

SUSTAINABLE TAMALMONTE
215 JULIA AVENUE
MILL VALLEY, CA 94941

September 4, 2012

Marin County Board of Supervisors
3501 Civic Center Drive, Suite 329
San Rafael, CA 94903

Re: 2012 Draft Marin County Housing Element Tam Junction Affordable Housing Opportunity Sites

- Site #4: Old Chevron Station, 204 Flamingo Rd, Tam Junction
- Site #9: Manzanita Mixed Use, 150 Shoreline Hwy, Tam Junction
- Site #14: Armstrong Nursery, 217 & 221 Shoreline Ave., Tam Junction
- Site #18: Around Manzanita (150 Shoreline Ave.), Tam Junction
- Site #19: Tam Junction Retail, 237 Shoreline Ave. ect., Tam Junction

Dear Marin County Board of Supervisors,

In regard to the above referenced 2012 Draft Marin County Housing Element's Tam Junction Affordable Housing Opportunity Sites, the Sustainable TamAlmonte Executive Committee has the following comments and recommendations:

Due to the unique characteristics of the area, encouraging residential development, especially high-density development (typical of affordable housing), at the above referenced Tam Junction Affordable Housing Opportunity Sites would increase the risk of undue harm to the environment and undue hardship, illness and/or injury to the current and future residents. The only acceptable course of action is to eliminate the Tam Junction Affordable Housing Opportunity Sites from the 2012 Draft Housing Element.

Below is a list of the unique natural features, hazards, and limited resources in the Tam Valley and Almonte lowlands that constrain development & population growth and substantiate our argument.

Dangerous Traffic with Unacceptable Level Of Service "LOS" Of Local Roadways:

The roads leading to the aforementioned Affordable Housing Opportunity Sites are drowning in traffic congestion. The level of service (LOS "F") on Highway 1 is unacceptable.

In addition to the Unincorporated Districts governed by the Tamalpais Area Community Plan, the City of Mill Valley, Stinson Beach, Muir Beach and Bolinas also use Hwy 1 as their regular commuter route to get to Hwy 101. Over a million tourists a year use Hwy 1 to access Muir Woods and other recreational destinations. As the jurisdictions grow and tourism increases, the additional commuters will further intensify the Tam Junction traffic.

The public transit service is inadequate to serve current local residents, let alone additional future residents. The assumption that low income people will not drive, especially in a poor service area, creates a flawed analysis which underestimates the additional traffic impacts that implementation of the Housing Element will cause.

Tam Junction's high traffic volume and the current unacceptable LOS present a danger to the current residents. This is especially true during times of emergency egress & ingress. Implementation of the Draft 2012 Housing Element with subsequent residential development at the proposed Tam Junction Affordable Housing Opportunity Sites, would only exacerbate this situation by adding more automobile and pedestrian traffic to the already dangerous area, creating an even greater danger to the current and future residents.

Flooding, 100 Year Floodplain, Impending Sea Level Rise

Flooding is excessive in the Tam Junction area and continues to occur with the tides even in August with no rain. Sea level rise caused by global climate change, which will cause rises in tide elevations of San Francisco and San Pablo Bays, will further increase the risk of flooding in Tam Valley/Almonte and ultimately permanently cover the low lying Tam Valley/Almonte areas with water.

According to the San Francisco Bay Conservation and Development Commission and the Pacific Institute map, the Tam Junction Affordable Housing Opportunity Sites proposed for development or redevelopment will all likely be under water within 100 years or sooner due to global climate change. Because the sea and Bay levels are fundamental in determining whether an area is in the 100-year floodplain, areas that are not currently in the floodplain will likely become part of that floodplain very soon. Furthermore, areas already recognized as being within the 100-year floodplain will be under more water sooner than previously estimated. Sea level rise is expected to come sooner and higher than previously known at the review of the CWP EIR. Moreover, development, including increased density of housing, would cause increased soil compaction, which would in turn further increase the risk of flooding in Tam Valley/Almonte.

Placing housing within a 100-year floodplain and in areas subject to sea level rise is dangerous, considered a significant environmental effect and should be prohibited.

Filled Marsh Areas With High Seismic Activity, Liquefaction, Subsidence and Mud Displacement

The EIR of the Marin Countywide Plan states that implementation of the CWP would have significant unmitigable impacts to persons living in new or redeveloped buildings due to risk of injury or death from even moderate seismic activity. The CWP's EIR then describes the areas in which the danger is greatest, which includes Tamalpais Valley and more specifically, the referenced Tam Junction Affordable Housing Opportunity Sites.

The proposed Tam Junction Affordable Housing Opportunity Sites sit on deep bay mud and landfill and are in a high seismic activity zone. During even moderate seismic activity, the filled land is susceptible to liquefaction, subsidence and mud displacement. Placing housing on these seismically active sites would put the residents at risk of injury or death.

Selecting Affordable Housing Opportunity Sites that are seismically unsafe, such as those in Tam Junction, is in direct conflict with CWP Policy EH-2.1 - that seeks to avoid development in seismically hazardous areas. Moreover, there can be no benefit that would result from implementation of the Draft Housing Element that would override the impact of severe injury or loss of life from building on ground known to be unstable in even a moderate seismic event.

The Tam Junction Affordable Housing Opportunity Sites should be removed from the Housing Element. New Affordable Housing Opportunity Sites should be selected that are underlain with bedrock and that thus do not present a significant impact due to seismic activity.

MMWD's Finite Water Supply

We are conserving water, however, we must still live within the limits of our finite watershed. In regard to availability of water for the proposed development on the Tam Junction Affordable Housing Opportunity Sites, an unlimited water supply cannot be assumed, as the current supply is dependent on enforcement of the Countywide Plan's stipulation of "No net water increase".

Mitigations that would require actions not within the authority of the County, but lie instead within the authority of other agencies, such as MMWD, cannot be considered feasible, according to the 2007 CWP's EIR. No development projects can assume available water from Desalination (using the most toxic Bay in California) because it would be subject to a vote by the residents of Marin.

In regards to evaluating the impact of accelerated development on MMWD's water supply, potential future residential development on the proposed Tam Junction Opportunity Sites should not be evaluated separately but rather as part of the potential future development in MMWD's entire jurisdiction. This cumulative development impact should not exceed the limits of our finite water supply.

Increased Risk of Residents Developing Serious Illness Due to Living Near Major Roadways:

It is well documented, in a multitude of major studies (E.g. The California Department of Public Health Studies by Janice Kim MD, MPH; the UCSC study by Gauderman et al.), that residents living in proximity to major roads and freeways are at much greater risk of developing serious illness (lung impairment, cardiac disease, cancer, and premature miscarriage) due to the cumulative effects of air and noise pollution. After careful review of various studies, the Health Council Of Marin recommended to the Board of Supervisors that housing should be located at least 500 feet from major roads and freeways.

Moreover, the standard in the current Countywide Plan is inadequate for protecting future residents, who are sensitive receptors, from living in housing situated too close to pollutant sources (especially diesel). This is because the CWP is inconsistent with the guidelines and thresholds for air pollution of the Environmental Protection Agency (EPA), the California Air Resources Board (CARB) and the Bay Area Air Quality Management

District (BAAQMD). Inconsistency with the BAAQMD's guidelines and thresholds for air pollution is considered a significant unmitigable environmental impact

The Tam Junction Affordable Housing Opportunity Sites identified for development are located within 500 feet of Highway 101, Highway 1 and/or Shoreline Highway and therefore, should be removed from the Housing Element. New Affordable Housing Opportunity Sites should be selected that are more than 500 feet away from a major roadway.

Endangered Special Status Species:

The Proposed Housing Opportunity Site #14, the Armstrong Nursery, sits along side Coyote Creek, which is inhabited by the California Clapper Rail and the Salt Marsh Harvest Mouse, both of which are endangered species. Development and increased human impact on Site #14 may reduce the essential habitat of these species or reduce the number of these species.

Insufficient Services & Public Transit:

Tam Junction's insufficient services (lack of super market, bank, clothing stores, medical facilities, schools, etc.), coupled with inadequate public transit, causes residents to drive outside the area to obtain their daily needs. (E.g. Local Elementary School is so overcrowded that local school children must go to school outside the area.) The future residents of housing located at the Tam Junction Affordable Housing Opportunity Sites would need to do the same. This increase in the number of residents driving outside the area would increase Green House Gases.

Analysis and Mapping of Historic Wetlands and Baylands Corridor:

"Goal Bio-5 Baylands Conservation" in the 2007 Marin Countywide Plan mandates analysis and mapping of historic wetlands in Richardson Bay and the Bothin Marsh area (including all parcels East of Shoreline Hwy) to determine if the parcels should be included in the Baylands Corridor. The Draft Housing Element's Affordable Housing Opportunity Site #9 and Site #18 are located East of Shoreline Hwy. It is expected that once the analysis and mapping are completed that all parcels East of Shoreline Hwy, including Sites #9 & #18, will be added to the Baylands Corridor and will then be subject to Baylands Corridor regulations.

The purpose of the Baylands Corridor is to give greater protections to wetland, including reducing development. Therefore, Sites #9 and #18 would be inappropriate for the high-density development that affordable housing developers typically pursue.

Historic Marshland That Could Be Restored:

Site #9 and #18 land are historic marshland. Restoration of these sites, as well as all lands East of Shoreline Highway, back to the marsh has been advocated by Tam Valley and Almonte residents for decades. Such restored wetlands would not only provide critical habitat but would also serve to protect residents from the surge of increased flooding and future sea level rise.

Were increased development allowed on this land, any chance of restoring it back to marshland would be significantly impaired. Land value would increase, making it more difficult to fund the purchase of the land for restoration. This would potentially cause

irreversible impacts, of developing land that was once part of the marsh and that could be restored, to the marsh and its restoration.

Better yet, the Tam Junction Affordable Housing Opportunity Sites #9 & #18 should be removed from the Housing Element. New Affordable Housing Opportunity Sites should be selected that are not former marshland and therefore don't have the chance of being restored back to marshland.

High Density Development Does Not Coincide With the Traditional Character Of The Local Semi-Rural Communities:

The projected high-density development on sites identified in this constrained area is incompatible with existing development in the commercial areas and in the adjacent neighborhoods based on scale and appearance, FAR, height and setbacks. Urban development and overdevelopment by private developers has consistently been considered both inappropriate and unsustainable and has therefore been opposed by the community for decades.

Conclusion:

The County now has sufficient information to understand that the proposed Tam Junction Affordable Housing Opportunity Sites are inappropriate. Not only would construction of housing on these sites exacerbate the already existing problems, doing so when the County admits in the Marin Countywide Plan EIR that significant unmitigable impacts would result from such construction defies logic.

Moreover, there can be no benefit that would result from implementation of the 2012 Draft Housing Element that would override the impacts of environmental harm and severe illness, injury or loss of life from building on the Tam Junction Affordable Housing Opportunity Sites, which are laden with environmental constraints and dangerous hazards.

The best course of action would be for the County to revise the 2012 Housing Element to reflect the current problems with traffic, seismic activity, hazardous soil conditions, air & noise pollution, water supply, flooding, and impending sea level rise and to find that no new residential development in the Tam Junction area is appropriate until these problems are solved, which should include a comprehensive plan with adequate funding in place to accommodate future sea level rise and inundation. The County should return with a 2012 Housing Element that does NOT include Tam Junction sites in the list of Affordable Housing Opportunity Sites and thus, does not sacrifice the environment or the health, well-being, and happiness of its current and future residents.

Very truly yours,

THE SUSTAINABLE TAMALMONTE EXECUTIVE COMMITTEE

Ann Spake, Gene Spake, Sharon Rushton, Camille Johnson, Adrian Gordon, Lynn Reid, Sandy Glading