

August 1, 2011

Jeff Slavitz, Mayor
Tiburon Town Council
1505 Tiburon Blvd.
Tiburon, California



Re: "Alta Robles" Final Environmental Impact Report and Precise Development Plan

Dear Council Members:

The purpose of this letter is to support the Planning Commission's recommendations to certify the environmental impact report; to approve the pre-zoning of the unincorporated 20.95 acre SODA property within the Tiburon Planning Area; and to conditionally approve the precise development plan as described in Resolution 2011-10, dated April 27, 2011, with Conditions of Approval detailed in the accompanying Exhibit 1.

Marin Conservation League (MCL) has been following the Alta Robles proposed development for more than four years. Because the 52 acre Rabin/SODA property contains aesthetic and biological values of county-side significance and is constrained by numerous geologic and hydrologic conditions, MCL has expressed concerns on previous occasions that the applicant's alternatives did not substantially lessen the significance of impacts identified in the EIR, in spite of direction from the Planning Commission.

As you are aware, the EIR identified numerous significant impacts on special status plant species such as serpentine grassland species and Marin dwarf flax, wetlands, significant ridgelines and other visual resources, as well as on hazardous hydrologic, geologic, and traffic conditions. It recommended mitigation measures to reduce significant impacts, but found that some significant impacts were unavoidable. The applicant's plan and alternatives focused attention on "fixing" these challenging conditions with numerous landslide repairs, extensive retaining walls, adjustments in spacing of residences, and other design features in order to accommodate a project that continued to feature too many, excessively large residences that would be aesthetically, biologically, and physically intrusive on the landscape. Critics, including members of the Planning Commission, continued to request a true Reduced Project Alternative that examined fewer units, reduced dwelling size and building envelopes (residential use areas). The applicant made many adjustments but was unwilling to offer this alternative.

At their hearing on April 13, 2011, the Commission displayed both careful attention to detail and exemplary courage in formulating a series of conditions that come closest to resolving (mitigating) the numerous constraints while still allowing the applicant reasonable economic use of the site. Resolution 2011-10 that followed from the April 13 hearing contains provisions that constitute a de facto "reduced project alternative," i.e., a combination of eliminating

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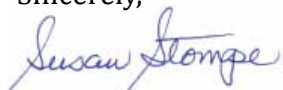


four of the most visually intrusive residences leaving a total of 10, reducing the square footage and/or height of several residences, moving open space areas from private control into common open space, and several other mitigations.

In approving even a reduced and heavily conditioned Alta Robles development, the Town is faced with making findings of overriding considerations based on EIR conclusions that certain significant individual and cumulative impacts are unavoidable. The town also is required to mitigate these impacts to the degree feasible and to justify approving a project with unavoidable significant impacts. This finding must be taken very seriously because it will set a precedent for continued development along Paradise Drive on similarly constrained sites.

In conclusion, MCL concurs with the reductions recommended in the Planning Commission's Resolution 2011-10. We also believe that Conditions # 17 to 24, Exhibit 1, are of particular importance. These conditions, which outline responsibilities and requirements for maintenance of private and common open space areas, transitional landscaping between residential use areas and private open space, tree management, and other landscape concerns, should be supported by financial assurances in the form of bonding or other security measures if habitat and important landscape elements, such as retaining wall vegetation for visual screening, are to be effective and maintained for the "life of the project."

Sincerely,



Susan Stompe
President

cc: Marin Audubon Society, attention Barbara Salzman
California Native Plant Society, attention Eva Buxton
Supervisor Kate Sears, 3rd District