

June 8, 2012



Protecting Marin Since 1934

Marin County Board of Supervisors
County of Marin - Civic Center
3501 Civic Center Drive, Room #308
San Rafael, Calif. 94903

Re: Bay Creek (650 North San Pedro Rd.) Master Plan, Precise Development Plan, Subdivision, and Rezoning and FEIR

Dear Supervisors:

Marin Conservation League has been following this project for a number of years through the planning and environmental process and would like to support the current staff recommendation that the Board of Supervisors certify the FEIR but deny the project in its current formulation, with the opportunity to return to the Board with a reduced alternative. Although we differ with some of the FEIR's conclusions, we nonetheless believe that it has informed the planning process sufficiently to allow the Board of Supervisors to consider whether the project as submitted should be approved or denied, and if not approved, what alternatives should be considered.

Our concerns with the project are a reflection of conditions of the site and its context. It is a steep heavily wooded hillside site – a continuation of San Pedro Ridge, much of which is now appropriately in public ownership. (San Pedro Ridge has been characterized as the only remaining “wildland” in East Marin.) The site is situated some three miles from Highway 101 at the rural transition between the developed suburban fringe of the Santa Venetia community to the west and the open lands and marshes of China Camp State Park to the east. The low density of the immediate neighborhood is consistent with the rural character of the area. One privately-owned ranch exists between the property and the State Park. Lower portions of the site are by no means pristine – eucalyptus and broom have invaded over the years – but it affords nesting habitat for great blue herons, and the upper woodlands are contiguous with the habitats of San Pedro Ridge above.

These are MCL's general concerns. In reviewing the environmental documents, we expressed concerns related to specific impacts:

- Biological resources (i.e., need for protection of the on-site wetland, native grassland, rookery tree(s), and upslope wooded habitat);
- Geology and hydrology, i.e., potential for unstable soils and flooding, due to the steepness of slopes, amount of grading required, and history of local flooding in severe storm events;
- Traffic hazards due to limited visibility and access on that stretch of N. San Pedro Road; and
- Aesthetics, i.e., visual and “community character” impacts due to proposed density in the rural setting and the positioning of residences lining N. San Pedro Road. In this regard, we have continued to view the project as proposed as precedent setting for its context.

Even with the assurance in the FEIR that these significant impacts could be mitigated to levels of insignificance, it is the *combination of impacts* of developing the site that prompted the

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Planning Commission to spend well-justified time studying how the inherent sensitivities of the site might be better accommodated by reducing the number and relocating the residences to minimize grading and slope disturbance, protect biological resources, and be less aesthetically intrusive in the rural community. The Planning Commission considered concepts that ranged from five to ten residences – never twelve – and compromised by recommending “seven or eight” as more suitable to the constrained site. The FEIR itself offers an environmentally superior alternative of nine residences.

The staff report suggests several positive aspects of project approval. Most of these could be accomplished at a lesser density, such as rezoning, clustering, and roadway improvements. If diversification of housing stock in the area with the addition of two affordable housing units on site appears to be a positive feature of the project, please be aware that *no* attributes associated with siting affordable housing are present at this auto-dependent location, distant from transit, services, shops, and other such amenities.

We fully agree that the site should be rezoned to a planned zoning district, but in view of the demonstrable constraints of the site, and given the available alternatives, we urge you to deny the project as presented and request the applicant to return with a reduced alternative plan.

Thank you for the opportunity to comment.

Sincerely,

A handwritten signature in blue ink that reads "Susan Stompe". The signature is written in a cursive, flowing style.

Susan Stompe, President

cc. Jeremy Tejirian , Senior Planner, Community Development Agency