

Mr. Alan Lazure, Principal Planner
Community Development Department, Planning Division
City of Novato
75 Rowland Way, Room 110
Novato, CA 94945



July 25, 2011

Re: Hanna Ranch DEIR

Dear Mr. Lazure:

The Marin Conservation League has been active for 77 years, preserving, protecting and enhancing the natural assets of Marin County. We have reviewed the Draft Environmental Impact Report for the Hanna Ranch project and have some comments and suggestions about its adequacy in addressing some issues within its scope.

Land Use and Planning:

The Land Use & Planning section should address the impacts of the city relinquishing property (.7 acres) and an easement to enable the project to be built as planned. Although the property is not designated for any city/public uses in the General Plan, it could provide for a public space and visual relief between two urban uses. It is currently "public" property and adequate public benefit needs to be demonstrated before selling the site to the developer. Encroachment into the 50-foot setback of the Ehreth pond is acknowledged, but the precedent-setting impact is not addressed.

Aesthetics:

Mitigations AES-1a and 1b address the impacts of lighting and non-mirrored glass for human impacts only. Glare on surrounding areas, including the marshes and ponds that provide habitat for a variety of species, could negatively impact their feeding habits and other natural functions. Bird strikes on windows could be increased with mirrored glass.

Transportation and Circulation:

There was no discussion of the long-term impact of the city vacating its floating easement to Hanna Ranch Road from Rowland Blvd. At some later date there may an opportunity to connect Rowland Blvd to the Highway 37 interchange, as recommended by the Vintage Oaks EIR. This eventuality should not be lost by vacating the floating easement, so this issue should be addressed in the EIR.

Mitigations TRANS 2 and 3 do not clearly address the lack of westbound storage at the US 101 northbound onramp and Rowland Blvd or Rowland Blvd and Rowland Way. How does increasing Rowland Blvd westbound lanes between Rowland Way and Vintage Way help to increase stacking at Hwy 101? Has the City received \$50,000 to improve Rowland Blvd?

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Mitigation TRANS -5b assumes bike/pedestrian path Option B is the selected route and includes emergency access. A cross section/demonstration of this is needed since the constrained space between the project hill and the railroad tracks could be extremely dangerous for pedestrians and bicyclists if a fire truck needed access.

Mitigation TRANS-7 must be for Rowland Blvd/Vintage Way south, although not stated.

Air Quality:

The Air Quality thresholds for the project site, other than during construction, appear to be within city, state and national guidelines for the uses proposed. Measurements should be taken for various locations on the project site, since an alternative to the project includes housing. There was a strong request for including housing in the plan.

Global Climate Change:

The mitigations offered refer to “10% reduction” in various categories including water use and solid waste. Since the site is now vacant, any use of these services would be an increase. Does the reduction refer to “with mitigation” versus non-mitigated?

An electric auto charging station would encourage electric auto users to visit the hotel, which would reduce auto emissions.

Noise:

Noise levels also have impacts on wildlife in the area.

Hydrology:

The BMPs for water quality protection and improvement are important because of the three water bodies on and near the project site, not only during construction, but during the life of the project.

Finished floor levels at 10.5’ NGDV may not be adequate with increases in sea level affecting the marsh to the east of the project. The document should quantify the water level in the adjacent marsh with increased runoff from future development and sea level rise as mapped for Marin County by BCDC.

Biology:

Overall, the Biological Resources Section of the DEIR is quite thorough in describing the site and noting the sensitive plants and wildlife that it supports (or conversely, is unlikely to support). Mitigation measures are detailed and should lead to effective protection of the Beverly Ehreth Preserve and to restoration of a site that has been trashed for a number of years by dirt bikes and the like. We have the following comments:

Page 239: Existing Conditions

The description of the site’s biological resources notes the presence of the Ehreth Preserve and a small brackish “North” pond, but does not describe the larger context – e.g. the extensive marsh on the other side of the “causeway” and RR track. In other respects, the site is isolated from contiguous habitat by 101 and the degraded adjacent site and SR 37. The proximity of this large marsh area and the ready availability of its habitat resources provide additional value to wildlife using the project site. A species like white-tailed kite, although not observed, would

benefit from the upland trees and shrubs afforded by the project site in close proximity to foraging habitat in the marsh. Developing the causeway and using it as the only traffic connection to the hotel and restaurant would further isolate the remaining habitat of the site, in effect severing the connection between the site and the marsh resource. (See below).

Page 261:

The DEIR discusses the significance threshold “Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.” The discussion states: “However, given the preserve pond’s designation as an ecological preserve, it is important that habitat connectivity between the preserve and nearby natural areas be maintained as much as possible to maintain its ability to support native wildlife”. It is not clear what areas are included in the term “nearby natural areas.” It seems to apply only to the “North” pond, which certainly has an important connection with the Ehreth Preserve. The discussion appears to exclude the important connection between the preserve and the larger marsh to the northeast, however. If this is true, Impact BIO-7 misses the point. Further, Mitigation BIO-7 also misses the point, in that it is designed only to mitigate the break in connectivity between the preserve and the pond. The FEIR should address the more significant connection between the preserve and the marsh. Although there is already a break in connectivity presented by the RR track, the passage of trains is only occasional compared to the constant stream of traffic that will occur if the site is developed.

The Reduced Project Alternative would alleviate to some extent the severing of habitat connections, but traffic will remain a significant impact on wildlife that cannot be adequately mitigated with placement of an arched culvert and planting of native shrubs for cover, as suggested in Mitigation measure Bio-7.

Impact BIO-4 discusses the impact of removing areas of purple needlegrass where it now occurs, and the associated mitigation measure recommends replacing this native grass at a 1:1 ratio. The measure recommends seeding graded areas (emphasis added). Unless some of the surface soil (and seed reservoir for the grass) is stockpiled, we question that the sowing of seed would be successful on a bare graded surface. We recommend that the ratio be increased to 2:1, to give this species a better opportunity to recover on other portions of the site that are left in a fairly natural condition. Purple needlegrass, among all native bunch grasses, is the most likely to naturally reestablish in an annual grassland, but its success needs to be closely monitored and competing annuals removed over a period of several years. We agree that the plan should be prepared by a grassland expert and “approved by the City as to soil preparation, species composition, planting/sowing methods, performance standards, monitoring methods, maintenance and annual reports.”

Utilities and Infrastructure:

Page 296 states that solid waste is collected by Novato Disposal service which is operated by Novato Sanitary District. Novato Sanitary District franchises Novato Disposal for the service area. Water conservation is a high priority in the North Marin area. Recycled water is becoming available for more and more parts of the community. The project should certainly plan for recycled water for landscaping, but especially for the toilets in the hotel. Doing the purple piping during construction would enable the conversion, if the recycled water was not initially available.

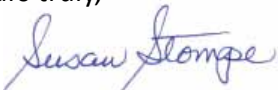
Alternatives:

The Reduced Project Alternative identifies a project that would not necessitate sale or abandonment of the city property or encroachment of the Ehreth Preserve.

The housing/office Alternative keeps the project construction to the same level, but office construction is not viable at this time, or foreseeable future. A more viable alternative would be to have the hotel (which the city desperately wants), restaurants and include some housing for the low income workers of the commercial uses.

Thank you for the opportunity to comment on this DEIR. Please keep us informed when the FEIR is available for review.

Yours truly,

A handwritten signature in blue ink that reads "Susan Stompe". The signature is fluid and cursive, with the first name "Susan" and last name "Stompe" clearly legible.

Susan Stompe
President