

Steve Kinsey
Supervisor
County of Marin

Via email 09/17/2009

Dear Steve:

Marin Conservation League (MCL) would like to submit the following comments on the Draft Salmon Enhancement Plan (SEP) for San Geronimo Valley. First, we commend the County for moving forward with the Existing Conditions Report, and now the SEP. The consultants have done a competent job in describing the general state of salmonid habitat in the SGV, analyzing the cumulative human activities that have degraded habitat over many decades, identifying the targets and objectives for restoring habitat, and recommending the many actions that should be taken to recover viable populations of two endangered species. As a general observation, the *intent* of the plan is commendable. Notably missing, however, are the specific means by which the recommended actions will be implemented and enforced. As it now stands, the SEP is a compendium of good ideas for “collaborative stewardship” with limited chance of being implemented over time.

For a detailed critique on gaps in the SEP, we refer you to comments submitted by SPAWN on September 17, 2009, which MCL fully supports. Below, we have limited MCL’s comments to three areas in which the relationships between land use and the health of stream and riparian habitat are of particular concern.

1. The SEP places undue reliance on voluntary actions. While many residents of SGV are willing to cooperate and voluntary action is an admirable goal, it is unrealistic to expect consistent efforts and results on a voluntary basis over time. It is a flawed premise that willing cooperation of volunteers and incentives alone can accomplish long-term protection and enhancement of the stream habitat for future generations. Even the high levels of environmental awareness that exist among residents of the Valley cannot ensure equitable investments in restoration among property owners. Voluntary action must be supported by County leadership and regulation.
2. Major recommendations must be implemented by enforceable ordinances. If the County is to take leadership in carrying out the Plan, it must identify specific regulatory actions and take or assign enforcement responsibility. The SEP’s Action statements are full of ambiguous verbs such as “promote,” “encourage,” “fix,” “reduce (sediment),” “monitor,” “develop guidelines,” with limited accountability or explanation as to how these suggestions will be carried out on the ground. Implementation should take the form of new or expanded ordinances. The SCAs are identified as most critical to

protection of salmonid habitat. The proximate causes of cumulative impact include permitted as well as illegal structures such as coops, sheds, landscape features, etc. within SCAs. These latter should be given HIGH priority and targeted for enforcement and removal, using incentives to encourage compliance where necessary. Further, activities that are currently permitted in an SCA – walls, driveways, decks, tree removal, parking surfaces, cultivated gardens, etc. – are also cumulative in their impact on the stream environment and should be reconsidered in an expanded SCA ordinance and the discretionary threshold lowered for currently allowable uses (Action 6). The expanded SCA Ordinance should be strengthened by a new Riparian Zone ordinance that redefines allowable uses within a 45-foot buffer (35 feet is too limited for fully protective functions) and implements and enforces Actions 1, 2, and 3.

3. Throughout the watershed, a variety of land use-related conditions that are cumulative in nature, should receive HIGH priority. The cited 2007 Countywide Plan (CWP) policy CD-1.1 directs future land use to appropriate urban areas away from San Geronimo Valley. While this may provide some reassurance that new development will be minimal, it does not address existing conditions throughout the watershed that affect rate and volume of runoff, infiltration, groundwater resources, and the quality of surface waters. Action 15 captures the basic need for surface water retention and disconnection to waterways. Greater detail is provided by Action 16 (septic system repair), Action 17 (proper disposal of toxic materials), Action 18 (fine sediment control), and Action 20 (protection of springs and groundwater resources). In our estimation, these are all deserving of HIGH priority. Although addressed to a degree by 2007 CWP Policies WR-1.1, 1.2, 1.3, and WR-2.1, 2.2, and 2.3, and BIO-4.20 (reduction of impervious surfaces), the mechanisms and responsibilities for implementing these policies (and recommended actions) are not clearly defined as to responsibility or enforceable mechanism.

In addressing *new* development in the Valley, the development code should be revised to require that there be no net increase in runoff, as recommended in Action 15 (including methods illustrated in Appendices H and I) and reinforced by the 2007 CWP Policy BIO-20.

Thank you for the opportunity to comment on the Plan. We look forward to reviewing future drafts and participating in public meetings as the Plan moves forward.

Sincerely,

Nona Dennis
President

cc:

Liz Lewis, Principal Planner, County of Marin Department of Public Works
SPAWN
Environmental Action Committee of West Marin