

DEPARTMENT OF PUBLIC WORKS

Quality, Excellence, Innovation

Raul M. Rojas
DIRECTOR

June 2, 2020

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Marin County Board of Supervisors
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SUBJECT: Snell Appeal of the Department of Public Works San Geronimo Creek Restoration Project Creek Permit (CP 19-012)
5800 Sir Francis Drake Blvd., San Geronimo
Assessor Parcel 172-372-14

Accounting

Dear Board Members:

Airport

RECOMMENDATION: Adopt the Resolution Denying the Petition to Appeal Creek Permit 19-012

Building Maintenance

Capital Projects

SUMMARY: The applicant, Preston Brown, submitted a creek permit application on September 18, 2019, for the creek restoration project. The scope of work is to remove the existing infrastructure within San Geronimo Creek, comprising Roy's Pools fish ladder and sheet metal weirs, and create a new channel gradient with engineered streambed materials to allow fish passage and hydraulic connectivity through the project area. A failing pedestrian bridge over the Creek at Roy's Pools will be replaced with a new channel-spanning the bridge in the same location. The project will also create floodplain and off-channel habitat through grading of adjacent land surfaces for 1,000 linear feet of stream channel upstream of San Geronimo Valley Drive. Throughout the project area, numerous anchored large woody debris habitat structures will be built to improve fish habitat and geomorphic function. The entire grading footprint and all disturbed areas will be revegetated with native seeds, plants, and trees grown in the SPAWN native plant nursery.

Certified Unified Program Agency (CUPA)

Communications Maintenance

County Garage

Disability Access

Engineering & Survey

Flood Control & Water Resources

Land Development

The Department of Public Works (Public Works) reviewed the project for a creek permit. The review is solely based on whether the proposed construction will impede the passage of water within the creek. Public Works found that the project will not, in any way, impede the passage of water within the creek, and therefore on April 23, 2020, Public Works approved the creek permit.

Purchasing

Real Estate

Reprographic Services

On May 4, 2020, Philip Snell submitted a Petition for Appeal of the Public Works' approval. Mr. Snell asserts that the issuance of the permit violates the Marin County Code sections 24.03.010, 22.06.040A, and 22.01.030B and claims that use of the property is not in conformance with the San Geronimo Valley Community Plan and is contrary to the Countywide Plan.

Road Maintenance

Stormwater Program

Transportation & Traffic Operations

Waste Management

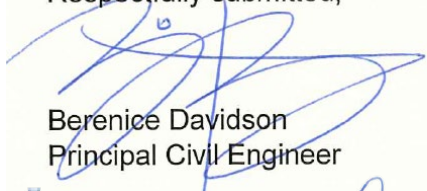
However, as stated above, regardless of the use of land, creek permits issued by Public Works ensure projects do not decrease hydraulic capacity, meet environmental guidelines and comply with local, state, and federal permit requirements.

The appellant has not presented any substantial evidence or new information that would invalidate or change the Public Works' decision to approve the project. It is important to note that a project of this scope and extent could have been executed if the land use was still an active golf course.

FISCAL IMPACT: There is no fiscal impact by this recommended action.

REVIEWED BY:	<input checked="" type="checkbox"/>	County Administrator	<input type="checkbox"/>	N/A
	<input type="checkbox"/>	Department of Finance	<input checked="" type="checkbox"/>	N/A
	<input checked="" type="checkbox"/>	County Counsel	<input type="checkbox"/>	N/A
	<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A

Respectfully submitted,



Berenice Davidson
Principal Civil Engineer

Attachments:



1. Snell Petition for Appeal, May 4, 2020
2. CEQA Notice of Determination
3. Creek Permit
4. Approved Plans
5. Resolution
6. Community Development Agency Internal Memorandum, June 2, 2020
7. Trust for Public Lands Design Review and Tree Removal Approval