

April 9<sup>th</sup>, 2020



David Gabriel, Chair, and Novato Planning Commissioners  
Novato City Hall  
822 Machin Avenue  
Novato, CA 94945

Re: Draft EIR for Novato General Plan 2035

Dear Chair Gabriel and Commissioners:

The Marin Conservation League, through its North Marin Unit, has been involved in the Novato General Plan (GP) revisions since 1972. Although this update has taken many twists and turns over a remarkable length of time, the end product addresses a number of issues that have needed attention. The Draft Environmental Impact Report (DEIR) has been challenging since the GP chapters are unique to Novato and the DEIR is required to address some specific topics that could be in more than one GP chapter. Our comments on the DEIR attempt to keep issues in the order they appear in the DEIR.

Page 3.2 points out that Mt. Burdell is the highest point in Novato at 1558 ft. above sea level and on page 4.1-1 Mt. Burdell is stated to be 1508 ft. high. Which is the correct elevation?

Page 3.2 has a Topography and Drainage paragraph that lists “drainage network” that excludes major drainage on the south side of Novato, namely Ignacio Creek, Arroyo San Jose and Pacheco Creek which merge and flow into Pacheco Pond and then into Novato Creek. These major creeks are also ignored on Page 4.8-2 and Figure 4.8-1.

While page 4.1-1 acknowledges that “views from Novato to surrounding scenic resources ... are extremely important to Novato residents”, Impact #4.1.3 does not recognize that 45 ft. high structures in the North Redwood area would, if not limited, cut off the view of Mt. Burdell from Redwood Blvd. On page 4.1-19, the impact of modifying the Hillside and Ridgeline Ordinance should be demonstrated by a visual example of the scenic impact. How many ridgelines are potentially affected? Where are they located within the city?

Vegetation communities on Figure 4.3-1 do not adequately represent riparian vegetation along Novato Creek from the city limit in O’Hair Park through to Diablo Avenue. Pacheco Creek in Pacheco Valle has riparian vegetation from its headwaters in the open space to Highway 101. Grasslands on page 4.3-3 should include invasive Pampas Grass as a problem in Novato, especially at Hamilton and the Novato Creek marshes. That section should also recognize serpentine outcroppings as special vegetation zones in grasslands.

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Special Status Habitats (page 4.3-6) should recognize restored brackish marsh at Bahia as rich potential habitat for endangered, rare and/or threatened species.

Page 4.3-10 states that “the four focus areas and the Industrial Parks MPA are located in already urbanized areas...” The North, North Redwood Corridor is zoned for urban use but is mostly still used for agriculture or is undeveloped. There are marshy wetlands and small creeks that nurture wildlife in that area.

The statement on page 4.3-14 says “There are no wetlands or riparian habitat in the Industrial Parks MPA because the area is already developed...” is not true. Ignacio Creek runs through the park from the Humane Society to Ammo Hill area. The riparian vegetation is mature and provides refuge for deer, raccoons, rabbits and birds.

BIO-5 and BIO-6 are good mitigations for recognizing wildlife movement corridors on page 4.3-15 and will improve Novato’s sensitivity to the wildlife in and around our community.

Page 4.6-16 addressing Green Building Design does not have a narrative on carbon intensity and reduction measures in local policies for building. Design standards should be included that focus on reducing embodied carbon. The discussion of Climate Change Action Plan for Waste on page 4.6-19 encourages solid waste reduction of 80% by 2025 and 90% diversion by 2035. This is not the best way to calculate and/or assess progress. The current lack of markets for many recyclable materials would indicate that it would be better to condition compliance on marketing the maximum quantity of collected materials for which recycling markets exist.

Hazards and Hazardous Materials section starting on page 4.7-1 discusses mostly commercial and occupational use of various hazardous materials, but not the most commonly used herbicides, pesticides and other toxic chemicals common in residential households and businesses. There should be an analysis of the negative environmental impact of the use and cumulative impact on soils and waterways. Integrated Pest Management (IPM) should be included as mitigation.

These methods are encouraged by the county of Marin :

<https://www.marincountyparks.org/projectsplans/ipm> or the city of Novato:

<https://www.novato.org/home/showdocument?id=12075>

On page 4.8-4 in paragraph C, should state that the percentage of annual water provided to Novato from Stafford Lake is 20%. In Table 4.8-1, why is Bahia Lagoon listed as not supporting Rare and Endangered Species, while the adjacent Rush Creek does? Both are part of the same estuarine habitat.

When was Novato Creek last tested for Diazinon? Has Warner Creek been tested?

Page 4.8-7: Do the Floodplains in the Plan Area Map Figure 4.8-2 include sea level rise in the flood calculations? Page 4.8-8, second paragraph, places the Hamilton Levee in southwestern Novato. The levee is in southeastern Novato.

The explanation of Assembly Bill 162 on page 4.8-13 itemizes safety elements cities and counties need to plan for. Do these flood hazard issues include sea level rise?

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Why is the Storm Drainage Master Plan addressing only a 25-year flood? (page 4.8-14)

Page 4.8-16 states that a stream protection zone has a buffer of 50 ft. from top of bank. Does this buffer also apply to ponds and wetlands?

Page 4.9-6 describes the Northwest Quadrant Neighborhood change to a “form-based zoning code” as promoting reinvestment and revitalization. This sounds like the single-family homes that are small and modest will be replaced by multifamily units that look like large single-family houses but will actually be multifamily apartments. Will this action get rid of the single family homes?

Page 4.16-2 shows the Novato Sanitary District Treatment plant being owned by Napa Sanitary District!

Page 4.16-6 states that the” average annual demand in the Novato water system is expected to increase by 43% by year 2035”. That is a huge increase in demand when conservation has driven demand down.

Page 4.16-6 states that “Under ‘worst case scenarios’ in which the landfill receives its maximum annual disposal each year (among other factors), the depletion date could be between 2024 and 2034.” What are “other factors”? Do any of the estimated capacity scenarios factor in potential disaster debris? If so, how are the quantities estimated? Can a link to the referenced 2018 Redwood Landfill Capacity report be provided?

The traffic impacts at currently congested intersections will increase even more with all the alternatives to the proposed General Plan. How we address them will be a challenge. The proposal for roundabouts may be a hard sell unless there are examples in the region that people could see and try. They would need to have comparable volumes of traffic to validate their effectiveness. Could you suggest any?

Thank you for this opportunity to comment on this document. We look forward to receiving the Final EIR soon.

Sincerely,

Linda Novy  
President, MCL

Susan Stompe  
Director, MCL  
Chair, Land Use and Transportation Committee  
Chair, North Marin Unit

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