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March 4, 2007

Marin County Planning Commission
Marin County Development Countywide Plan staff
3501 Civic Center Drive, Room 308
San Rafael, CA 94903

RE: *Public Hearing on Draft County Wide Plan Update, March 5, 2007*

Dear Commissioners and staff:

I assume the Conservation communities are focusing on the areas from San Pedro Point northward because the now-defunct proposal for a Marin Baylands National Wildlife Refuge was deferred in July 2002 for a few years with the suggestion that protection be initiated locally. Many of those 4,000 who were mailed "talking points" and encouragement to be at your meetings are those who enjoy our Tamalpais Planning Area as their Gateway to the Golden Gate National Recreation Area, the ocean beaches and West Marin just as do national, international and Bay Area visitors. Our area is not and should not be an urban community, nor is its topography able to sustain intense development because of its immitigable natural hazards, traffic congestion, water and water pressure concerns and its special values as a baylands and wetlands area surrounded by hills and enriched by wildlife that use our streams. My son's Tam Valley garden is bordered by a creek, almost ephemeral that becomes a trickle in summer. It acts as a wildlife corridor for deer, fox, bobcat, coyote and raccoons. In my hilly Almonte neighborhood skunk, opossum, hare and deer cross or travel on our narrow roads. Overhead marsh hawks circle and on several occasions two eagles have paused in flight at the top of a nearby redwood. Two clapper rails were on Coyote Creek two weeks ago. Hundred-year-old trees provide roosts for owls. Nesting and migratory water birds, great blue herons and egrets abound. We need to continue to have 2 acre plus and small parcels protected as they were in a bayfront conservation zone which appears to be transitioned into Bayland Corridor. We restored Bothin Marsh and we now are working with Marin Public Works Flood Division's restoration plans for Almonte Marsh and Coyote Creek habitat. We honor the old mapped Richardson Bay Fish and Game Refuge and the ban of motor craft on upper Richardson Bay, and our ongoing jurisdiction by the BCDC *Richardson Bay Special Area Plan*. We need to be identified in the map choice, have our BCDC mapped inundation recognized as a reason to reduce existing density and to have the county support a climate change mitigation as noted in the letter of March 2nd from the Tamalpais Planning Area Bayfront Coalition of no new development on potentially submerged land.

My comments regarding the March 5, 2007 staff report include:

p. 2. ... "specific changes that warrant discussion may be called out by the Commission for discussion as time allows." The TPABC requests that you discuss the omission of our area from Hazard Maps, 1-2, 2-12,, 2-3, 2-5b, Map 2-8, 2-9, 2-11 and most obviously the Map 2-12 (flooding). We urge you to note that Map 11-2 omits us from Marin's environmental corridor, and re: Map 2-8, Muir Woods Park septic system should be included in the DCWP text and reasons for Map 2-15 high fire risk.

We need to continue to have small parcels whether "developed or undeveloped" included **point 1** in the boundary line of the Bayland Corridor." and to be in the text of DCWP.

"Baylands are defined as areas between historic high and low tide elevations on a 19 year basis, form a complex ecosystem of aquatic and upland habitats. The baylands ecosystem in Marin forms a varied pattern of open water, tidal marshes and mudflats, rocky shoreline (*ours is behind the Fireside - a quarry at the time Richardson Bay Bridge was built*) seasonal wetlands, and adjacent uplands.

"Baylands ecosystems vial to the health of San Pablo, San Francisco, Richardson and Tomales Bays have undergone tremendous change ...marshes filled and drained for development and channels dredged and straightened for navigation ..."

Our community for 30 years has worked with the goals on page 3 of the report.

The Highway 101 Eastwardly access along Shoreline Highway is underwater at high tides even in the dry months of the year;101 itself by Manzanita and Marin City flood now at storm surge and rain. Hydrology conditions along Shoreline Highway at Almonte Boulevard and by Poplar Street floods from now from the steep hillside drainage. We have referenced

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BCDC protection in the Richardson Bay Special Area Plan of small and large parcels, always trying to obtain a protected and expanding shore under Bayfront Conservation Zoning. Tam Valley's "sinking" long identified Federal A flood plane modest homes of Kay Park and Crest Marin are projected to be underwater. We work with the Marin County Public Works Flood control with habitat restoration plans for Almonte Marsh and Coyote Creek. Deer, fox, bobcat, raccoons, skunks, Canadian Geese and turkeys use our ephemeral and blue line streams as connectors between patch habitats – as well as clapper rails seen several weeks ago on Coyote Creek. By our Design Review process we have removed culverts and built bridges to create habitat enriched creeks in the Homestead and Waterview communities and

With the county planning staff site structures away from ephemeral streams and request native plant plantings when homes are near the sensitive natural wild life National Park and State Parks.

p. 3 BIO-5.11 Restrict development in lands mapped by BCDC of projected inundation.

p.4. This is language is appropriate for residential areas in Strawberry or other areas. ... "and modifications will be made to boundaries of the current Bayfront Conservation Zone where appropriate to provide for more consistent mapping criteria and to exclude non-tidal portions of small, privately-owned parcels from the Baylands Corridor." Large and small shoreline parcels adjacent to tideland parcels of Richardson Bay from Sausalito to Mill Valley boundaries should not lose the opportunity to continue to correct the fragmentation of the landscape, in redevelopment of parcels in order to recognize the habitat changes relating to climate change and to increase future chances to secure vital, sustainable ecosystems along this southern Marin bayshore.

BIO-5.c "requires the Development Code to include or increase the present Bayfront Conservation Zone protections in the harbor homes, Manzanita, Almonte, Tam Junction and Kay Park areas and to reflect the Baylands Corridor policies as well as including relevant aspects from the current Bayfront Conservation Zone. The updated Development Code shall identify criteria to be used in evaluating proposed development projects and appropriate development restrictions necessary to protect sensitive biological wetland resources. 'Any future reductions in habitats caused by land use may eliminate the opportunity to conserve adequate habitat to offset the effects of sea level rise in the future and to provide opportunities to offset the effects of sea level rise in the future.' (1)"

It is a worry for our area that staff intends to determine to retain "most of the existing Bayfront Conservation Zone policies" or

P. 5 "Continue to propose the Baylands as a new corridor using the Bayfront Conservation Zone as an implementing zone. If deemed necessary, provide additional clarification that the Baylands Corridor does not preclude development." However, when there is a projected nineteen-year future access limitation or A flood plain site reduction caused by rising waters, development potential may be limited by this or other site hazards for public health and safety.

BIO-2.b would provide a rationale for a modified development program by an "assessment of habitat fragmentation and connectivity loss and would include recommendations for policies to protect essential habitat corridors and linkages, and to restore and improve opportunities for native plant and animal dispersal."

p.6 Mitigation Measure 4.6-4 (a): Adopt Option 2 in Maps 2-5a and 2-5b.

p. 7. Modifications have been made to the boundaries of the Bayfront Conservation Zone where appropriate in the Strawberry and county Tiburon area and to provide for more consistent mapping criteria and to exclude non-tidal portions of small residential developed privately owned parcels from the Baylands Corridor " ... The Tamalpais Planning Area would include: small, privately owned lots and underdeveloped parcels adjacent to important tidelands and marsh under the Bayland Corridor Protection since they would, in all probability revert to wetlands and presently provide important corridor potential and often contain important corridors and essential visual and wildlife links between the open waters of the bay and land east of Shoreline Highway with restoration potential for protected foraging and nesting areas."

p. 10 "... Constructing and/or raising levees and adding fill to low-lying areas underlain by deep bay mud where lateral spreading or differential settlement increase adverse public health and safety and economic considerations." Long term planning of a levee system may be incorporated in road construction raising presently flooding Shoreline Highway 1 and adding a central "switch direction" lane to two our multi-modal bicycle and pedestrian lane and a third center lane and build a safe high and dry coyote creek bridge as long planned.

p.11 BCDC's study, *1988 Sea Level Rise, Predictions and Implications for San Francisco Bay* – with an uncanny accuracy was in alignment with current regional and worldwide It is fortunate that the climate change data is being released so that the public health and safety adverse impacts of an increased current frequently flooded area along Shoreline Highway and occasionally Highway 101 can be and shall be addressed in this DCWP.

p.12 "1. Consider Revising and reinstating language regarding maintenance and reconstruction of levees in prior draft of plan for programs EH j.k. and l as well as the previously deleted EH-1.

"2. Consider Removing sites from the Hosing Overlay Designation in areas of potential inundation from sea level rise.

Correct the Bayfront 2-5bmap (or any chosen option) to include all parcels East of Highway One

Include the map, San Francisco Bay Scenarios for Sea Level Rise, Richardson Bay issued by BCDC and referenced in the text.

Thank you for adding these well thought out changes to the helpful material that the staff has provided you as you make decisions regarding the transition from effective Bayfront Conservation Zone to an encompassing broad water side Baylands Corridor.

Sincerely,

Margaret Kettunen Zegart