



Countywide Plan Update- VICTORY! (almost)

OCTOBER – NOVEMBER 2007

By unanimous vote, the Marin County Board of Supervisors indicated support for land use designation at the St. Vincent's and Silveira properties advocated by MCL and other environmental groups. The decision, also supported by representatives of St. Vincent's, would allow up to 221 housing units on the site, consisting of 121 market-rate units plus up to 100 additional units for very low and low income households. The units will be allocated proportionately to the two properties: approximately 1/3 to the Silveira property and 2/3 to St. Vincent's. Some senior care facilities may also be permitted, provided that peak hour traffic impacts do not exceed the traffic impacts of 221 units. Total new development is restricted to 5% of the land area and must observe environmental resource constraints such as habitat protection, streamside conservation, ridge and upland greenbelt, wetlands, tidelands, views, and community separation.

This low density designation follows the Supervisors' previous action to incorporate the St. Vincent's and Silveira properties in the new Baylands Corridor established to protect important baylands and large adjacent undeveloped uplands along San Pablo and San Francisco Bays. A crucial underpinning for the Corridor is the 2007 study, "Ecological Connections Baylands and Uplands" by the San Francisco Estuary Institute commissioned by Marin Conservation League, Marin Audubon Society, Sierra Club Marin Group and Marin Baylands Advocates. (A copy of the report is available at the MCL office.)

While this decision vindicates MCL's years of advocacy on behalf of the unique and valuable natural resources on these properties, we will be closely monitoring any development applications to assure compliance with all environmental protections.

On a less positive note, Supervisors supported a maximum house size of 7000 square feet on agricultural parcels and left the door open for numerous large homes for family members on a single parcel. Although this was a reduction from the previous approval of 8500 square feet, MCL believes that such home sizes (more than twice the average size of existing homes in rural Marin) encourages "estate" homes that pose a threat to family agriculture. In addition, such large homes are wasteful of energy and building materials. MCL supports reviewing the issue of house size countywide in light of the current emphasis on sustainability.

The final vote to certify the Environmental Impact Report and approve the Countywide Plan is scheduled for November 6.

St Vincent's/Silveira Land Use History

- 1988 San Rafael Planning Commission recommends approximately 2800 units.
- 1988 San Rafael City Council adopts General Plan designation 2100 units.
- 1991 San Rafael City Council amends General Plan to specify up to 2100 units.
- 1994 Stakeholder Task Force majority recommends up to 1800 units.
- 2001 Second Stakeholder Task Force recommends 500 to 1000 units.
- 2002 Developer submits plan for 856 units on St. Vincent's property alone.
- 2007 Marin County Board of Supervisors supports current proposal for 221 units or equivalent traffic from other uses.

Will Marin Go Completely Green with its Power Supply?

Marin County and cities are on the verge of deciding whether to establish a power authority to supply a majority of Marin's electricity from clean renewable energy under a state law (AB117 passed in 2002) called "Community Choice Aggregation (CCA). Under a CCA program, PG&E would continue to deliver the electricity, read the electric meters and issue monthly bills. However, the source of the electric supply (generation) and the price paid by customers for the generation would be determined by the local CCA, a joint powers agency owned by our cities and the County. Customers would have the choice of being automatically enrolled in the program or remaining with Pacific Gas & Electric (PG&E.)

A business plan for a Marin CCA authority was recently released to the public, and shows how we could get 25% of our power from non-polluting renewable energy sources by 2010 and 51% by 2013, while maintaining rate parity with PG&E. Also under consideration is a plan to go to 100% renewable energy for a small price premium. Under this second plan, Marin County ratepayers could still opt for the green PG&E parity rate (51% renewable content) if they did not want to increase their energy costs by a modest sum every month.

A CCA would put the choice of our power supply and the generation rates under local control. This law provides a way to change the content of the local power supply without taking on the burden of managing the power lines, collecting bills, and the divisive politics involved with municipalization. Among the other Bay Area local governments exploring the CCA option are San Francisco, Oakland, Berkeley and Emeryville.

A task force of representatives from each city and the county are expected to recommend whether create a CCA in early 2008. For more information, see an excellent FAQ, draft Business Plan, and other documents on the Marin County website at:

www.co.marin.ca.us/depts/CD/main/comdev/advance/Sustainability/Energy/cca/CCA.cfm

Searching for Solutions to Ross Valley Flooding

Nestled at the foot of Mt. Tam, leafy Ross Valley is a wonderful place to live. But it's also an historic flood plain and residents know that heavy rainfall over an extended period will cause drainage channels and creeks to become clogged with debris, forcing water past the containment walls-- sometimes with calamitous results.

To study the problem and find ways of mitigating its threat, a consortium of public agencies and non-governmental organizations launched the Ross Valley Flood Protection and Watershed program. Participants include: Marin County's Flood Control District; the towns of Ross, San Anselmo, Fairfax and Larkspur; FEMA's flood insurance program; California State Coastal Conservancy; and Friends of Corte Madera Creek. Their report, "A Framework for Developing Effective Management Solutions to Flooding in the Ross Valley," is available at www.rossvalleywatershed.org. Though not officially involved, MCL has supported the group's work and tracked its progress to date.

Many factors contribute to the periodic overflows. Some stem from specific characteristics of the local environment. For example, Ross Valley has one of the highest annual precipitation levels in the entire Bay Area. Its main drainage through Corte Madera Creek is subject to substantial tidal fluctuation. Dense vegetation causes the buildup of storm-generated debris. The Valley's clay based soils easily become saturated.

Other influences have a man-made tag on them. Covering open ground with houses and roads increases rapid runoff. Undersized culverts and low level bridges restrain the passage of water and eventually clog. The reduction of natural wetlands impacts the distribution of overflows. Replacing native bushes and grasses with exotics lessens the absorption rate.

Besides damage to private property and residents' risk of injury or death, flooding is also a top priority for Ross Valley businesses. Because of the wide impact, many public meetings have been held to discuss what should be done. One outcome of the increased interest is that flood plain property owners recently approved a storm damage fee that will raise \$40 million over a twenty year period.

MCL's Creeks, Wetlands and Watershed Committee will hear a report on the status of the Ross Valley Watershed Program on November 1, 8:30 a.m. at the League's headquarters, 1623A Fifth Ave., San Rafael. Jack Curley, Assistant Engineer with Flood District #9 and James Reilly of Stetson Engineers will be the speakers. All MCL members are welcome to attend and participate in the discussion.

Business Breakfast Update: The Promise and Limits of Recycling

When it comes to waste disposal, there are no easy answers.

That was the principal message attendees at MCL's September 13th Business Breakfast received from a pair of seasoned experts who addressed an overflow crowd at San Rafael's Embassy Suites Hotel. Offering their comments were Patty Garbarino, President of Marin Sanitary Service, and Robert Haley, Zero Waste Program Manager for San Francisco's Department of Environment.

Patty Garbarino's good news was that recycling methods have improved substantially in the last few years. She is especially proud of her company's pioneering efforts to create an "indoor dump" where all kinds of materials are salvaged from the waste stream instead of being buried in a landfill. As further improvements occur, even more will be reclaimed.

The bad news is that it's almost impossible to get ahead of the game. Every increase in Marin's population and affluence brings a corresponding increase in waste volume. The only long term solution is for government, business and residents to make significant changes in the way they go about their everyday activities. That takes education and a willingness to alter long established ways of doing things.

There is particular urgency about the use of plastics. Many people have the impression that most plastic materials can be recycled for other purposes. A limited number can be, but others—including supermarket food bags—usually end up in the dump, where they take many years to degrade. She ended by pledging that Marin Sanitary will continue to help inform the public about what can and should be done. (More information is available at www.marinsanitary.com.)

Robert Haley echoed Garbarino's warnings about the limits of recycling. He added that emphasis should be on supply side reductions for government, business, and individuals, with a goal of getting as close as possible to a Zero Waste environment. Government can lead by example, but he was doubtful that voluntary efforts alone will be sufficient. At some point, regulatory restrictions on items like plastic bottles, bags, and packaging may be necessary. Banning non-biodegradable Styrofoam should be a top priority. San Francisco has already begun to adopt measures that will reduce the waste stream and he hopes other areas will follow. (Details of S.F.'s efforts are available at www.sfenvironment.com.)

MCL's Business Breakfasts at the Embassy Suites Hotel are open to the entire community. They offer good food, interesting speakers on important topics, and an opportunity for lively discussion. Next up, on November 15 Marin County Parks and Open Space Director Sharon McNamee and Fire Chief Ken Massucco will discuss how parks, open space, fire fuel reduction programs work together in important ways to benefit Marin residents.

For further information, call MCL at 485-6257, or visit www.marinconservationleague.org.

California Legislative Roundup, October 2007

October 14 at midnight was the deadline for the Governor to approve or veto bills that the California legislature approved and sent to his desk for signature. MCL has been tracking environmental legislation that could impact specifically Marin County and MCL members. The following is a snapshot of some of new laws that will take affect in 2008:

Solar Hot Water and Efficiency Act (AB 1470)

This bill, introduced by Marin County's Jared Huffman and signed into law on October 12, provides incentives to attain the goal of installing 200,000 solar water heating systems in the state by 2017. The law creates a \$250 million fund to provide rebates to homeowners and businesses who invest in solar water heating systems that displace natural gas systems.

California Lighting Efficiency and Toxics Reduction Act (AB 1109)

This bill, also introduced by Jared Huffman, will prohibit the manufacturing and sale after January 2010 of most household lights that contain hazardous substances prohibited by the European Union. The law also requires the California Energy Commission to adopt energy efficiency standards for all general purpose lights and directs the Commission to reduce California's consumption of electricity for lighting uses by 50 percent in 10 years.

Flood Control Reform (AB 156, SB 5, AB 162, SB 17, AB 70 and AB 5)

This package of bills is intended to lead to the development of comprehensive flood protection measures for the Central Valley and other regions. Some of these new laws will affect cities and counties throughout California, including Marin. For instance, AB 162 will require cities and counties to address flood-related matters in the land use, conservation, safety, and housing elements of their general plans. AB 70 provides, generally, that cities and counties may be required to contribute a fair and reasonable share of the increased flood liability caused by their unreasonable approval of flood prone developments.

Water Conservation Standards for New Buildings (AB 1560)

This law, authored by Jared Huffman, requires the California Energy Commission to prescribe water conservation standards for new residential and non-residential buildings.

California Forest Legacy Program (SB 701)

This law, authored by Senator Pat Wiggins (D-Santa Rosa), re-establishes the California Forest Legacy Program to provide funds for the acquisition of conservation easements on private properties, with the goal of preserving California's forest and woodland habitats.

Vetoed Bills of Interest: While the Governor signed the above bills, which will protect and improve the environment for Californians and Marin, he also vetoed a few bills that would have been of interest to MCL members:

Green Building Standards (AB 888 and AB 1058)

Just before the deadline, the Governor vetoed AB 888 and AB 1058, bills that would have set new residential and commercial green building standards in California.

Expansion of San Quentin (AB 1743) The Governor also vetoed AB 1743, a bill that would have prohibited the state from spending money to expand the condemned inmate complex at San Quentin State Prison until completion of an audit and other conditions.



Environmental Impact Reports

For those who have an interest in the detail of projects proposed for Marin.....

Environmental Impact Reports (EIR's) are springing up like mushrooms this fall:

- The Lawson's Landing Final EIR just came out. Comments were due by October 19. The Planning Commission hearing on it will probably be in January.
- The Narrows (Highway 101 between Novato and Petaluma) Draft EIR came out on October 16. It was generated by CalTrans and is available in the county library. Comments are due November 29.
- A Redwood Landfill Final EIR should be out early in December. A hearing at the county Planning Commission will be held in January or February.
- The San Rafael Rock Quarry had scoping meetings in September and October. The DEIR will probably be out at the end of 2007.
- The final EIR for Marin's Countywide Plan will be before the Board of Supervisors on November 6, the same time the revised Countywide Plan is scheduled for adoption.

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*Marin Conservation League was
founded in 1934 to preserve,
protect and enhance
Marin County's natural assets.*

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Leave a Legacy

Have you considered leaving an environmental legacy? There are at least two simple ways to do it:

- Include a gift to the Marin Conservation League in your will or revocable trust.
- Designate MCL as one of the beneficiaries of your IRA or retirement plan.

Funds received from these sources are placed in MCL's Legacy of the Land Endowment Fund (unless the donor specifies otherwise). The Fund is invested for the future; its income is used to support MCL's ongoing advocacy work. For more information on these options, call the MCL office at 415-485-6257.

Save these dates on your calendar:

November 15- **Business Breakfast - Protecting Marin County Lands** from 7:30 am – 9:30 am at the Embassy Suites in San Rafael. Guest speakers will be Sharon McNamee, Marin County Director of Parks and Open Space & Ken Massucco, Fire Chief for the Marin County Fire Department. Tickets are \$25 per person and include a full menu breakfast buffet. Please RSVP by November 8th by contacting the MCL office at 415-485-6257.

December 14- **MCL's Annual Holiday Party** from 4 pm -7 pm in our historic Victorian office building at 1623A Fifth Avenue, San Rafael. It will be a festive occasion, with plentiful snacks and beverages served in a holiday setting. It's a great chance to see old friends and chat with local environmental leaders, along with helping us fill a barrel with gifts of food that the Marin Food Bank will distribute to those in need. Mark your calendar now, and watch for a reminder in the mail as December 14th draws near.