

October 24, 2013

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



Subject: Stream Conservation Ordinance

Dear President Arnold and Supervisors:

Marin Conservation League continues to urge you to adopt an interim countywide SCA Ordinance while implementing the work program proposed in the staff report. We acknowledge staff for recognizing the need for the work program to gain better understanding of ephemeral streams, update the county's maps of streams, and engage in outreach and permit assistance, while assessing if and how the adopted interim ordinance might be improved.

We strongly support the increased attention to plans for outreach and education. Coordination with the work done by MCSTOPPP, the County's watershed program, and other agencies, such as water districts and the Resource Conservation District, will increase the effectiveness of service to the public

In addition, MCL recommends inclusion of a new provision in the ordinance to meet the County's goals of improving, rather than simply maintaining, existing stream conditions. This new provision, based on County-adopted provisions in the Local Coastal Program and recommendations of the FishNet4C¹ Program, would require an applicant to provide a net benefit to the SCA in exchange for permission to build within it.

We ask you to move forward quickly to protect and improve waterways throughout the county by adopting a countywide interim ordinance now.

Thank you for this opportunity to comment.

Jon Elam

Jon Elam, President

¹Draft LCP policy C-BIO-25, #3, Stream Buffer Adjustments & Exceptions, states: "A Coastal Permit authorizing a buffer [setback] adjustment shall require measures that create a net environmental improvement over existing conditions, in addition to what is otherwise required by minimum applicable site development standards. Such measures shall be commensurate with the nature and scope of the project and shall be determined at the site level, supported by the findings of a site assessment or other technical document." BIO-2.e (p. 2-22): "Participate in FishNet4C Program."

