

January 25, 2010

Liz Lewis  
Marin County Department of Public Works  
3501 Civic Center Drive  
San Rafael, CA 94901



*Via email and regular mail*

Subject: San Geronimo Valley Salmon Enhancement Plan (SEP)

Dear Liz:

Marin Conservation League has reviewed the Final Draft of the subject plan and appreciates the opportunity to provide comments. Our review has been limited to those aspects and recommendations that concern San Geronimo Valley watershed and creek-side land uses that can affect Coho salmon habitat in positive or negative ways.

Since this Final Draft will be reviewed on February 9 by Supervisors who have not been closely involved as has Steve Kinsey, we assume that staff will make clear what the SEP report does accomplish and what it does not, and what work lies ahead for the County. In our view, although the SEP is directed toward the survival of the endangered Coho, it provides a larger service by outlining means to achieve a healthy watershed in San Geronimo Valley. "Health" is measured in terms of hydrologic and ecological processes that are beneficial to fish and other wildlife, as well as to humans: water quality and quantity, flood management, erosion control, bank stabilization, riparian habitat for fish and other wildlife. The SEP provides many useful tools, but further steps must be taken to derive full benefit from the large investment the SEP represents.

*What the SEP Does Accomplish*

- Viewed as a guidance document, the SEP is a valuable, science-based report that has assembled a compendium of recommendations and implementation actions to guide salmonid habitat restoration efforts by the community for years to come. It will be particularly useful as a road map for voluntary actions. Many of the recommended actions are not new – they are already known and/or are being pursued by public agencies under legal authorization, such as MMWD, Regional Water Quality Control Board, Department of Fish and Game, National Marine Fisheries Service, and others. Many of the recommendations already are being pursued on a voluntary basis, such as by SPAWN, within limits imposed by private property owners and with limited resources.
- The SEP also outlines how the County itself can be a "best-practices" role-model as the Department of Public Works (MCSTOPP, especially), the County Open Space District, and other county agencies carry out their own public projects, maintenance, and land management activities that affect San Geronimo Creek and watershed.
- The SEP will also be helpful to the County in its role as collaborator with other agencies working in the watershed to restore Coho populations.

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*What the SEP Does Not Accomplish*

- The SEP is a "guidance document" only. It references a framework of existing Countywide Plan policies, development codes, and multi-agency regulations that, if fully enforced, could go a long way toward protecting salmonid habitat but has significant gaps. The SEP fills many gaps, but it is a misnomer to call it a "plan"; it is not a substitute for approved county policy and should not be used for permitting new development or re-development as it recently appeared to be used by the Planning Commission in recommending approval of an application within an SCA.
- The ambitious goals of the SEP to restore salmonid habitat cannot be accomplished by voluntary efforts alone. Successful riparian habitat protection and restoration, for example (Recommendation #2), must be supported by enforceable standards such as a Riparian Habitat Ordinance in permitting new development and redevelopment within SCAs. Similarly, standards for storm water retention (e.g., zero increase in peak off-site runoff) should be established and enforced for new development and redevelopment throughout the watershed as one effective means of managing both water quality and quantity in creek habitat.
- Because the SEP is a "guidance document," it does not fulfill CEQA requirements. Many of the recommended actions fall under the umbrella of the 2007 Countywide Plan EIR, but many are not covered. Also that EIR was deficient in analyzing cumulative impacts of development in the San Geronimo Valley – hence the legal challenge that resulted in a two-year moratorium. The SEP mentions cumulative effects, but does not analyze them in CEQA terms. In our view these gaps – and any new or updated ordinances – warrant a supplement to the CWP EIR, once a plan for implementation of the SEP is prepared.
- Finally, the SEP does not insure continuing County leadership in implementing the SEP's Recommendations. The SEP suggests that a new position within the CDA would be required, but at a cost. If the County fails to lead or to find sufficient funding sources for technical support and financial incentives, the local community's efforts will be uncoordinated even if well-meant; actions will be dependent on the willingness of relatively few committed individuals to carry on. SPAWN will continue its efforts within the limits of its scope and resources, and efforts to achieve the goal of the SEP, which is to increase the survival of Coho salmon, will fall short. The SEP recommends a Community Process to Guide Implementation, but this will require leadership. Investing in continued technical and political leadership will be an essential "next step" for the County.

The San Geronimo Valley Salmon Enhancement Plan is a significant achievement and a major investment by the County. Marin Conservation League will be following the Board of Supervisors' direction to County staff on "next steps" for its implementation.

Sincerely yours,

Nona Dennis  
President

cc: Marin County Board of Supervisors  
SPAWN  
Marin Audubon Society