scientific Resource Area
  -  Ridge and Upland Greenbelt Areas  
(See Design Policy DES-4.1)
  -  Community Boundary
- F.A.R. = Floor Area Ratio

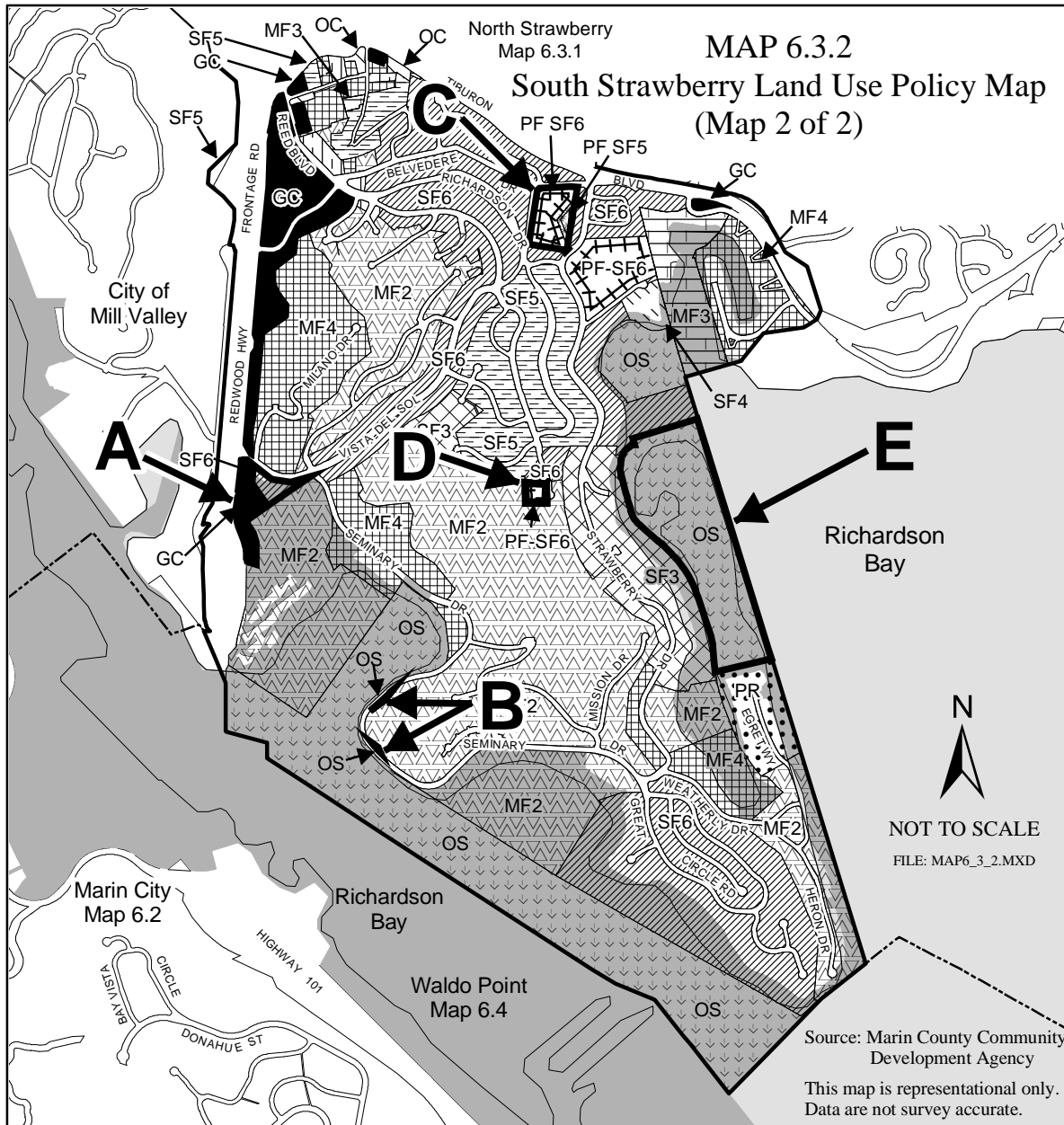
**MAP 6.3.1**  
**North Strawberry & Alto Land Use Policy Map**  
(Map 1 of 2)



N  
  
 NOT TO SCALE  
 FILE: MAP6\_3\_1.MXD

Source: Marin County Community Development Agency  
 This map is representational only.  
 Data are not survey accurate.

# MAP 6.3.2 South Strawberry Land Use Policy Map (Map 2 of 2)

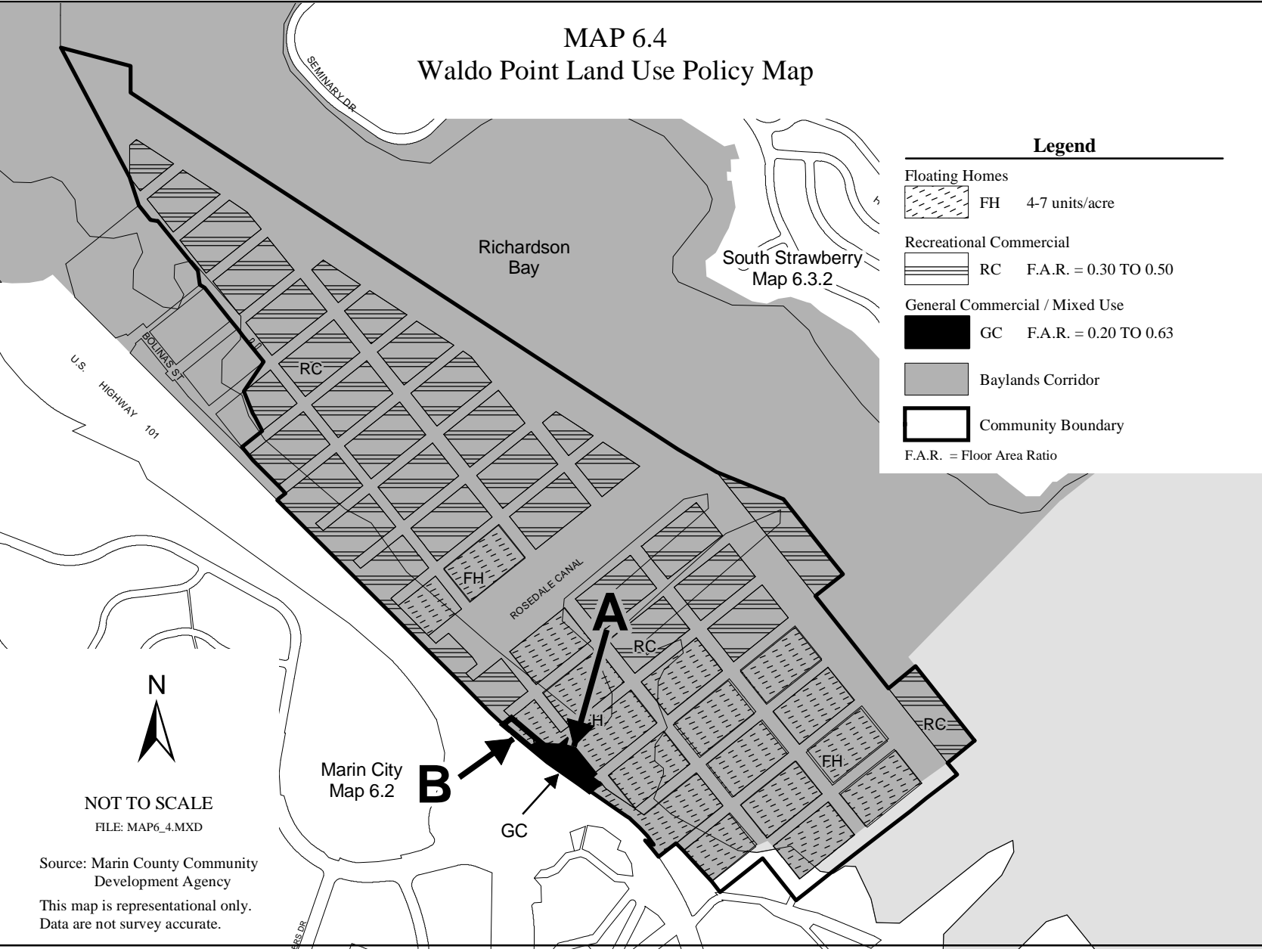


## Legend






- Single Family**
    - SF6 4-7 units/acre
    - SF5 2-4 units/acre
    - SF4 1-2 units/acre
    - SF3 1 unit/1-5 acres
  - Multi Family**
    - MF4.5 11-40 units/acre
    - MF4 11-30 units/acre
    - MF3 5-10 units/acre
    - MF2 1-4 units/acre
  - Planned Residential**
    - PR 1 unit/1-10 acres
  - General Commercial / Mixed Use**
    - GC F.A.R. = 0.05 TO 0.50
  - Office Commercial / Mixed Use**
    - OC F.A.R. = 0.10 TO 0.80
  - Public Facility / Single Family**
    - PF SF6 4-7 units/acre
    - PF SF5 2-4 units/acre
  - OS Open Space**
  - Baylands Corridor**
  - Community Boundary**
  - City/Town Limits**
- F.A.R. = Floor Area Ratio


Source: Marin County Community Development Agency  
This map is representational only.  
Data are not survey accurate.

# MAP 6.4 Waldo Point Land Use Policy Map



### Legend










Floating Homes		
	FH	4-7 units/acre
Recreational Commercial		
	RC	F.A.R. = 0.30 TO 0.50
General Commercial / Mixed Use		
	GC	F.A.R. = 0.20 TO 0.63
	Baylands Corridor	
	Community Boundary	
F.A.R. = Floor Area Ratio		

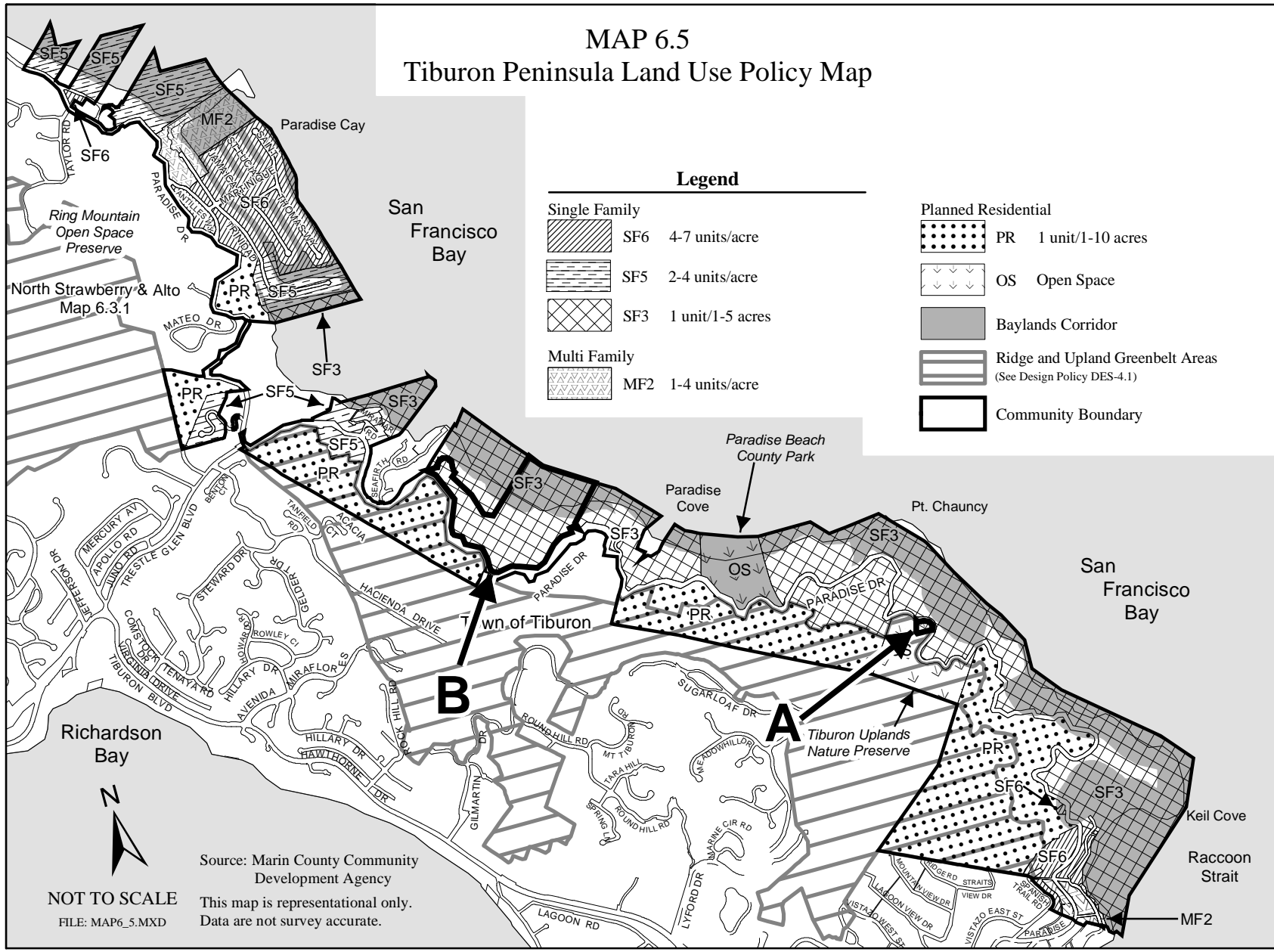
  
**NOT TO SCALE**  
 FILE: MAP6\_4.MXD

Source: Marin County Community  
 Development Agency  
 This map is representational only.  
 Data are not survey accurate.

# MAP 6.5 Tiburon Peninsula Land Use Policy Map

**Legend**

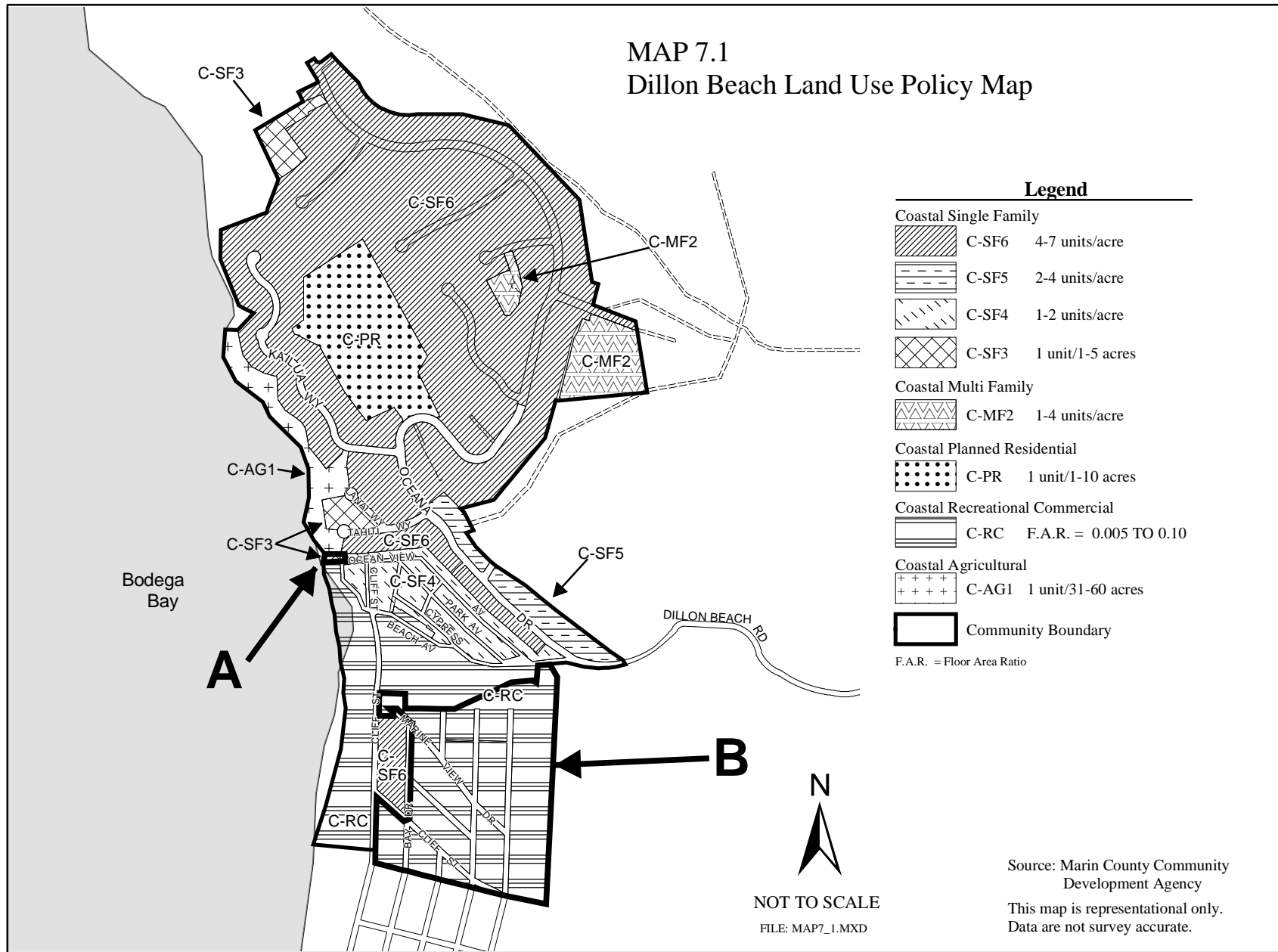
<b>Single Family</b>		<b>Planned Residential</b>	
	SF6 4-7 units/acre		PR 1 unit/1-10 acres
	SF5 2-4 units/acre		OS Open Space
	SF3 1 unit/1-5 acres		Baylands Corridor
<b>Multi Family</b>			Ridge and Upland Greenbelt Areas (See Design Policy DES-4.1)
	MF2 1-4 units/acre		Community Boundary



NOT TO SCALE  
FILE: MAP6\_5.MXD

Source: Marin County Community Development Agency  
This map is representational only.  
Data are not survey accurate.

# MAP 7.1 Dillon Beach Land Use Policy Map



### Legend

Coastal Single Family		
	C-SF6	4-7 units/acre
	C-SF5	2-4 units/acre
	C-SF4	1-2 units/acre
	C-SF3	1 unit/1-5 acres
Coastal Multi Family		
	C-MF2	1-4 units/acre
Coastal Planned Residential		
	C-PR	1 unit/1-10 acres
Coastal Recreational Commercial		
	C-RC	F.A.R. = 0.005 TO 0.10
Coastal Agricultural		
	C-AG1	1 unit/31-60 acres
	Community Boundary	
F.A.R. = Floor Area Ratio		

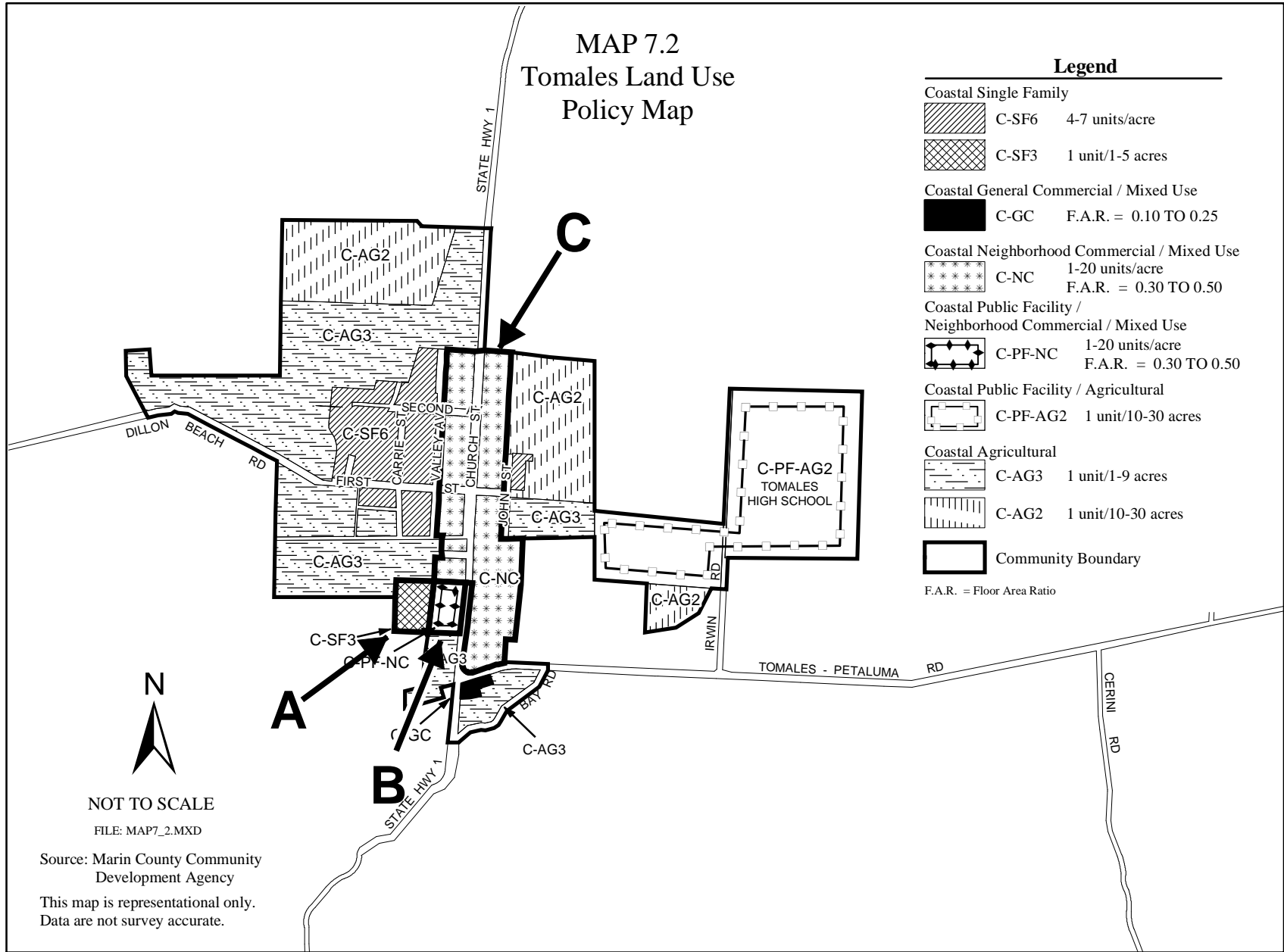
Source: Marin County Community Development Agency

This map is representational only.  
Data are not survey accurate.

NOT TO SCALE

FILE: MAP7\_1.MXD

# MAP 7.2 Tomales Land Use Policy Map



### Legend

- Coastal Single Family
    - C-SF6 4-7 units/acre
    - C-SF3 1 unit/1-5 acres
  - Coastal General Commercial / Mixed Use
    - C-GC F.A.R. = 0.10 TO 0.25
  - Coastal Neighborhood Commercial / Mixed Use
    - C-NC 1-20 units/acre  
F.A.R. = 0.30 TO 0.50
  - Coastal Public Facility / Neighborhood Commercial / Mixed Use
    - C-PF-NC 1-20 units/acre  
F.A.R. = 0.30 TO 0.50
  - Coastal Public Facility / Agricultural
    - C-PF-AG2 1 unit/10-30 acres
  - Coastal Agricultural
    - C-AG3 1 unit/1-9 acres
    - C-AG2 1 unit/10-30 acres
  - Community Boundary
- F.A.R. = Floor Area Ratio



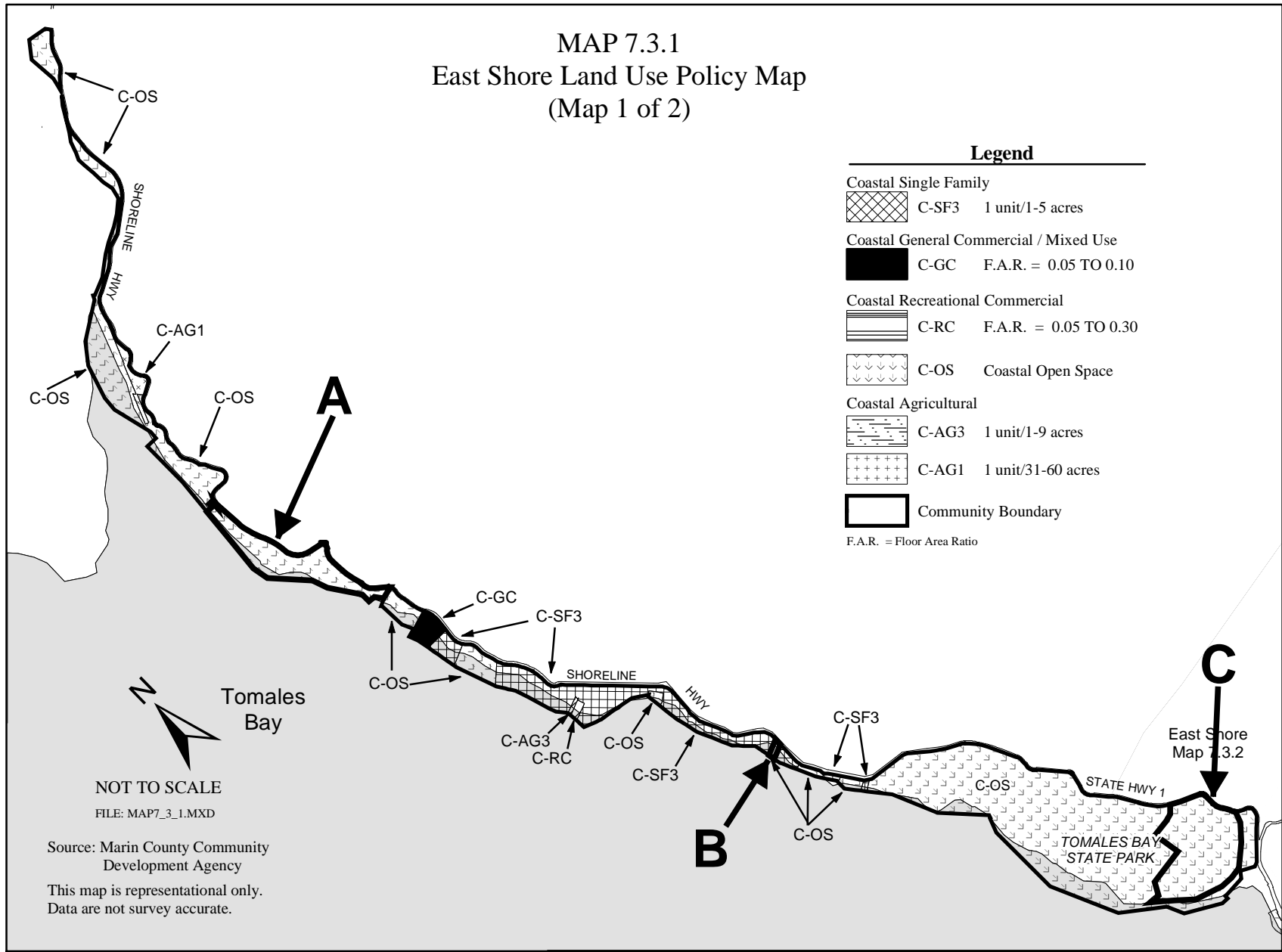
NOT TO SCALE

FILE: MAP7\_2.MXD

Source: Marin County Community  
Development Agency

This map is representational only.  
Data are not survey accurate.

# MAP 7.3.1 East Shore Land Use Policy Map (Map 1 of 2)



### Legend

- Coastal Single Family
    - C-SF3 1 unit/1-5 acres
  - Coastal General Commercial / Mixed Use
    - C-GC F.A.R. = 0.05 TO 0.10
  - Coastal Recreational Commercial
    - C-RC F.A.R. = 0.05 TO 0.30
  - Coastal Open Space
    - C-OS Coastal Open Space
  - Coastal Agricultural
    - C-AG3 1 unit/1-9 acres
    - C-AG1 1 unit/31-60 acres
  - Community Boundary
- F.A.R. = Floor Area Ratio



NOT TO SCALE  
FILE: MAP7\_3\_1.MXD

Source: Marin County Community Development Agency  
This map is representational only.  
Data are not survey accurate.

# MAP 7.3.2 East Shore Land Use Policy Map (Map 2 of 2)



NOT TO SCALE

FILE: MAP7\_3\_2.MXD

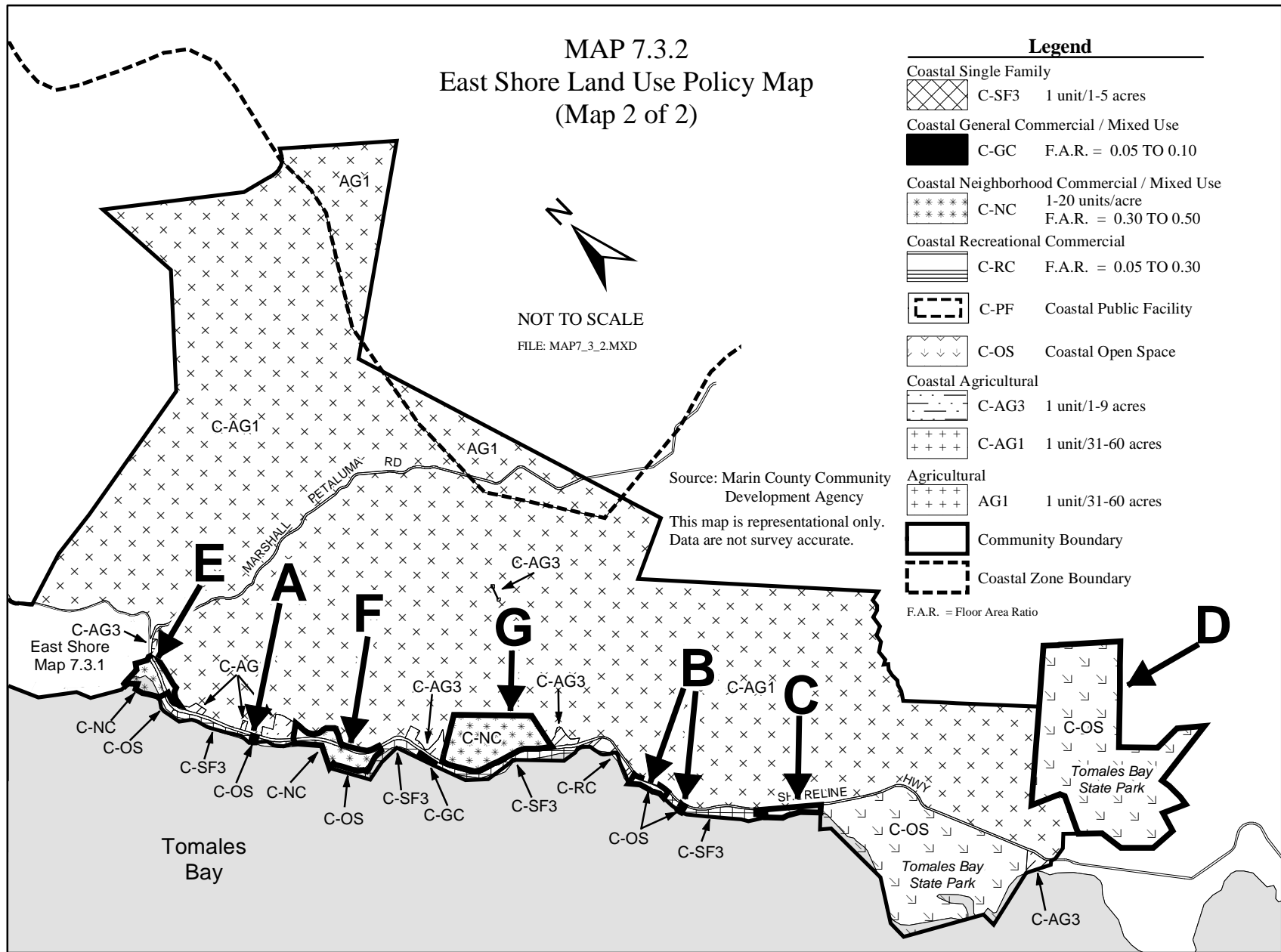
Source: Marin County Community  
Development Agency

This map is representational only.  
Data are not survey accurate.

## Legend

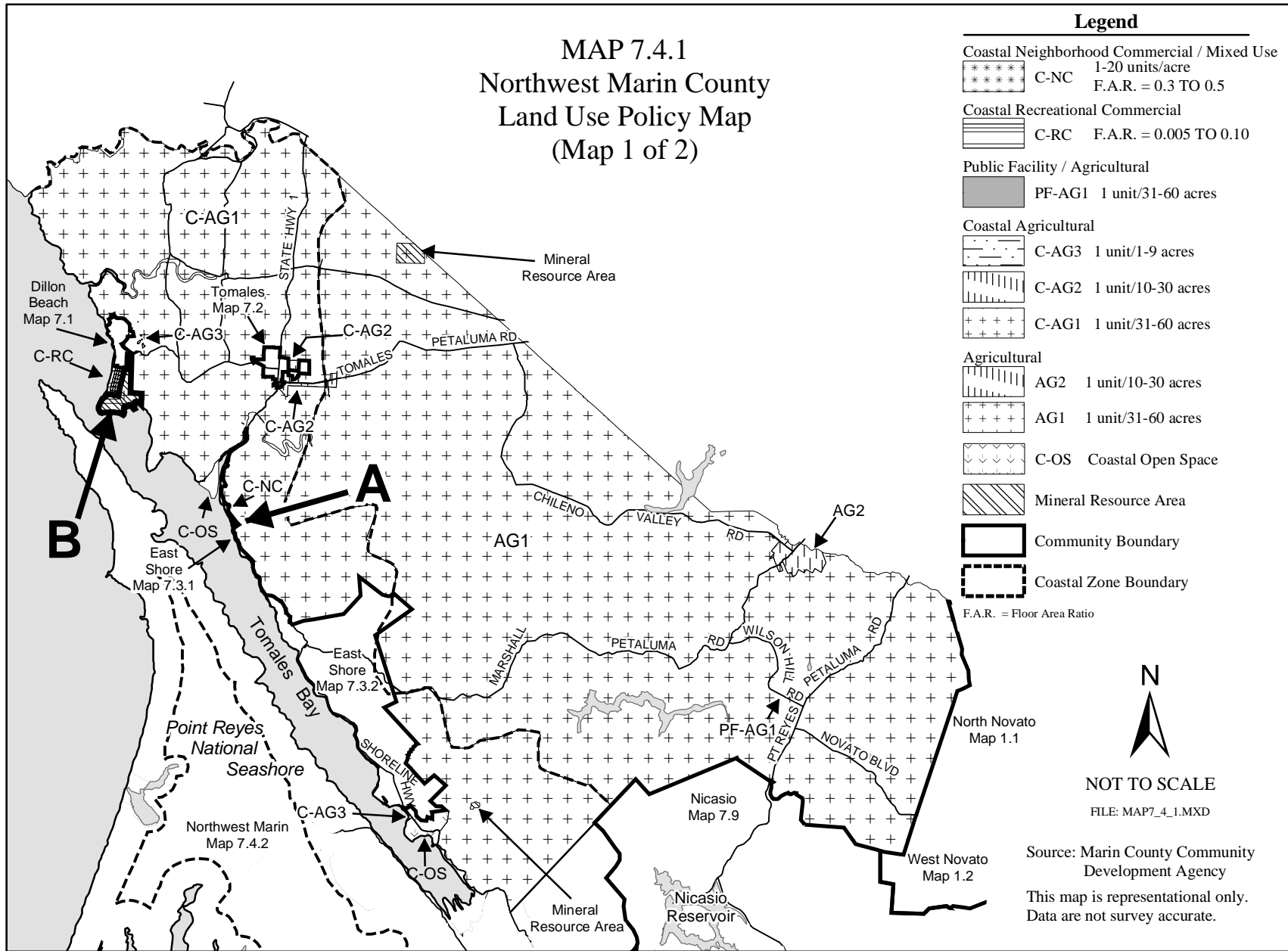
Coastal Single Family		
	C-SF3	1 unit/1-5 acres
Coastal General Commercial / Mixed Use		
	C-GC	F.A.R. = 0.05 TO 0.10
Coastal Neighborhood Commercial / Mixed Use		
	C-NC	1-20 units/acre F.A.R. = 0.30 TO 0.50
Coastal Recreational Commercial		
	C-RC	F.A.R. = 0.05 TO 0.30
	C-PF	Coastal Public Facility
Coastal Open Space		
	C-OS	Coastal Open Space
Coastal Agricultural		
	C-AG3	1 unit/1-9 acres
	C-AG1	1 unit/31-60 acres
Agricultural		
	AG1	1 unit/31-60 acres
	Community Boundary	
	Coastal Zone Boundary	

F.A.R. = Floor Area Ratio

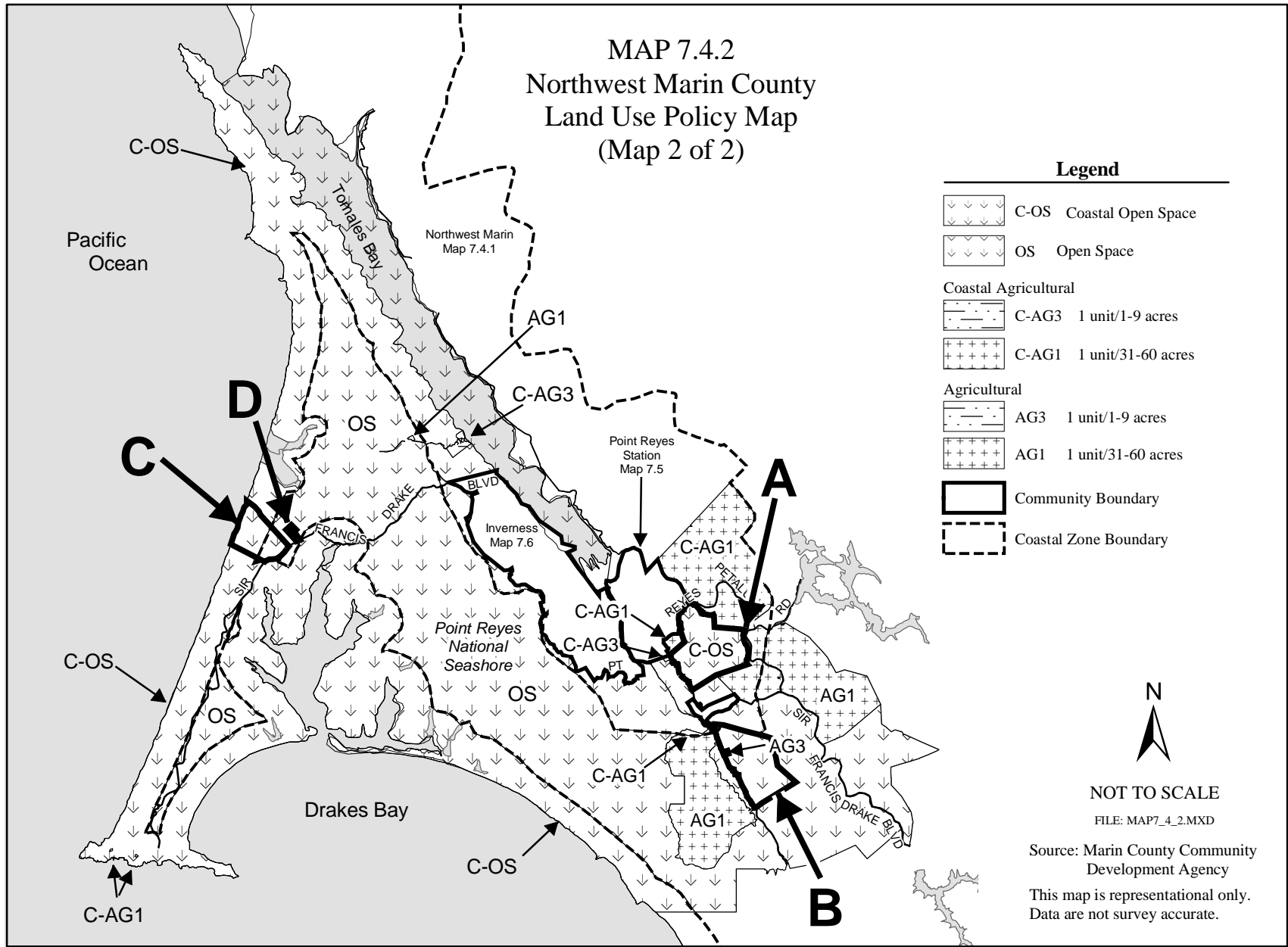












# MAP 7.4.1 Northwest Marin County Land Use Policy Map (Map 1 of 2)



MAP 7.4.2  
Northwest Marin County  
Land Use Policy Map  
(Map 2 of 2)



**Legend**

-  C-OS Coastal Open Space
-  OS Open Space
- Coastal Agricultural**
-  C-AG3 1 unit/1-9 acres
-  C-AG1 1 unit/31-60 acres
- Agricultural**
-  AG3 1 unit/1-9 acres
-  AG1 1 unit/31-60 acres
-  Community Boundary
-  Coastal Zone Boundary



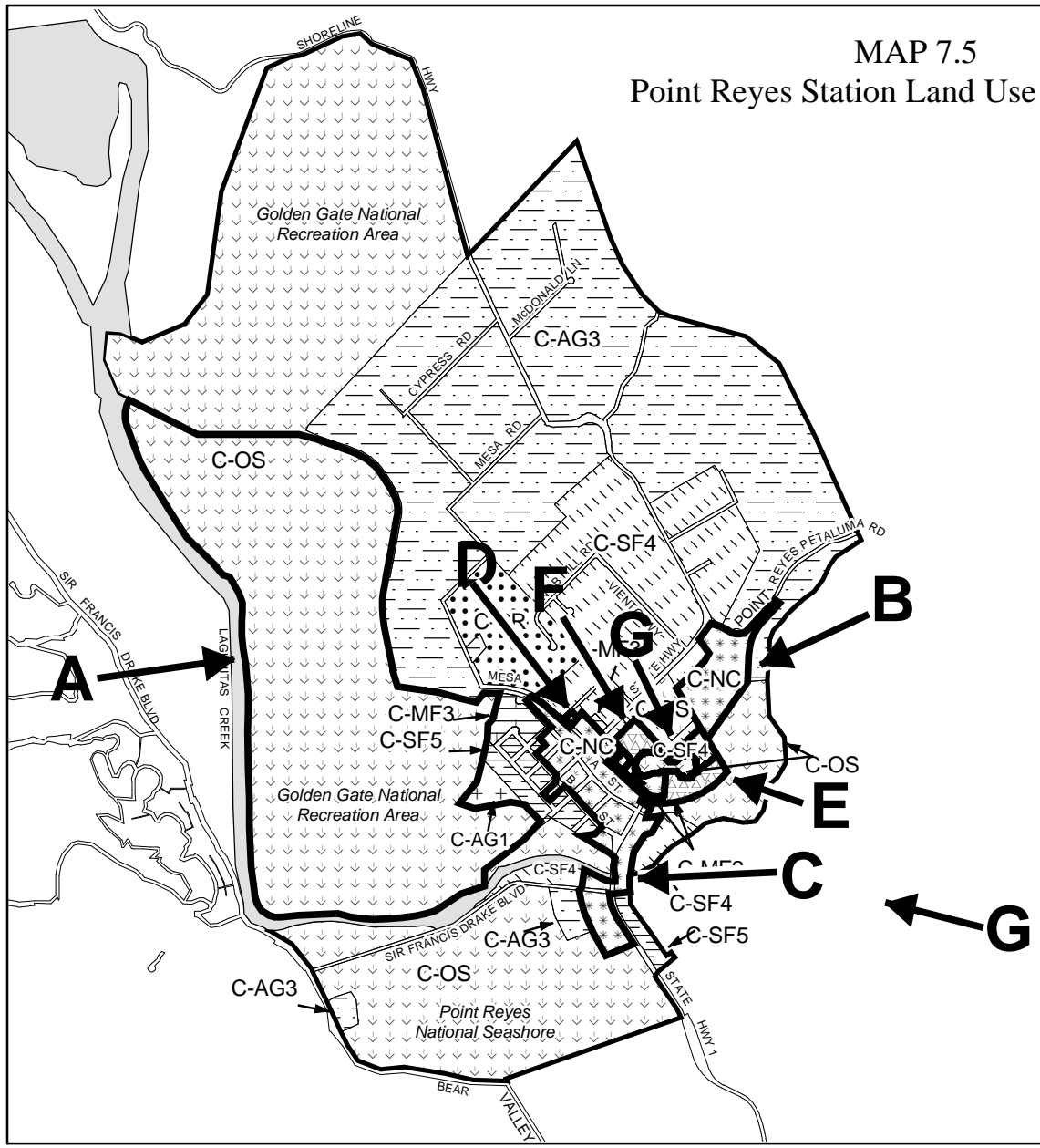
NOT TO SCALE

FILE: MAP7\_4.2.MXD

Source: Marin County Community Development Agency

This map is representational only.  
Data are not survey accurate.

# MAP 7.5 Point Reyes Station Land Use Policy Map



## Legend

- Coastal Single Family
    - C-SF5 2-4 units/acre
    - C-SF4 1-2 units/acre
  - Coastal Multi Family
    - C-MF3 5-10 units/acre
    - C-MF2 1-4 units/acre
  - Coastal Planned Residential
    - C-PR 1 unit/1-10 acres
  - Coastal Neighborhood Commercial / Mixed Use
    - C-NC 1-20 units/acre  
F.A.R. = 0.30 TO 0.50
  - C-OS Coastal Open Space
  - Coastal Agricultural
    - C-AG3 1 unit/1-9 acres
    - C-AG1 1 unit/31-60 acres
  - Community Boundary
- F.A.R. = Floor Area Ratio



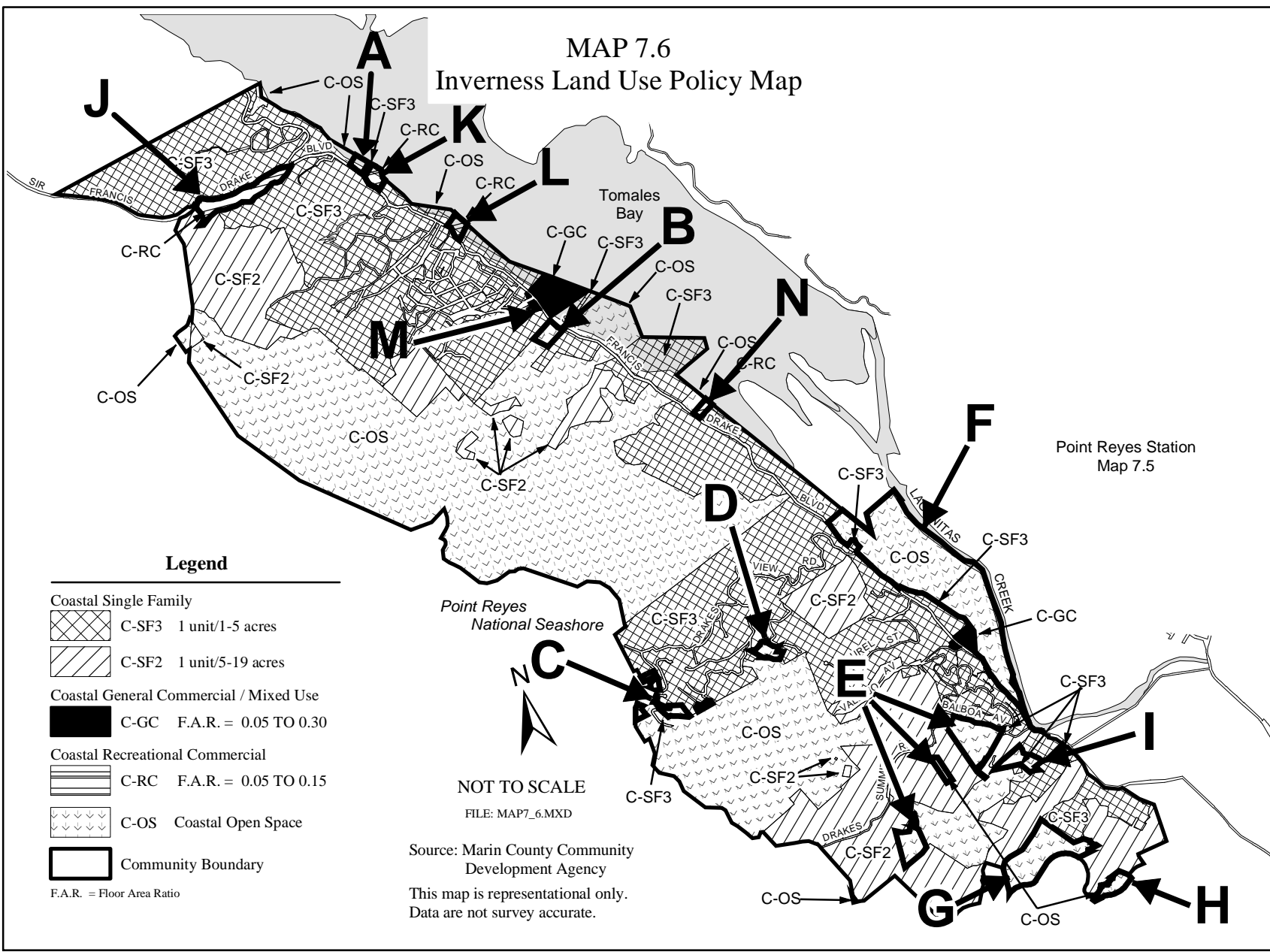
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FILE: MAP7\_5.MXD

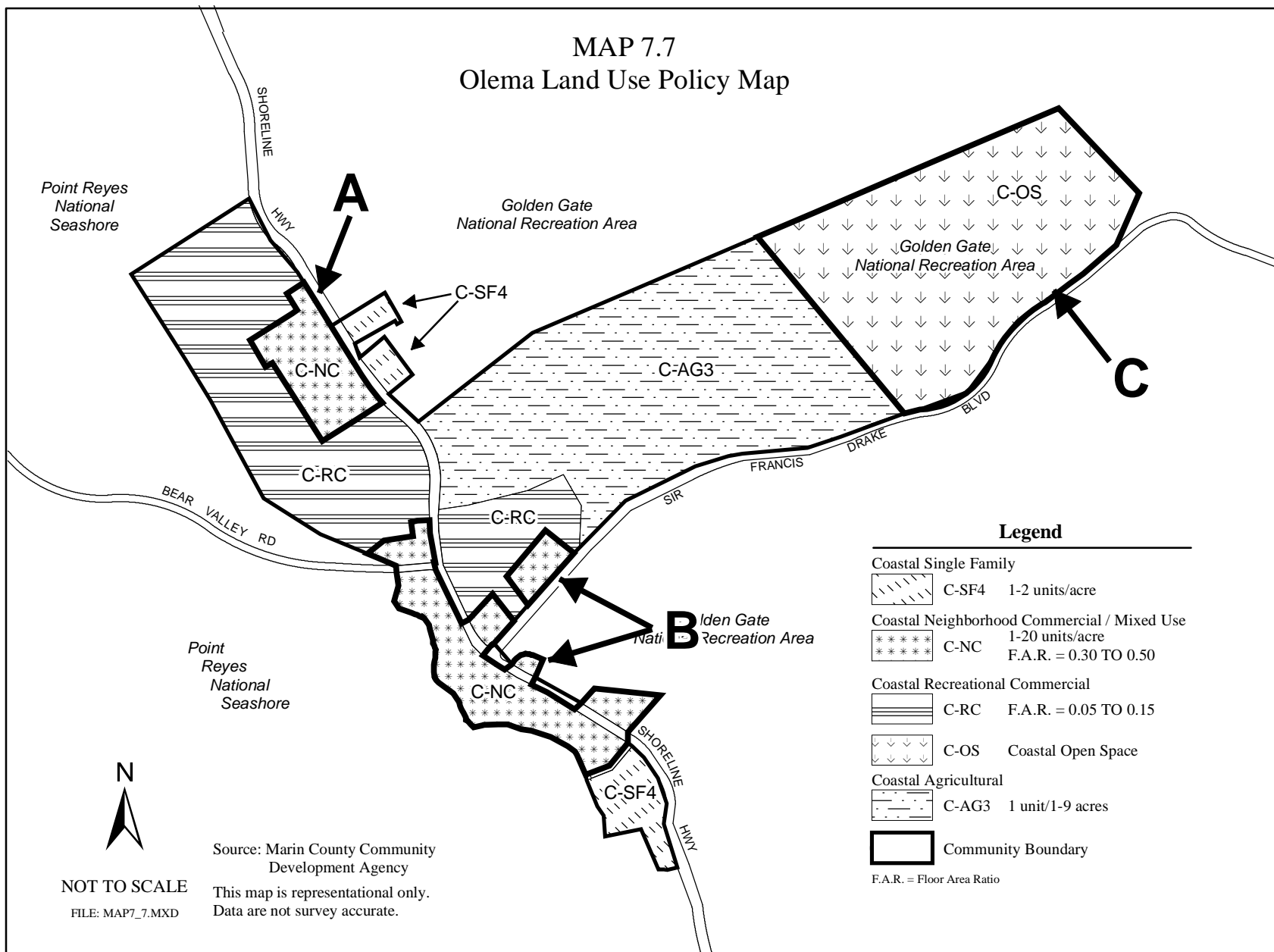
Source: Marin County Community Development Agency

This map is representational only. Data are not survey accurate.

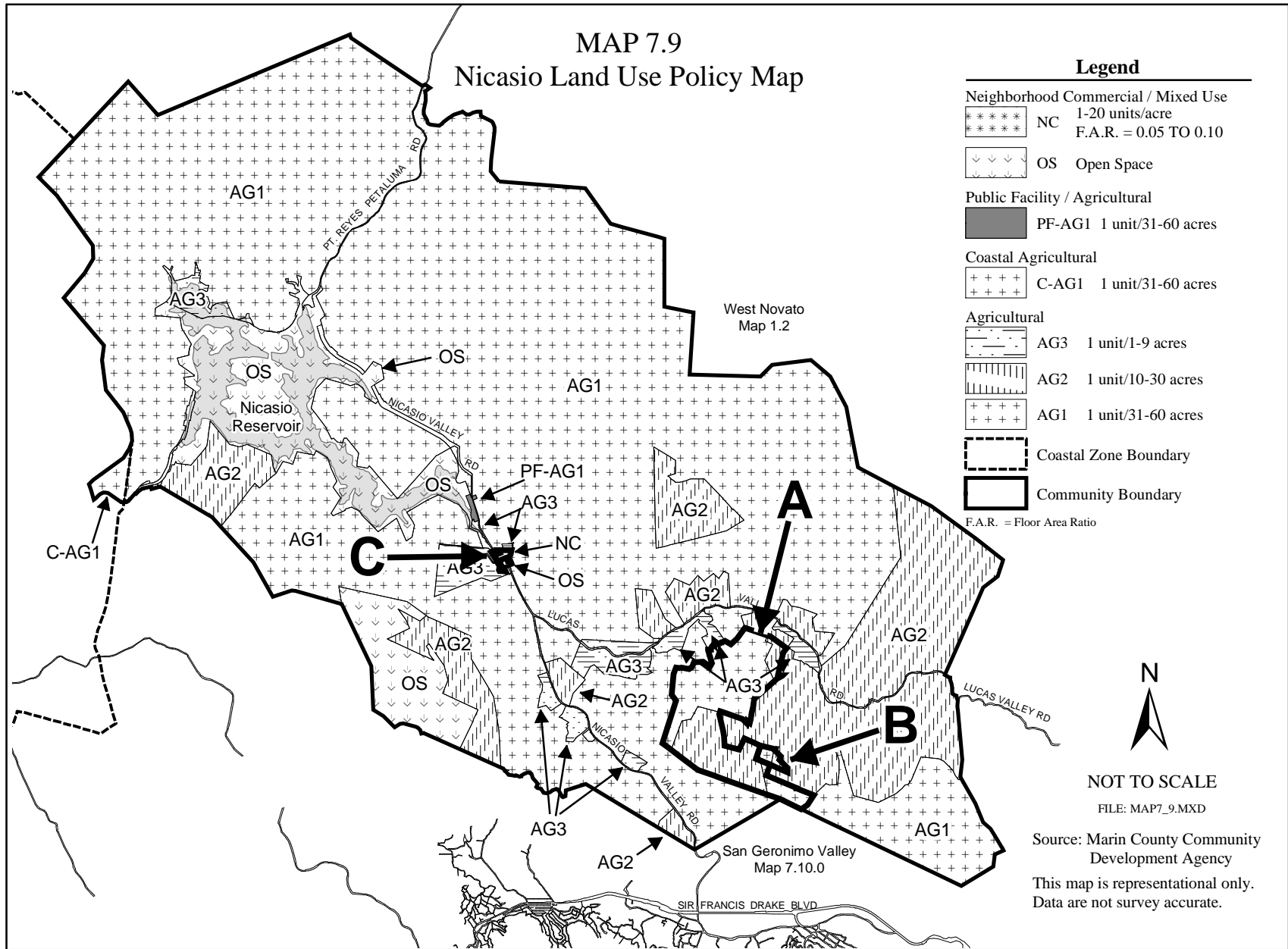
# MAP 7.6 Inverness Land Use Policy Map



# MAP 7.7 Olema Land Use Policy Map



# MAP 7.9 Nicasio Land Use Policy Map



## Legend

- Neighborhood Commercial / Mixed Use
    - NC 1-20 units/acre  
F.A.R. = 0.05 TO 0.10
  - OS Open Space
  - Public Facility / Agricultural
    - PF-AG1 1 unit/31-60 acres
  - Coastal Agricultural
    - C-AG1 1 unit/31-60 acres
  - Agricultural
    - AG3 1 unit/1-9 acres
    - AG2 1 unit/10-30 acres
    - AG1 1 unit/31-60 acres
  - Coastal Zone Boundary
  - Community Boundary
- F.A.R. = Floor Area Ratio



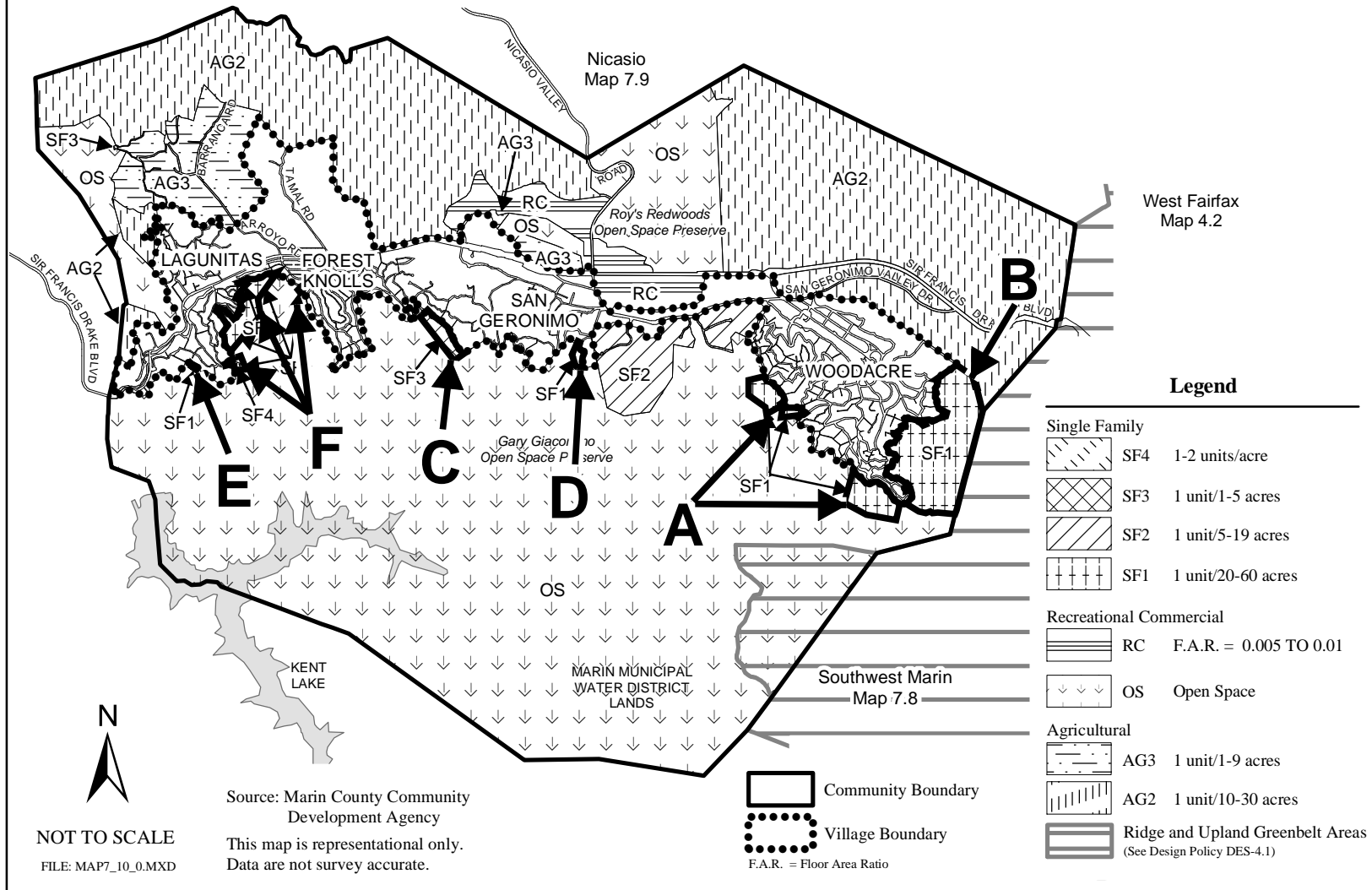
NOT TO SCALE

FILE: MAP7\_9.MXD

Source: Marin County Community Development Agency

This map is representational only.  
Data are not survey accurate.

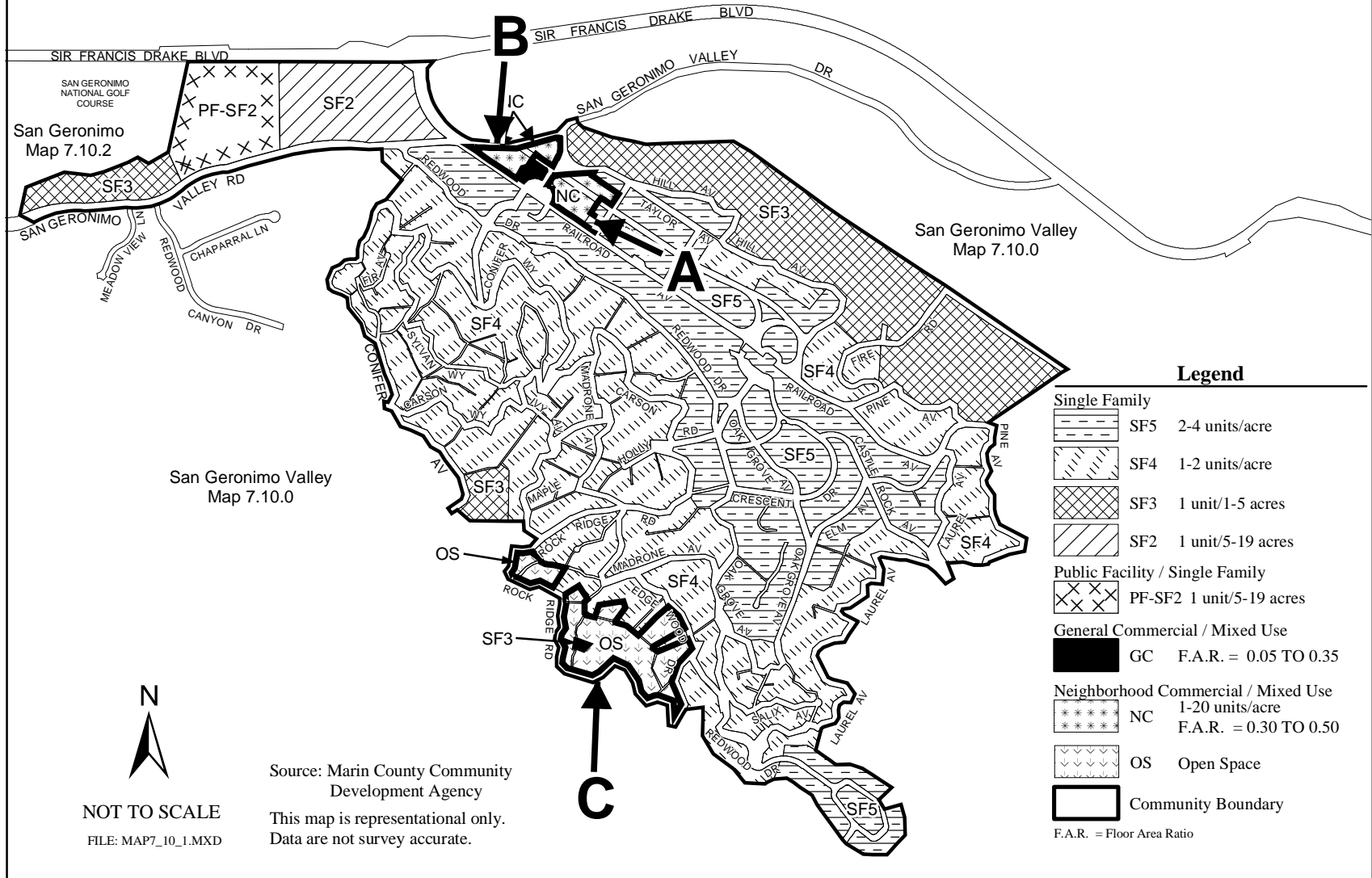
# MAP 7.10.0 San Geronimo Valley Land Use Policy Map (Map 1 of 5)



Source: Marin County Community Development Agency  
 This map is representational only.  
 Data are not survey accurate.

NOT TO SCALE  
 FILE: MAP7\_10\_0.MXD

# MAP 7.10.1 Woodacre Land Use Policy Map (Map 2 of 5)



### Legend

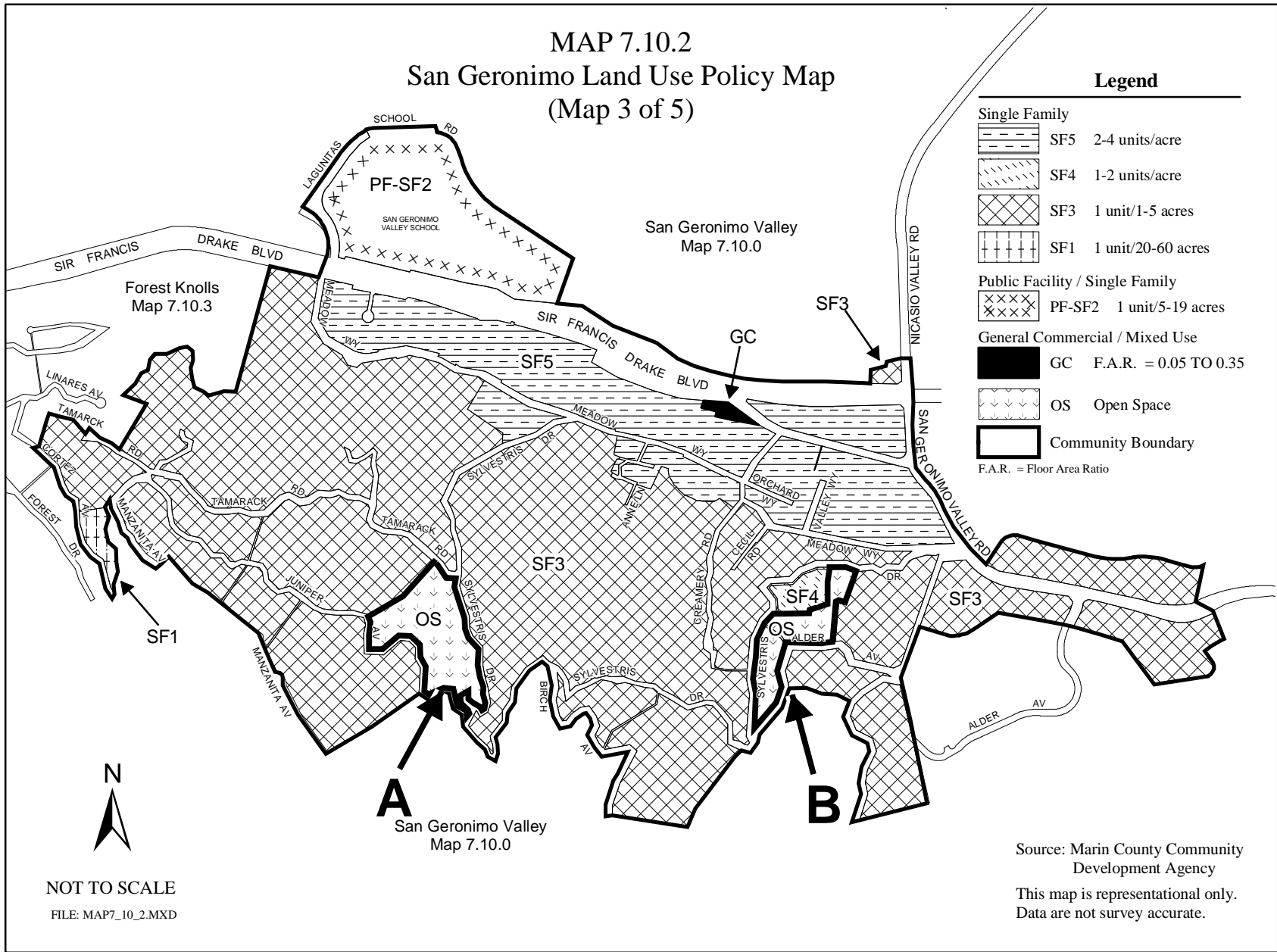
<b>Single Family</b>	
	SF5 2-4 units/acre
	SF4 1-2 units/acre
	SF3 1 unit/1-5 acres
	SF2 1 unit/5-19 acres
<b>Public Facility / Single Family</b>	
	PF-SF2 1 unit/5-19 acres
<b>General Commercial / Mixed Use</b>	
	GC F.A.R. = 0.05 TO 0.35
<b>Neighborhood Commercial / Mixed Use</b>	
	NC 1-20 units/acre F.A.R. = 0.30 TO 0.50
	OS Open Space
	Community Boundary
F.A.R. = Floor Area Ratio	

N  
↑  
**NOT TO SCALE**  
FILE: MAP7\_10\_1.MXD

Source: Marin County Community Development Agency  
This map is representational only.  
Data are not survey accurate.



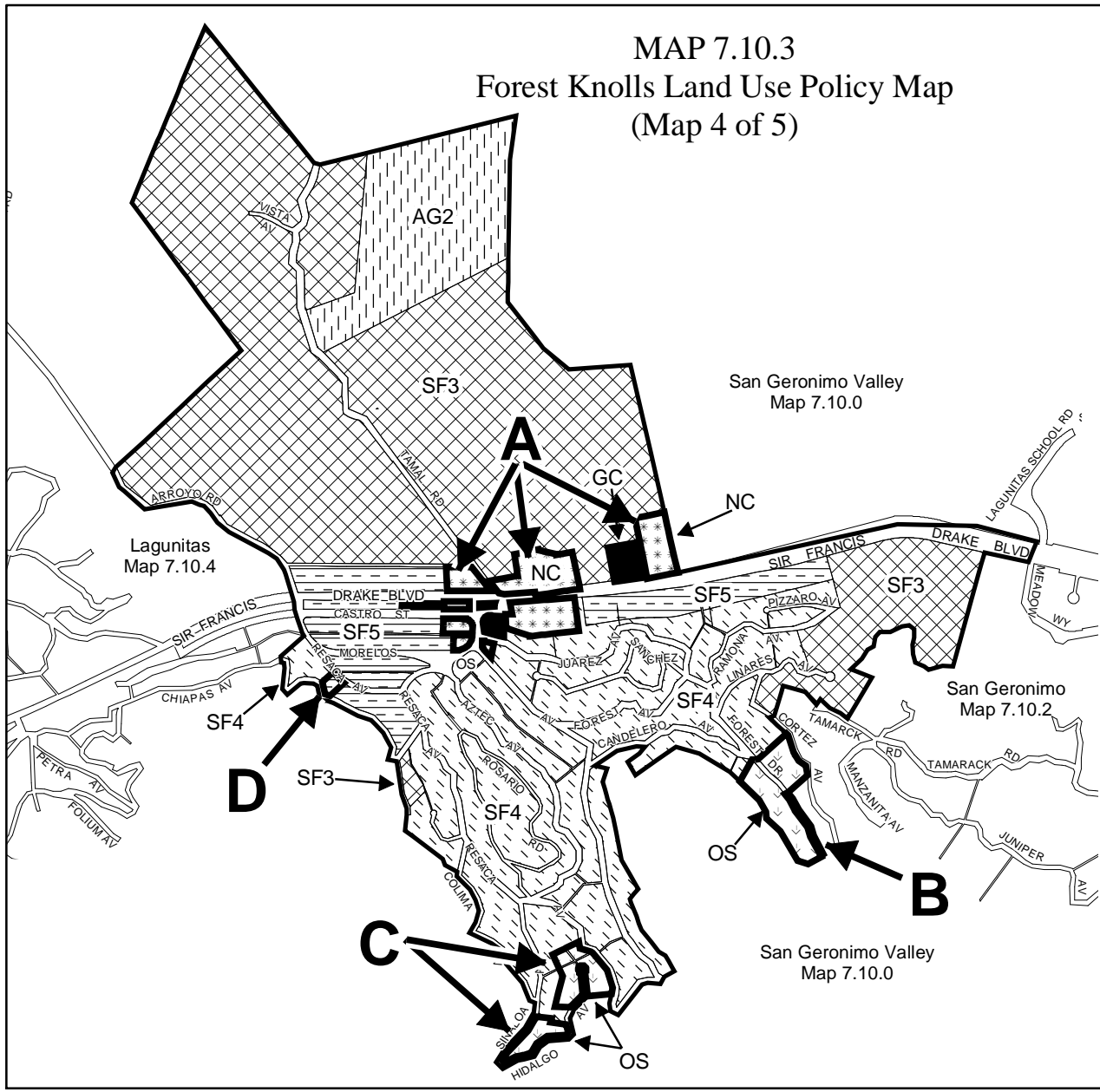
# MAP 7.10.2 San Geronimo Land Use Policy Map (Map 3 of 5)



NOT TO SCALE  
FILE: MAP7\_10\_2.MXD

Source: Marin County Community Development Agency  
This map is representational only.  
Data are not survey accurate.

# MAP 7.10.3 Forest Knolls Land Use Policy Map (Map 4 of 5)



## Legend

- Single Family**
  - SF5 2-4 units/acre
  - SF4 1-2 units/acre
  - SF3 1 unit/1-5 acres
  - General Commercial / Mixed Use**
  - GC F.A.R. = 0.05 TO 0.35
  - Neighborhood Commercial / Mixed Use**
  - NC 1-20 units/acre  
F.A.R. = 0.20 TO 0.50
  - OS Open Space
  - Agricultural**
  - AG2 1 unit/10-30 acres
  - Community Boundary
- F.A.R. = Floor Area Ratio



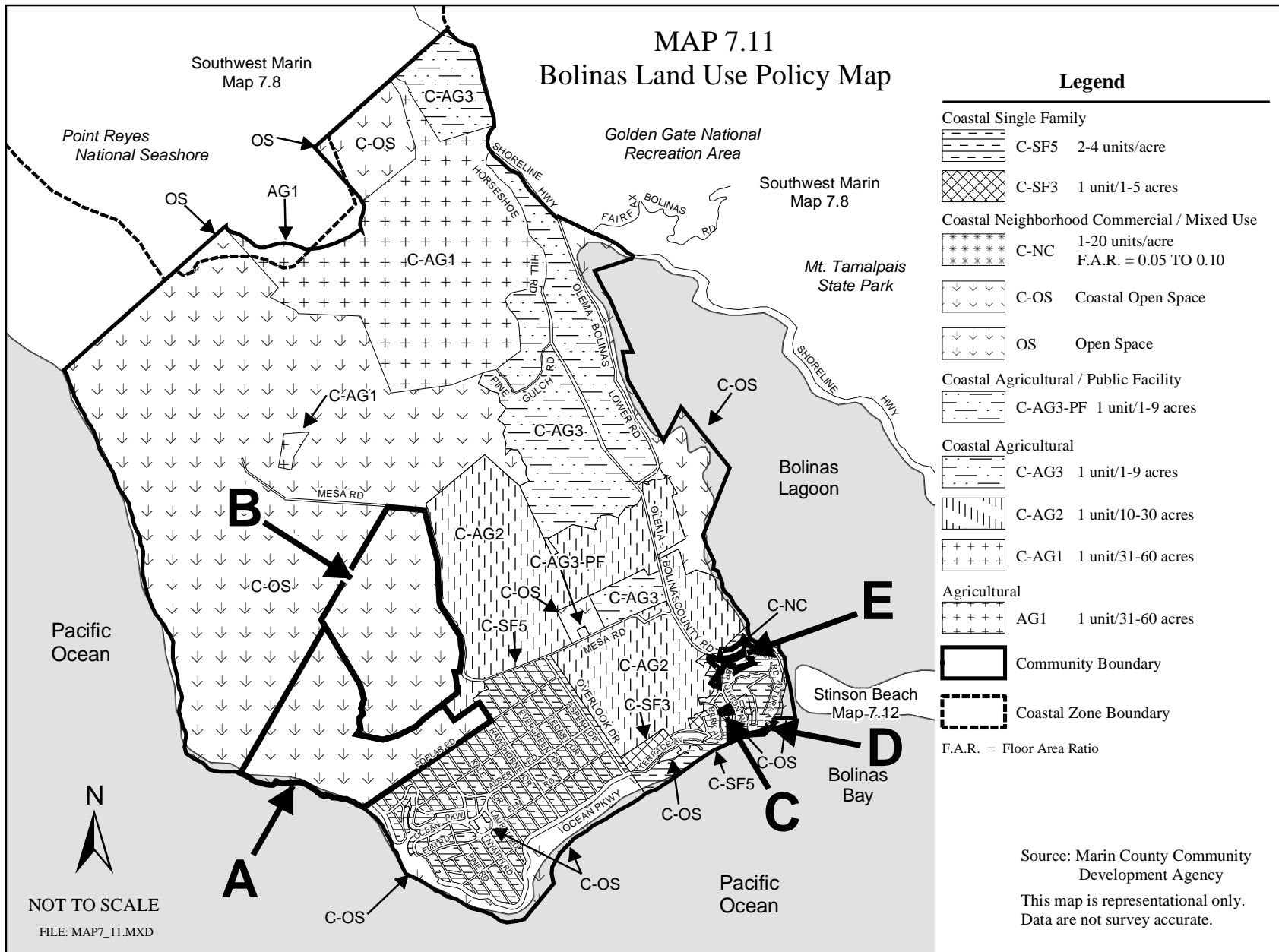
NOT TO SCALE

FILE: MAP7\_10\_3.MXD

Source: Marin County Community Development Agency

This map is representational only.  
Data are not survey accurate.

# MAP 7.11 Bolinas Land Use Policy Map



## Legend

- Coastal Single Family**
    - C-SF5 2-4 units/acre
    - C-SF3 1 unit/1-5 acres
  - Coastal Neighborhood Commercial / Mixed Use**
    - C-NC 1-20 units/acre  
F.A.R. = 0.05 TO 0.10
    - C-OS Coastal Open Space
    - OS Open Space
  - Coastal Agricultural / Public Facility**
    - C-AG3-PF 1 unit/1-9 acres
  - Coastal Agricultural**
    - C-AG3 1 unit/1-9 acres
    - C-AG2 1 unit/10-30 acres
    - C-AG1 1 unit/31-60 acres
  - Agricultural**
    - AG1 1 unit/31-60 acres
  - Community Boundary
  - Coastal Zone Boundary
- F.A.R. = Floor Area Ratio

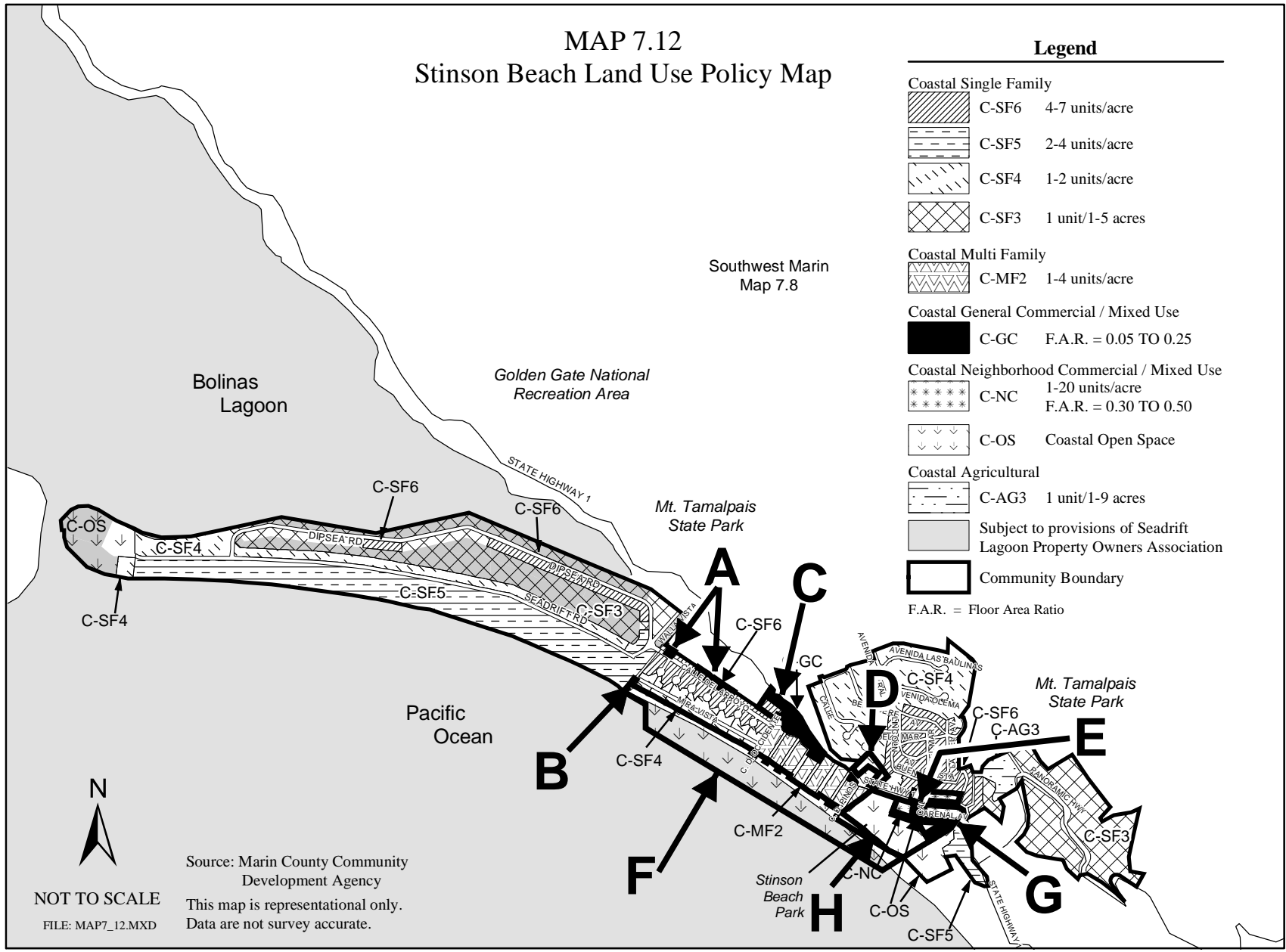
Source: Marin County Community Development Agency  
This map is representational only.  
Data are not survey accurate.

NOT TO SCALE  
FILE: MAP7\_11.MXD

# MAP 7.12 Stinson Beach Land Use Policy Map

## Legend

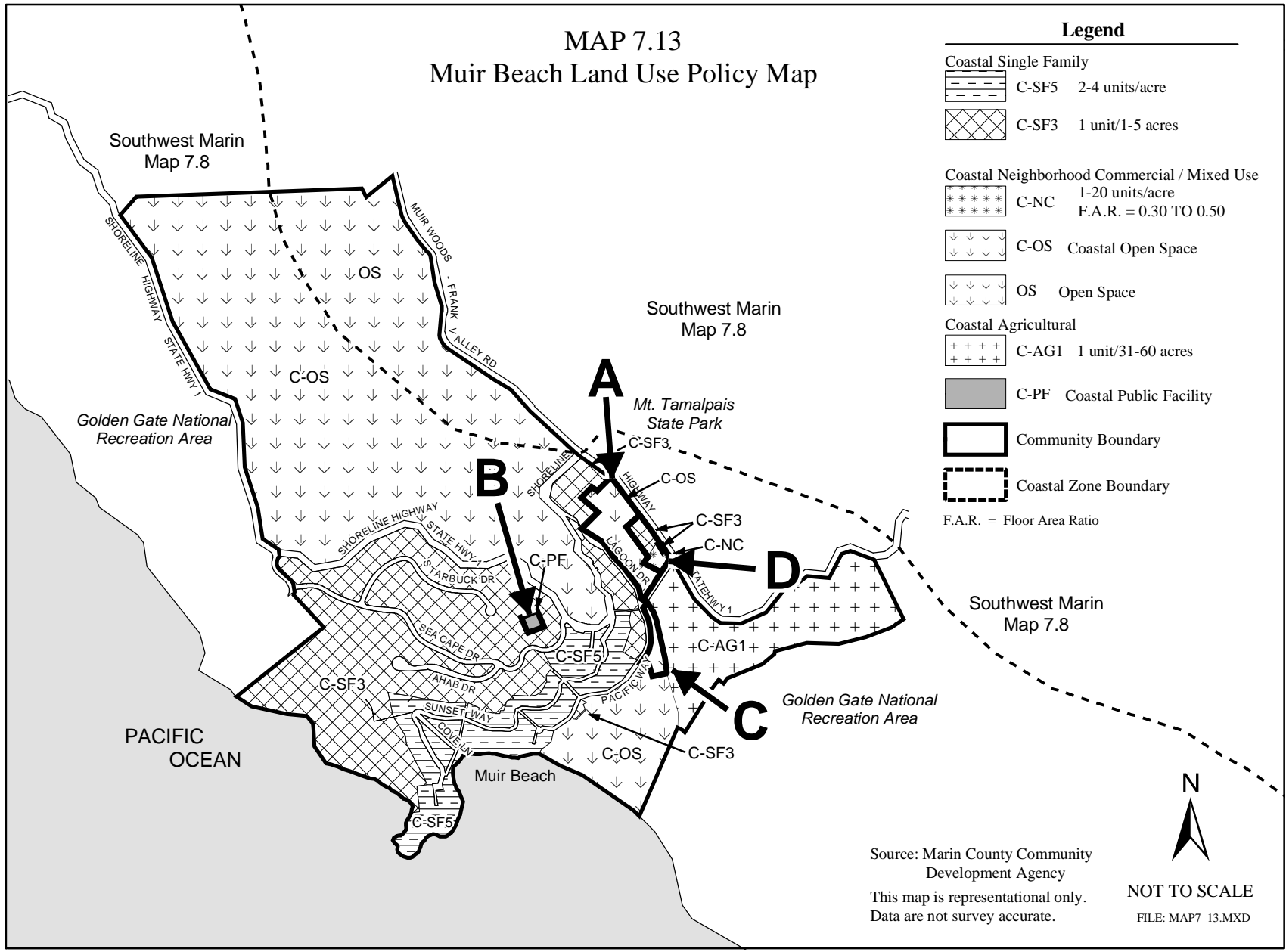
- Coastal Single Family
    - C-SF6 4-7 units/acre
    - C-SF5 2-4 units/acre
    - C-SF4 1-2 units/acre
    - C-SF3 1 unit/1-5 acres
  - Coastal Multi Family
    - C-MF2 1-4 units/acre
  - Coastal General Commercial / Mixed Use
    - C-GC F.A.R. = 0.05 TO 0.25
  - Coastal Neighborhood Commercial / Mixed Use
    - C-NC 1-20 units/acre  
F.A.R. = 0.30 TO 0.50
  - C-OS Coastal Open Space
  - Coastal Agricultural
    - C-AG3 1 unit/1-9 acres
  - Subject to provisions of Seadrift Lagoon Property Owners Association
  - Community Boundary
- F.A.R. = Floor Area Ratio



NOT TO SCALE  
FILE: MAP7\_12.MXD

Source: Marin County Community Development Agency  
This map is representational only.  
Data are not survey accurate.

# MAP 7.13 Muir Beach Land Use Policy Map



Southwest Marin  
Map 7.8

Southwest Marin  
Map 7.8

Southwest Marin  
Map 7.8

Golden Gate National  
Recreation Area

Mt. Tamalpais  
State Park

Golden Gate National  
Recreation Area

PACIFIC  
OCEAN

Muir Beach



**A**

**B**

**C**

**D**

OS

C-OS

C-SF3

C-OS

C-SF3

C-NC

C-AG1

C-SF5

C-OS

C-SF3

C-SF5

SHORELINE HIGHWAY STATE HWY 1

Muir Woods - Frank Valley Rd

SHORELINE HIGHWAY STATE HWY 1

STARBUCK DR

SEA CAPE DR

AHAB DR

SUNSET WAY

COVE

SHORELINE HIGHWAY STATE HWY 1

LAGOON DR

PACIFIC HWY

STATE HWY 1

***APPENDIX 2-E  
HYDROLOGY***

**Table H-1**  
**Beneficial Uses for Principal Streams, Lakes and Embayments**

<i>Basin / Waterbody</i>	<i>REC-1</i>	<i>REC-2</i>	<i>SHELL</i>	<i>SPWN</i>	<i>WARM</i>	<i>WILD</i>
<b>San Pablo Bay Basin</b>						
San Pablo Bay	E	E	E	E		E
Miller Creek	E	E		E	E	E
Gallinas Creek		E			E	E
Novato Creek	P	P		P	P	E
Stafford Lake	E	E		E	E	E
<b>Central Basin – S.F. Bay</b>						
S.F. Bay – Central	E	E	E	E		E
San Rafael Creek		E			E	E
Corte Madera Creek	P	E		P	E	E
Phoenix Lake	E	E		E	E	E
Richardson Bay	E	E	E	E		E
Arroyo Corte Madera	P	E	E	E		E
Del Presidio						
<b>Pacific Ocean (Marin)</b>						
Drakes Estero	E	E				E
First Valley Creek	P	E				E
Limantour Estero	E	E	E	E		E
Bolinas Bay						
Bolinas Lagoon	E	E	E	E		E
Easkot Creek						
Redwood Creek	E	E	E	E	E	E

**Table H-1**  
**Beneficial Uses for Principal Streams, Lakes and Embayments (Continued)**

<i>Basin / Waterbody</i>	<i>REC-1</i>	<i>REC-2</i>	<i>SHELL</i>	<i>SPWN</i>	<i>WARM</i>	<i>WILD</i>
Tomales Bay						
Tomales Bay Estuary		E	E		E	
Milarton Gulch						
Lagunitas Creek	E	E		E	E	E
Walker Creek						
Walker Creek	P	P		E	E	E
Salmon Creek						
Soulajoule Reservoir	E	E			E	E
Lagunitas Creek	E	E		E	E	E
Kent Lake	E	E		E	E	E
Nicasio Reservoir	E	E		E	E	E
Nicasio Creek	E	E		E		E
Alpine Lake	E	E		E	E	E
Bon Tempe Lake	E	E		E	E	E
Lake Lagunitas	E	E		E	E	E
Olema Creek	E			E	E	E
Pine Gulch Creek		E		E	E	E



**Table H-1**  
**Beneficial Uses for Principal Streams, Lakes and Embayments (Continued)**

<i>Basin / Waterbody</i>	<i>AGR</i>	<i>COLD</i>	<i>COMM</i>	<i>EST</i>	<i>FRSH</i>	<i>IND</i>	<i>MAR</i>	<i>MIGR</i>	<i>MUN</i>	<i>NAV</i>	<i>PROC</i>	<i>RARE</i>
<b>San Pablo Bay Basin</b>												
San Pablo Bay			E	E		E		E		E		E
Miller Creek		E						E				E
Gallinas Creek		E										E
Novato Creek		P						P	E			E
Stafford Lake		E							E			
<b>Central Basin – S.F. Bay</b>												
S.F. Bay – Central			E	E		E		E		E	E	E
San Rafael Creek		E								E		
Corte Madera Creek		E						P				E
Phoenix Lake		E							E			
Richardson Bay			E	E		E		E		E		E
Arroyo Corte Madera		E										
Del Presidio												
<b>Pacific Ocean (Marin)</b>												
Drakes Estero			E				E		E			E
First Valley Creek		E										
Limantour Estero			E				E					E
Bolinas Bay												
Bolinas Lagoon			E				E	E				E
Easkot Creek												
Redwood Creek	E	E			E				E			

**Table H-1  
Beneficial Uses for Principal Streams, Lakes and Embayments (Continued)**

Basin / Waterbody	AGR	COLD	COMM	EST	FRSH	IND	MAR	MIGR	MUN	NAV	PROC	RARE
Tomales Bay												
Tomales Bay Estuary												
Milarton Gulch												
Lagunitas Creek	E	E						E	E			E
Walker Creek												
Walker Creek		E						E				E
Salmon Creek												
Soulajoule Reservoir					E				E			
Lagunitas Creek	E	E						E	E			E
Kent Lake		E							E			
Nicasio Reservoir		P			E				E			
Nicasio Creek		E			E			E	E			
Alpine Lake		E							E			
Bon Tempe Lake		E							E			
Lake Lagunitas		E							E			
Olema Creek		E						E		E		
Pine Gulch Creek		E						E	E			

Notes: E – Existing beneficial use  
 AGR = Agricultural Supply  
 COMM = Ocean, Commercial & Sport Fishing  
 FRSH = Freshwater Replenishment  
 MAR = Marine Habitat  
 MUN = Municipal and Domestic Supply  
 PROC = Industrial Process Supply  
 REC 2 = Non-contact Water Recreation  
 SPWN = Fish Spawning  
 WILD = Wildlife Habitat

P – Potential beneficial use  
 COLD = Cold Freshwater Habitat  
 EST = Estuarine Habitat  
 IND = Industrial Service Supply  
 MIGR = Fish Migration  
 NAV = Navigation  
 REC 1 = Water Contact Recreation  
 SHELL = Shellfish Harvesting  
 WARM = Warm Freshwater Habitat

Source: Clearwater Hydrology and 1985 Basin Plan, Regional Water Quality Control Board.