

RESPONSE TO ARTICLE

Marin Independent Journal
COM Defends Construction Project Near Kentfield School
By Keri Brenner
January 5, 2020

Response by Ina Gotlieb
Friends of Kentfield Kids and Creeks
January 5, 2020

This is a response to the January 5, 2020 *Marin Independent Journal* article entitled “COM Defends Construction Project Near Kentfield School” by Keri Brenner. I am writing this from myself, not on behalf of Friends of Kentfield Kids and Creeks.

The Marin IJ article is apparently based on a letter authored by Mr. David Wain Coon, the President of the College of Marin. His letter rebuts the public comments from many in the local community who are reacting to the College of Marin’s construction of a new Maintenance and Operations facility directly adjacent to Kent Middle School and the Corte Madera Creek.

The article is an interesting read. It is the first time that Mr. Coon, has come forth with a public written statement about this project and I was glad that he finally made some details about their plans public. While some of Mr. Coon’s comments were encouraging, in that he talked about engaging the community more in college decisions, there are some specific statements I wanted to challenge and/or clarify. There are also several things he writes in his statement that raise additional questions about the new facility and COM’s decision making process.

Breaking it down by some specific points:

FROM THE ARTICLE:

College of Marin did extensive research on environmental impacts of the school’s new maintenance and operations building in Kentfield prior to starting construction to make sure it was safe to operate near a school, the college president said in a letter Friday.

“Rincon was hired to conduct an environmental analysis for the maintenance and operations project. Their report concluded that the project met all criteria for a California Environmental Quality Act categorical exemption (from preparing a full environmental impact report).” College trustees then certified the exemption on April 16, 2019.

RESPONSE:

The Exemption report can be found [HERE](#). The report was NOT an environmental analysis. Instead, the report was supposed to provide a rationale for why the project should be exempt from a full EIR. That means that they claimed that an “environmental analysis” wouldn’t be necessary, NOT that it was conducted and no impact was found.

In reviewing the actual report it is clear that:

- No information is provided about the types of activities to be conducted at the new facility.
- Completely ignored is the fact that the site of the new COM facility is directly adjacent to the Kent Middle School and the Grant Grover building. This omission does not demonstrate “extensive research” nor a finding that the new facility is “safe to operate near a school”.
- The report only concludes that there would be no significant impact to College of Marin. The report does NOT evaluate any impact to Kent Middle School or the Grant Grover building because it ignores these two schools entirely. Please review the report’s actual site description and project descriptions.

FROM THE ARTICLE:

The parents say the new building directly abuts the Kent Middle School athletic fields and track and is close to Marin County Office of Education’s Grant Grover school building and to Corte Madera Creek.

RESPONSE:

The new COM maintenance building doesn’t just directly abut Kent Middle School athletic fields and track. It is only feet away from Kent Middle School and MCOE classrooms that are used daily by hundreds of students for learning. The separation is only a 5-foot high chain link fence. Furthermore, the roughly 800-foot-long driveway for the new facility runs directly behind the 5th and 6th grade classrooms, the “Back 50” school play yard where hundreds of kids play and participate in PE activities, and it is also separated only by a chain link fence. Photos of the actual buildings and the site would be extremely useful to help to visualize and understand the conflict and incompatibility. The photos would speak volumes in terms of showing the proximity and scale of the new COM maintenance buildings in relation to the Kent Middle School and Grant Grover buildings.

FROM THE ARTICLE:

Gotlieb said last week that she also wanted to involve a Marin County panel, the Kentfield Planning Advisory Board, but board chair Anne Petersen said her group was not planning to weigh in. Petersen said the seven-member panel had a briefing on the project last year from Greg Nelson, COM’s vice president for administrative services, who serves on the advisory board. There were no potential problems identified at the time, she said.

RESPONSE:

I simply suggested that Ms. Keri Brenner, the author of this Marin IJ article, contact KPAB if she needed an additional statement on this issue. However, I do think it’s interesting that Mr. Greg Nelson serves both as one of the seven Kentfield Planning Advisory Board members and also as the person in charge of all the College of Marin’s development projects. This seems to pose a potential conflict of interest. I’d be interested to see what “briefing” the KPAB got about the COM project and how much information was presented at the time. According to the KPAB agendas and meeting minutes when COM projects were discussed, no information was given about the new COM maintenance facility.

The agendas and meeting minutes can be found here:

- <https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/projects/kpab/2018/agenda-102418.pdf?la=en>
- [https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/projects/kpab/2019/minutes-42419-\(002\).pdf?la=en](https://www.marincounty.org/-/media/files/departments/cd/planning/currentplanning/projects/kpab/2019/minutes-42419-(002).pdf?la=en)

FROM THE ARTICLE:

“I understand the issue is being litigated, and therefore any hearing or advice from the Kentfield Planning Advisory Board would not be appropriate at this time,” Petersen said in an email.

RESPONSE:

A representative from the Advisory Board will be moderating the KSPTA’s public meeting about this issue on January 13th, 2020.

FROM THE ARTICLE:

[Coon] said he had had no prior communication with the school district before the lawsuit was filed in late October. His last contact with the school district was in May, he said.

“I will affirm that aspects of communication pertaining to this project could have been better,” he says in the letter. “That said, I was a bit taken aback when we were notified that the Kentfield School District had filed a lawsuit against the (COM) district on Oct. 30, 2019, without any previous discussions with either myself or the board expressing their discontent with the project’s scope or progress.”

RESPONSE:

My response is several-fold.

- Saying that their last contact with the school district was in May is simply not true. I was involved in a string of emails with the KSD and the COM that I started in September. COM administration were well aware of KSD’s desire and need for meetings and discussions. They were ignored.
- Saying that the KSD did not show “discontent with the project’s scope” is weird since they were not told of the project’s scope. KSD was only told that it was going to be a maintenance facility. KSD showed discontent about the progress of the construction work on numerous occasions.
- Although I do not have any copies of communication between the KSD and the COM on this issue, I can say that KSD’s Facilities Director, Paul Miller, and KSD Superintendent Liz Schott both told me for months (starting in the Spring of 2019) about their frustrations in trying to get information from COM or a response to their complaints about the construction noise and dust when I asked them about what was happening.
- I was personally present at a KSD Board meeting on September 10th when COM’s Isidro Farias gave a prepared statement about the dust mitigation measures they were forced to take after I sent a very strongly worded letter to Mr. Coon and the COM Board. The KSD Board questioned him about the facility. He gave no information about the

activities planned for the site other than “regular maintenance stuff” and agreed to share the EIR conducted for the project. When pressed later via email for the EIR, he admitted that they did not in fact conduct one, and so he sent me a copy of the Exemption Report instead.

- The KSD’s lawsuit was filed because they were not getting any responses from COM to their questions and concerns. They were facing an imminent statute of limitations deadline that would have prevented them from having any form of recourse which is why they chose to file suit as a measure of last resort.

FROM THE ARTICLE:

Measure B, a \$265 million bond issue, was overwhelmingly approved by voters in June 2016. Numerous other buildings have been completed on both campuses since that time.

RESPONSE:

Here you can find the information about the intended uses for the [Measure B](#) bond. Nowhere in the ballot language is there any indication that \$15 million dollars would be used for a Maintenance facility. It was intended to replace and upgrade classroom and learning facilities.

SUMMARY:

In summary, I found some of Mr. Coon’s statements to be misleading. However, it was interesting to hear what he had to say about the COM’s plans because this was more information than was ever previously shared. Obviously the COM attorneys felt it was alright for Mr. Coon to issue a written public letter about a situation that is currently in litigation. However, **no information presented by Mr. Coon has convinced me that this project should be exempt from a full environmental review and full public vetting** that is needed. I still believe that there is a lot of information that needs to be shared about their plans. But more importantly, I still believe strongly that an unbiased assessment of the true impacts of siting this facility in such close proximity to a public school and a watershed is necessary before further construction and operations should continue.