

Marin Conservation League | Land Use & Transportation Committee Meeting
Wednesday, September 2, 2015 – 9:00 am
175 N. Redwood Dr., San Rafael

Agenda (Revised 8/31/2015)

Announcements: Coastal Cleanup Saturday, Sept. 19 – MCL sponsored sites in Novato and Sausalito

Approval of minutes: August 5, 2015

Approval of Agenda

Action Items:

- a. Revised letter on Civic Center Dr. (attached) – Kate
- b. Draft letter on Pacheco Valley mowing (attached) - Susan

County wide planning issues:

- a. Transportation updates - Bob Johnston
- b. Water updates – Ann
- c. PRNS ranch planning - Judy
- d. Local Coastal Plan at BOS – Judy, Nona
- e. Whistlestop

Brief Updates:

- a. Community Marin - Rick
- b. Novato General Plan Update – Rick
- c. Easton Point – Randy
- d. Hamilton Sports Facility
- e. Grady Ranch
- f. BioMarin – Kate (see attachment)

Back Burner issues:

Canalways | Highway 101 projects | SMART or NCRA | Hetfield project, Lucas Valley | Golden Gate Baptist Seminary |
Marin General Hospital Retrofit | Bon Air Bridge impact on wetland] Whistlestop

Next meeting: October 7, 2015

Agricultural Land Use Committee
Planning Subcommittee – Sept. 2, 2015
Meeting Agenda

1. Discuss whether to seek MCL support for a letter to the CCC

2 Update on NPS Ranch Management Plan and discussion:
Discussions “with interested parties” are ongoing. What would we like to see,
e.g.,
Carbon farm plans –
Elk management

3. Ag Policy
Subcommittee Meetings – Update on schedule

MARIN CONSERVATION LEAGUE

Land Use, Transportation, Water, & Agricultural Land Use: August 5, 2015, 9 to 12

Present: Susan Stompe chair; Priscilla Bull, Nona Dennis, Don Dickenson, Jana Haehl, Kate Powers, Judy Teichman, Ann Thomas, Doug Wilson, Periann Wood. Guests: Lori Schiffrin.

July 1, 2015 Meeting Notes. OK as amended.

Black Point Community Plan. Susan described the process, including the community advisory committee's deliberations to develop recommended guidelines for house size in the planning area. She and others noted that the planning area, including Black Point and Greenpoint, has widely varying parcel and home sizes. The advisory committee recommended they believe would be sufficiently limiting while accommodating the area's diversity, and MCL's North Marin Unit has recommended MCL support their recommendation to the Board of Supervisors.

MCL policy recommends limiting house size and the CWP states that this should be addressed on a community by community basis in community plans, as is proposed. The Black Point committee did not support specific numbers because of the variability in lot size in the area.

M/S (Ann/Susan) and approved to recommend MCL accept the North Marin Unit's motion to support the Black Point advisory committee's position, as stated in the staff report. This is based on median FAR. It states the floor area ratio of development projects for the construction of new single family residences or additions shall not exceed the median floor area ratio within 600 feet of the surrounding neighborhood (includes only those unincorporated parcels located within the Black Point and Green Point planning area) by 10 %, unless the development project is consistent with specified criteria. [Note: Don did not vote on this action]

Civic Center Drive Letter. Following several meetings, with Supervisor Connolly, the Farmers' Market architect, and others, Kate drafted a letter to go to the BOS urging that they look at the campus as a whole, including consideration of creeks, bike paths, and other elements rather than piecemeal planning. She noted that the group working on the permanent farmers' market is now considering locations other than the "Christmas Tree" parcel.

M/S (Jana/Ann) and approved to recommend the letter be sent to the BOS, including some edits that were suggested by the Land Use Committee at this meeting. Nona suggested that it would be good to follow up the letter with a statement at BOS open time following receipt of the letter.

Transportation Issues. Nona noted that revised CEQA regs disallowing use of LoS (Level of Service) as an impact complicates traffic impact analysis in EIRs. CEQA does have to analyze consistency of traffic with general plans, many of which utilize an LoS yardstick.

PG and E San Rafael Brownfield. Roger Roberts has asked that MCL comment or write regarding PG&E's plan to remove 35,000 yards of dirt from the old office site in downtown San Rafael. It was not clear how to address this concern, but members thought that MCL could write to the air district to ask that the utility ensure that the public would be fully informed with the results of its monitoring of this operation.

draft

Whistlestop Redevelopment. The senior housing and services facility being proposed at this site is not yet a formal application to the City of San Rafael. Committee comments indicated members this is not a suitable site for housing due to air quality and other issues. This will be on next months; agenda.

Bio Marin/Expansion/San Rafael Corporate Center. Lori has been following this project as a concerned neighbor and noted that various public notices have sometimes had incorrect information about location or size. A negative declaration is proposed. The approved master plan for the site specifies five buildings that would be built in phases, and the final phase is now being carried out, including an amendment to allow an additional parking. The project is scheduled for the San Rafael PC on August 25. A group comprised of Lori, Don, and Kate has not had time to thoroughly review this but Priscilla suggested it may be possible to develop some statements from existing MCL positions in order to address the PC and oppose a negative declaration. A letter will be prepared and circulated to persons attending today's Land Use Committee meeting.

Water Issues. 1) The major issue is the MMWD board's July 7 decision to drop consideration of herbicide use from their vegetation management plan and associated EIR. The District has not used herbicides for 10 years and, as a result, loses an average 56 acres of healthy habitat to broom each year. Non-herbicidal strategies have been unable to control this invasive plant. It is not clear how the District can refuse to consider herbicides as an alternative in an EIR. so this issue could have broad implications if that happens. 2) Public works staffs in all jurisdictions are working to implement the new NPDES (National Pollutant Discharge Elimination System) stormwater permit, the state legislation requiring measures to reduce or eliminate contaminant runoff into municipally owned storm drain systems and waterways. Program mandates from the state are periodically revised and the current revision has stronger mandates regarding specific contaminants: pesticides, pet waste, sediment, and trash. Marin programs are coordinated through MCSTOPPP (Marin County Stormwater Pollution Prevention Program).

AG Updates. Judy reported on two major items. 1) The NPS ranch management planning process is ongoing, but nothing new has been posted on the website. 2) Regarding Marin's Local Coastal Plan, County Planner Jack Liebster notified her that the County plans to resubmit their LCP land use and implementation plan amendments for Coastal Commission approval. The BOS will vote on their resubmittal on August 25. Most areas of disagreement between the County and CC have been resolved. Areas in which differences remain regard language on agricultural production, housing units on contiguous lots in common ownership, and product sales on site.

Notes: AT

DRAFT

September 2, 2015

Marin County Board of Supervisors
3501 Civic Center Drive, Room 308
San Rafael CA 94903

SUBJECT: Civic Center Campus Improvements

Dear Supervisors:

At this important time in Marin County Civic Center's revitalization, Marin Conservation League urges that a concerted effort be made during current implementation of master planning and facilities assessments to focus on the site and campus of the Civic Center in its entirety, by integrating Civic Center buildings, campus connections and pathways, and the natural environment, into a unified, well-designed, and well-functioning composite whole.

This site is important to the people of Marin County as the centerpiece of their government, cultural and recreational activity, and as a gathering place that should be accessible to all. In addition, the County has a responsibility to protect its integrity and unique status as a State Historic Site, a National Historical Landmark, and its nomination for inclusion as a World Heritage Site.

We encourage the County to include the public, including County employees, in current planning efforts through significant countywide outreach and an eye toward building community support. MCL would like to stress the importance of good planning with respects to a few aspects of this important public space:

The need for increased safe pedestrian pathways and connections for all users

Emphasis on well-planned, safe, pedestrian pathways **integrating** the campus including comfortable, well-designed crossings of Civic Center Drive and Peter Behr Drive are critical. The campus would be significantly improved if there were an emphasis placed on pedestrian and bicycle circulation **throughout**, reduced contact with autos, disincentives for autos to use Civic Center Drive as a thoroughfare and prioritizing pedestrian and bicycle connection of the campus to surrounding infrastructure including North San Pedro Road, the SMART multi-use path, the Northgate Promenade, McInnis overcrossing, and pedestrian access

for neighborhoods, including those west of 101 via a pedestrian crossing or access along the south side of the SMART station.

The need for protection and restoration of Gallinas Creek

Water from Gallinas Watershed flows through the Civic Center site into the south fork of Gallinas Creek. Protection of the creek's tributaries and wetlands, that run adjacent to and through the Civic Center site including the lagoon, are mandated by federal Clean Water regulations and Regional Water Quality Control Board standards. The Creek's tidally influenced channels provide habitat for egrets, rails, songbirds, and mammals, and the marshes are feeding grounds for native predators.

Gallinas Creek has recently suffered destructive impacts, mitigated out of watershed, due to the construction of the SMART rail. The cumulative effects of further negative impacts, mitigated or not, will increasingly harm the ability of the watershed to recover and thrive. MCL recommends that all future paving, construction and maintenance projects on the Civic Center Campus prioritize the need to eliminate toxins, sediment and additional runoff into the channels of the creek and to daylight tributaries wherever possible. **It's time to adopt an approach of integrating restoration of natural systems into the campus' revitalization planning.** This would require prioritizing the wisdom of the County's own MCSTOPPP and Watershed Programs' purposes and goals.

To this end, it's of critical importance the County pay detailed attention to the monitoring and reporting of the mitigations enabled by the recent Mitigated Negative Declaration of the Civic Center Drive Improvements Program and to provide public transparency and accountability of those reviews.

Support for a permanent Farmer's Market

Finally, MCL supported measure B, passed by voters in 2012, and continues to support the construction of a permanent Farmer's Market at the Civic Center site. It will strengthen the connection between East and West Marin and offer increased opportunities for the public to value Marin's rich agricultural history and reap the benefits of local sustainably produced food.

Protection of views into and out from the site

All new or renovated structures on the site should protect views and clear lines of sight from and into the Civic Center campus, and should comply with the

Civic Center Open Space ordinance of 1992. The removal of trees along northbound 101 highlighting a view of the corporation yard in front of the Civic Center campus was unfortunate and should be remedied.

Need for coordinated review and responsible stewardship

In closing, planning to update and revitalize areas of the Civic Center, including roadways, pathways, plaza, and buildings, have been long overdue. The area is a countywide icon. It is Marin's center for architectural excellence and innovation, for cultural and recreational events, and is Marin's political heartland. While the work may be done in stages, the overall planning must be coordinated, not undertaken isolated project by project, to ensure a cohesive, attractive, environmentally sound outcome. This requires leadership. It is a legacy project, and those who assume leadership will be remembered for this important achievement.

Sincerely,

Kate Powers, President

Cc Civic Center Conservancy Commission
 Pat Echols, Principal Engineer, Dept of Public Works
 San Rafael City Council or Planning staff???

DRAFT

To the Editor
Marin Independent Journal

The Marin Conservation League (MCL) supports the county restrictions on mowing Open Space. MCL wrote the Novato City Council in November of 2013 encouraging approval of the measure that enabled the Pacheco Valle community to acquire the meadow. The support recognized the value of preserving the habitat over commercial development for which the property was zoned.

It is sad to see such a rejection of the habitat value of the Pacheco Valle site. The grasses growing there are no more threatening than the strips of grasses growing down to the road in other parts of the development – where mowing is done for only ten feet from the road. Since the county Open Space District has assumed ownership and maintenance of the site, any change in management protocols could affect many hundreds of acres around the county. It could end up being an expensive and time consuming undertaking for the county if other neighborhoods demand comparable mowing.

Two fire chiefs familiar with the site who have over 46 years of firefighting experience feel the mowing protocol is adequate for the site since there are no structures in the immediate vicinity. The access road to Pacheco Valle is divided so even if fire trucks were to stay on the street to fight a grass fire there is the other half of the road available for emergency egress.

MCL encourages the county to continue the current mowing policy. If the neighborhood must eliminate the habitat for ground nesting birds and the bugs they feed on, the City of Novato seems to be the only other appropriate entity to assume responsibility for the site. Novato's maintenance department is grossly understaffed to keep up with the existing work load, without additional local financial support.

Extending the split rail fence along the full frontage would discourage any vehicle tempted to drive onto the site. Vehicles, including motor cycles, could spark a fire

Yours truly,

August 25, 2015

San Rafael Planning Commission
c/o City of San Rafael Community Development Department
PO Box 151560
San Rafael, CA 94915



Re: San Rafael Corporate Center projects / 755 Lindaro Street and 788 Lincoln Avenue

Dear Commissioners:

Marin Conservation League (MCL) appreciates the opportunity to review and comment on the Initial Study/ Mitigated Negative Declaration for the proposed project and development at the San Rafael Corporate Center. MCL has been active for more than 80 years in preserving, protecting, and enhancing Marin's natural assets. Our concerns include protecting the quality of the urban environment as well as that of the natural world.

We urge that you ***not*** adopt the Mitigated Negative Declaration ***until*** it more adequately addresses the following items.

1. The Negative Declaration does not adequately address the potential impacts from constructing and anchoring the auger grouted displacement piles into the capped contaminated site at 755 Lindaro. Nor does it address the hazards from disruption of the remediated, yet still hazardous soil at the Lincoln Parking Garage 2 site. The Negative Declaration should specify the procedures that will be used to manage contaminants and provide specifics about mitigation during and after construction, according to the 2008 Soil Management Work Plan Addendum for the project. The Addendum with specific passage references should be attached to the Negative Declaration.
2. The San Rafael Corporate Center campus, including the buildings currently under construction in addition to the two proposed buildings in the project, block views of surrounding hills and ridgelines. While the campus is not within an area that is officially designated as visually significant or a scenic corridor, the beauty of the landscape that forms a backdrop to central San Rafael is significantly blocked by the height and bulk of the structures. Mitigation should be required. One possible mitigation that would reduce the bulk of building expanses would be to specify species of street trees in the landscaping that are tall and have wide canopies to break up the long building envelopes with shade and green foliage.
3. Although the site at 785 Lincoln has the minimum setback allowed, 25 feet from Mahon Creek, and the creek does not flow across the site boundary, the site is part of the Mahon Creek watershed and it, and the other building sites on the campus, should actively integrate the tidally influenced creek corridor into its urban-like environment through

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restoration and enhancement, making it an enjoyable border along the campus for human interaction and community gathering, as well as a healthier space for other species. Fences currently run the length between Lincoln and Lindero on the campus, separating the creek from both the Corporate Center and the multiuse pathway that runs along the opposite bank. Both Mahon Creek Park at the south edge of the site and the multiuse path would benefit from creek access. Focus on the creek watershed would make an attractive public-private amenity for San Rafael and BioMarin.

4. Finally, we urge that ongoing data and results from the Mitigation Monitoring and Reporting Program be made available to the public on a regular schedule.

Thank you for your consideration.



Kate Powers

President, Marin Conservation League