

**Environmental Assessment
Determinations and Compliance Findings
for HUD-assisted Projects
24 CFR Part 58**

Project Information

Project Name: Drake-Avenue-Apartments

HEROS Number: 900000010311721

Responsible Entity (RE): MARIN COUNTY, CIVIC CENTER SAN RAFAEL CA, 94903

RE Preparer: Tamara Taylor

State / Local Identifier:

Certifying Officer: Matthew Hymel

Grant Recipient (if different than Responsible Entity):

Point of Contact:

Consultant (if applicable): Raney Planning and Management, Inc.

Point of Contact: Briette Shea

Project Location: 825 Drake Ave, Marin City, CA 94965

Additional Location Information:

The Pacific Companies, with federal funding from the Department of Housing and Urban Development (HUD), proposes to develop a 74-unit multi-family residential building at 825 Drake Avenue (APN 052-112-03) in the unincorporated community of Marin City in Marin County, California. The approximately one-acre project site is

currently developed with a triple-wide manufactured home and a small storage shed in the western portion of the site, as well as a paved driveway which is used by the apartment complex to the north of the site. The on-site structure currently serves as the base for a non-profit organization, and is not used as a residence. The Marin County Countywide Plan designates the site as Multi Family 11-45 units per acre (MF 4.5), and the site is zoned Residential Multiple Planned 34 units per acre (RMP-34).

Direct Comments to:

Description of the Proposed Project [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The proposed project would include the demolition of all existing on-site structures, as well as removal of seven existing on-site trees, and the subsequent development of an approximately 73,793 square foot (sf) five-story, multi-family affordable housing building. A total of 74 residential units would be developed, consisting of 24 one-bedroom units, 42 two-bedroom units, and eight three-bedroom units. The residential units would be affordable for households earning 30 to 70 percent of the annual median income (AMI) for Marin County. The proposed building would also include a community space, office, and laundry room. Construction is anticipated to occur over approximately two years, starting in May 2023. Primary site access would be provided with new paved driveways from Drake Avenue in the southeastern corner of the project site, and from Park Circle in the northwestern corner of the site. A total of 24 surface parking spaces would be developed as part of the proposed project, including one space reserved for ride sharing, and two spaces designed to be compliant with the Americans With Disabilities Act (ADA).

Statement of Purpose and Need for the Proposal [40 CFR 1508.9(b)]:

According to the Regional Housing Needs Allocation (RHNA) prepared for the Association of Bay Area Governments (ABAG), the unincorporated communities of Marin County share of the regional housing need is expected to be 1,100 very low-income units, 634 low-income units, 512 moderate-income units, and 1,323 above-moderate income units. The proposed project would add 74 residential units affordable for households earning 30 to 70 percent of the AMI for Marin County, which is very low to low income. As such, the proposed project would help to satisfy the County's RHNA goals. As established in the Housing Element of the Marin Countywide Plan, the development of new affordable housing is a priority for the County. Goal 2 of the Housing Element is to respond to the broad range of housing needs in Marin County by supporting a mix of housing types, densities, affordability levels, and designs. Housing Element Policy 2.1 states that the County shall promote the development of housing for special needs groups, including large families, extremely low income households, and other persons identified as having special housing needs in Marin County. In addition, Table H-4.3 of the Housing Element specifically identifies the proposed project as an "Approved or Entitled Project" contributing to fulfillment of the RHNA. In addition, Policy 2.2 states that the County

shall implement policies that facilitate housing development and preservation to meet the needs of Marin County's workforce and low income population, and Policy 2.3 states that the County shall continue to provide a range of incentives and flexible standards for affordable housing in order to ensure development certainty and cost savings for affordable housing providers. Development of the proposed project would contribute to accomplishing all the above County policies and goals. The applicant intends to utilize funding assistance from HUD. The National Environmental Policy Act (NEPA) mandates that federal agencies consider the environmental ramifications of a wide variety of proposed actions. Due to funding from federal sources, the proposed project is subject to environmental review under NEPA. Because the potential for environmental impacts exists on the proposed project site, the preparation of an Environmental Assessment (EA) is required.

Existing Conditions and Trends [24 CFR 58.40(a)]:

The following sections describe the existing conditions and surrounding land uses, as well as the flood hazard, surface water, and groundwater conditions, of the project site.

Existing Conditions and Surrounding Land Uses The project site is currently developed with a triple-wide manufactured home and a small storage shed in the western portion of the site, as well as a paved driveway which is used by the apartment complex to the north of the site. Surrounding existing land uses include residential uses to the north, east, and west; and the George Rocky Graham Park, an apartment complex, a daycare center, the Marin County Fire Department Station, and the Marin County Sheriff's Department Station to the south, across Drake Avenue. The project site slopes from 48 feet above mean sea level (msl) in the southeast corner of the site to 88 feet above msl in the northwest portion of the site.

Flood Hazard, Surface Water, and Groundwater Conditions According to the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06041C0507E, effective March 16, 2016, the entirety of the project site is within Zone X, which is identified as an Area of Minimal Flood Hazard. Thus, the project site is not located within a special flood hazard zone. According to the U.S. Fish and Wildlife Service's (USFWS) National Wetlands Inventory (NWI), the nearest surface water sources to the project site are a riverine wetland and a freshwater pond, located approximately 750 feet west and 650 feet east of the site, respectively. The NWI classifies the nearby riverine wetland as R4SBA, which denotes that the wetland is riverine (R), intermittent (4), streambed (SB), and temporary flooded (A). The freshwater pond is classified as PUBHh, which denotes that the pond is palustrine (P), unconsolidated bottom (UB), permanently flooded (H), and diked/impounded (h). The project site is located approximately 2.3 miles outside of the Coastal Zone Boundary and is located outside of the jurisdiction of the San Francisco Bay Conservation and Development Commission (BCDC). In addition, the project site is located approximately 56 miles northwest of the nearest sole source aquifer (SSA), Santa Margarita Aquifer, Scotts Valley. The nearest National Wild and Scenic Rivers

System (NWSRS) river to the project site is the American River, located approximately 74 miles to the northeast.

Maps, photographs, and other documentation of project location and description:

[Project Site Map.PNG](#)

[Marin Drake Site Plan Page 2.jpg](#)

[Marin Drake Site Plan Page 1.jpg](#)

Determination:

✓	Finding of No Significant Impact [24 CFR 58.40(g)(1); 40 CFR 1508.13] The project will not result in a significant impact on the quality of human environment
	Finding of Significant Impact

Approval Documents:

7015.15 certified by Certifying Officer on:

7015.16 certified by Authorizing Officer on:

Funding Information

Grant / Project Identification Number	HUD Program	Program Name
B-22-UC-06-0004	Public Housing	Project-Based Voucher Program

Estimated Total HUD Funded, Assisted or Insured Amount: \$0.00

Estimated Total Project Cost [24 CFR 58.2 (a) (5)]: \$56,822,593.00

Compliance with 24 CFR §50.4, §58.5 and §58.6 Laws and Authorities

Compliance Factors: Statutes, Executive Orders, and Regulations listed at 24 CFR §50.4, §58.5, and §58.6	Are formal compliance steps or mitigation required?	Compliance determination (See Appendix A for source determinations)
STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.6		
Airport Hazards Clear Zones and Accident Potential Zones; 24 CFR Part 51 Subpart D	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The San Rafael Airport is located approximately ten miles to the north, and does not have an adopted airport land use compatibility plan. The proposed project would not be affected by the San Rafael Airport due to the substantial distance between the airport and the project site. Active military airfields are not located in Marin County or the nearby vicinity; therefore, a military airfield Airport Protection Zone or Clear Zone would not affect the proposed project.
Coastal Barrier Resources Act Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	The proposed project is located in a state that does not contain Coastal Barrier Resource System (CBRS) Units. Therefore, the project site is not within a CBRS Unit, or John H. Chafee CBRS buffer zones, as defined under the Coastal Barrier Resources Act of 1982 (PL 97-348), as amended by the Coastal Barrier Improvement Act of 1990 (PL 101-591). Therefore, the proposed project is in compliance with the Coastal Barrier Resources Act.
Flood Insurance Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in

		<p>compliance with Flood Insurance requirements. According to FEMA FIRM 06041C0507E, effective March 16, 2016, the entirety of the project site is within Zone X, identified as an Area of Minimal Flood Hazard. Therefore, the project site is not located within a 100-year floodplain or a special flood hazard area. Accordingly, the proposed project would not require coverage under the National Flood Insurance Program, and conflicts with the Flood Disaster Protection Act and the Insurance Reform Act would not occur.</p>
<p>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR §50.4 & § 58.5</p>		
<p>Air Quality Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide, Ozone, Particulate Matter, <2.5 microns. This project does not exceed de minimis emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act. Another category of environmental concern is Toxic Air Contaminants (TACs). The CARB has identified diesel particulate matter (DPM) from diesel-fueled engines as a TAC; The proposed project would not involve any land uses or operations that would be considered major sources of TACs, including DPM. As such, the proposed project would not generate any substantial pollutant concentrations during operations. However, short-term, construction-related activities could result in the generation of TACs, primarily DPM, from on-road haul trucks and off-road equipment exhaust emissions. Sensitive receptors in the project vicinity include single-family and multi-family residences, a nearby childcare center, and Bayside Martin Luther King, Jr. Middle School, with the</p>

		<p>nearest sensitive receptor located approximately 25 feet north of the project site. Consequently, the operation of off-road equipment within the project site during project construction could result in exposure of nearby residents to DPM. The project site is located within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which has established significance criteria for local community risk and hazard impacts as a result of new sources of TACs. The BAAQMD's thresholds for analyzing health risks from new sources of emissions are presented below: * The cancer risk would be greater than 10 per million persons; or * The chronic and acute hazard index would be greater than 1. The foregoing thresholds are generally intended for use when analyzing the operation of new proposed sources of TACs. Although the proposed project would not involve the siting or operation of any permanent sources of TACs, in the absence of specific thresholds for use when analyzing health risks from short-term projects, the foregoing BAAQMD thresholds are applied to the project, for construction specifically. To analyze potential health risks to the nearby sensitive receptors that could result from DPM emissions from off-road equipment at the project site, total DPM emissions from project construction were estimated using CalEEMod. DPM concentrations resulting from project implementation were estimated using the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD). The associated cancer risk and non-cancer hazard index were calculated using the CARB's Hotspot Analysis Reporting Program Version 2</p>
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		<p>(HARP 2) Risk Assessment Standalone Tool (RAST). Based on the foregoing methodology, the cancer risk and non-cancer hazard indices were estimated for the maximally-exposed receptor and were determined to exceed the BAAQMD's threshold of significance. Thus, implementation of Mitigation Measure 1, which requires the use of lower-emitting construction equipment, is required. With implementation of Mitigation Measure 1, the cancer risk would be reduced to a level below the BAAQMD's threshold of significance, and construction of the proposed project would not result in exposure of nearby receptors to substantial pollutant concentrations.</p>
<p>Coastal Zone Management Act Coastal Zone Management Act, sections 307(c) & (d)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. The Coastal Zone Management Act (CZMA) Section 1453, Definitions, defines the term "coastal zone" as "...the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of the several coastal states, and includes islands, transitional and intertidal areas, salt marshes, wetlands, and beaches..." and extending "...inland from the shorelines only to the extent necessary to control shorelands, the uses of which have a direct and significant impact on the coastal waters, and to control those geographical areas which are likely to be affected by or vulnerable to sea level rise." The project site is located outside of the Coastal Zone Boundary. The proposed project would not involve any operations that would increase the</p>

		<p>potential to degrade water quality downstream and have a negative effect on the Coastal Zone. Therefore, implementation of the proposed project would not affect a Coastal Zone. The BCDC has authority under Section 307 of the federal CZMA (16 U.S.C. Section 1456) over federal activities and development projects and non-federal projects that require a federal permit or license or are supported by federal funding and that are within the jurisdictional area of the BCDC, which includes the Bay itself and land within 100 feet of the Bayshore. The project site is located approximately 1,000 feet from the shore, and, thus, is not located within BCDC jurisdiction. Based on the above, impacts related to the Coastal Zone Management Act would not occur.</p>
<p>Contamination and Toxic Substances 24 CFR 50.3(i) & 58.5(i)(2)]</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>Endangered Species Act Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. The project site is currently developed with a triple-wide manufactured home and a small storage shed in the western portion of the site, as well as a paved driveway which is used by the apartment complex to the north of the site. In addition, the project site was developed with residential uses from approximately 1946 to 1958, and a church from 1958 to approximately 1999. According to the Biological Site Assessment (BSA) prepared for the proposed project by WRA Environmental Consultants, the on-site habitat is defined as either "developed" (0.29-acre) or "landscaped/ornamental" (0.71-acre). The BSA prepared for the proposed project included a search of</p>

		<p>the California Natural Diversity Database (CNDDDB) conducted for the project area, as well as a search of the USFWS Information for Planning and Consultation (IPaC). In addition, a site visit was conducted on December 27, 2019; wetlands and streams were not observed during the site visit. According to the BSA, 13 federally protected plant species (Franciscan manzanita, Presidio manzanita, marsh sandwort, Tiburon mariposa-lily, Tiburon paintbrush, Presidio clarkia, Marin western flax, Santa Cruz tarplant, beach layia, San Francisco lessingia, white-rayed pentachaeta, Tiburon jewelflower, and two-fork clover) and 11 federally protected wildlife species (southern sea otter, tidewater goby, Bay checkerspot butterfly, mission blue butterfly, coho salmon, California Ridgway's rail, California red-legged frog, salt-marsh harvest mouse, callippe silverspot butterfly, longfin smelt, and eulachon) have been documented within the project area. However, according to the BSA, suitable habitat is not present on the project site that could support any of the foregoing species. Federally designated critical habitats are not documented within the project site or in the project vicinity. As such, effects on federally designated critical habitat would not occur from the project. Based on the above, implementation of the proposed project would not result in any conflicts with the ESA.</p>
<p>Explosive and Flammable Hazards Above-Ground Tanks)[24 CFR Part 51 Subpart C</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements. The proposed project would not involve</p>

		<p>explosive or flammable materials or operations, and the project site does not contain above-ground storage tanks (ASTs). According to the California Environmental Protection Agency (CalEPA) Regulated Site Portal, the following two ASTs exist within one mile of the project site: the County of Marin Fire Station, which contains a 1,199 gallon tank and has an acceptable distance of 298 feet for people and 55 feet for buildings; and Caltrans-Manzanita, which contains a 5,999 gallon tank and has an acceptable distance of 583 feet for people and 115 feet for buildings. Because the project site is located approximately 400 feet from the County of Marin Fire Station and approximately 2,400 feet from Caltrans-Manzanita, and the intervening space is developed with numerous buildings and roads, the project site is located an acceptable distance from all ASTs. Based on the above, the proposed project would not result in impacts associated with siting HUD-assisted projects near explosive and flammable hazards, as regulated by 24 CFR Part 51 Subpart C.</p>
<p>Farmlands Protection Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The project site is classified by the California Department of Conservation as "Urban and Built-Up Land." Therefore, the project would not affect farmlands regulated under the Farmland Protection Policy Act (7 U.S.C. 4201 et seq, implementing regulations 7 CFR Part 658, of the Agriculture and Food Act of 1981, as amended). As such, the project is in compliance with the Farmland Protection Policy Act.</p>

<p>Floodplain Management Executive Order 11988, particularly section 2(a); 24 CFR Part 55</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. As noted previously, according to FEMA FIRM 06041C0507E, the entirety of the project site is within Zone X, identified as an Area of Minimal Flood Hazard. Because the project site is not located within a FEMA Special Flood Hazard Zone, impacts related to Executive Order 11988, Floodplain Management would not occur.</p>
<p>Historic Preservation National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<p>Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.</p>
<p>Noise Abatement and Control Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B</p>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<p>A Noise Assessment was conducted. The noise level was acceptable: 62.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. HUD considers all sites with environmental or community noise exposure that exceeds the day/night average sound level of 65 decibels (dB) as noise-impacted areas. The project site is not located within the vicinity of a source of significant noise disturbance. For example, the project site is not located 3,000 feet of an active railroad, active military airfields are not located in Marin County or the nearby vicinity, and the closest civilian airport is the San Rafael Airport, located approximately ten miles to the north. Therefore, the project would not be subject to noise disturbance from such sources. Ambient noise in the project area is primarily defined by vehicle traffic. The HUD Day/Night Noise Level (DNL) Calculator can be used to estimate noise levels at a project site based on the traffic volumes along nearby roads/railroads and the project site's distance from such roads/railroads. Highway 101 (Hwy 101), which generally</p>

		<p>extends north to south in the project vicinity, is the nearest major roadway to the project site, and is located approximately 900 feet to the northeast. According to the Caltrans 2017 Traffic Volumes for Hwy 101, approximately 139,700 annual average daily trips (AADT) occur at the junction of Hwy 101 and State Route 1, which is the measuring location nearest to the project site. Based on the above information, the HUD DNL Calculator determined a DNL of 62 dB at the project site. Therefore, ambient noise levels at the project site are estimated to be less than 65 dB and, as a result, the project site is not considered a noise-impacted area. In addition, it is noted that residential projects do not typically generate substantial operational noise. Primary sources of noise are limited to traffic noise and heating, ventilation, and air conditioning systems. As such, noise produced from the proposed project would be consistent with the residential uses in the site proximity. Based on the above information, conflicts with the Noise Control Act of 1972 would not occur.</p>
<p>Sole Source Aquifers Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The project site is not served by a U.S. EPA designated sole-source aquifer, is not located within a sole source aquifer watershed, and would not affect a sole-source aquifer. The project site would be entirely served by the existing municipal water supply, as occurs under current site conditions. Therefore, the project is in compliance with Sole Source Aquifer requirements.</p>

<p>Wetlands Protection Executive Order 11990, particularly sections 2 and 5</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. According to the NWI, the nearest surface water sources to the project site are a riverine wetland located approximately 750 feet west of the project site and a freshwater pond located approximately 650 feet east of the project site. In compliance with Chapter 23.18 of the County's Municipal Code, the proposed project would prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the National Pollutant Discharge Elimination System (NPDES) because the proposed project would disturb more the one acre of soil. The SWPPP would help ensure that soil erosion during construction and rain events is limited, and would therefore ensure that impacts to nearby surface waters do not occur. In addition, a Stormwater Control Plan (SWCP) was prepared for the proposed project by Kister, Savio, & Rei, Inc., in compliance with the applicable requirements in Section 24.04.627 of the County's Municipal Code, Permanent stormwater controls for new and redevelopment. Implementation of the SWPPP and SWCP would ensure that impacts to wetlands would not occur. Based on the substantial distance between the nearest wetlands and the project site, as well as compliance with the requirements of the SWPPP and SWCP, construction or operation of the proposed project would not result in a substantial adverse effect on the freshwater wetland or detention ponds, or any other riparian habitat, sensitive natural community, or protected wetland. Therefore, the proposed project would not conflict with Executive Order 11990.</p>
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<p>Wild and Scenic Rivers Act Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The nearest designated Wild and Scenic River to the project site is the American River, which is located approximately 74 miles northeast of the project site. It is noted, however, that the National Park Service does identify Olema Creek as a Scenic River within Marin County. Nevertheless, because the project site is not within the vicinity of a Wild and Scenic River, implementation of the proposed project would not conflict with the Wild and Scenic Rivers Act 1968.</p>
<p>HUD HOUSING ENVIRONMENTAL STANDARDS</p>		
<p>ENVIRONMENTAL JUSTICE</p>		
<p>Environmental Justice Executive Order 12898</p>	<p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Adverse environmental impacts are not disproportionately high for low-income and/or minority communities. The project is in compliance with Executive Order 12898. According to CalEnviroScreen, the census tract in which the project site is located has a population of 2,939, and a race/ethnicity makeup of 28.8 percent White, 26.3 percent Hispanic, 23.1 percent African American, 7.1 percent Asian American, and 14.6 percent other. CalEnviroScreen indicates that the project site is not located in a census tract that has been identified as having a disproportionate pollution burden. Therefore, adverse environmental impacts are not disproportionately high for low-income and/or minority communities. Furthermore, according to the EPA Environmental Justice Screening and Mapping Tool (EPA EJScreen) Report Analysis, the project site is located in an area in the 40th percentile for particulate matter, 8th percentile for air toxics cancer risk, 40th percentile for superfund proximity, and</p>

		<p>the 20th percentile for hazardous waste proximity. As such, the proposed project is located in an EJ community. However, mitigation measures set forth in this Environmental Assessment would ensure that significant environmental impacts associated with the proposed project would not occur. Thus, the proposed project would not result in any significant environmental justice issues, and the project is in compliance with Executive Order 12898.</p>
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Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27]

Impact Codes: An impact code from the following list has been used to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement.

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
LAND DEVELOPMENT			
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	<p>The Marin County Countywide Plan designates the project site as MF 4.5, which typically allows residential densities between 11 and 45 dwelling units per acre (du/ac). The proposed project would include the development of 74 residential units on an approximately one-acre project site, for a density of 74 du/ac. However, because the proposed project would provide 100 percent affordable housing, the proposed project would qualify for an 80 percent density bonus, which would allow the development to</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>exceed the normally allowable maximum density for the land use designation. Thus, the proposed project would be consistent with the assigned General Plan land use designation. The project site is zoned RMP-34, which is intended for a full range of residential development types within the unincorporated urban areas of Marin County, including single-family and multi-family residential development, and limited commercial uses in suburban settings. The RMP-34 zoning district typically allows for a maximum density of 34 du/ac. As stated above, although the project would have a density of 74 du/ac, following the approval of a density bonus, the proposed project would not conflict with the land use designation's maximum allowable density. A Zoning Compliance Review for the proposed project was approved in November 2020, given Government Code Section 65915 (State Density Bonus Law) and Section 65913.4 (Senate Bill 35). Thus, the proposed project was determined to be consistent with the assigned zoning designation. The proposed project would include demolition of the existing on-site structures in order to build a 100 percent affordable housing community. The</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>project would not require changes to the zoning designation of the site. The project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designation and regulations. In addition, the proposed project would be consistent with the multi-family residential developments in the immediate project area. Therefore, the proposed project would not conflict with applicable plans, land use designations, zoning, scale, and urban design.</p>	
<p>Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff</p>	<p>3</p>	<p>A Geotechnical Engineering Investigation (GEI) was prepared for the project site in order to evaluate subsurface soil and geologic conditions of the area. The following discussions assess the potential impacts associated with development of the proposed project related to seismic ground shaking, soil suitability and slope, erosion, and stormwater runoff. Seismic Ground Shaking The project site is located in a seismically active region. The nearest "active" fault is approximately 5.8 miles north of the project site. Many smaller, potentially active faults occur within 20 miles of project site, particularly the Burdell Mountain Fault Zone, which is located two miles to the</p>	<p>Prior to issuance of grading permits, the project Civil Engineer shall show on the project plans that the project design adheres to all engineering recommendations provided in the site-specific Geotechnical Engineering Investigation prepared for the proposed project by Krazaan & Associates, Inc. Proof of compliance with all recommendations specified in the Geotechnical Engineering Investigation shall be subject to review and approval by the County Engineer.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>northeast. The project site is not located on an Earthquake Fault Zones Map or within a Fault-Rupture Hazard Zone. In addition, per the 1990 California Seismic Hazard Mapping Act, the project site is not located on any State designated Seismic Hazard Zone Maps. Furthermore, compliance with the 2022 California Building Code would reduce the potential for adverse impacts due to seismic ground shaking. Soil Suitability and Slope In order to determine the subsurface soil conditions of the project site, three borings were drilled to depths ranging from approximately 15 to 20 feet below the ground surface. Based on the laboratory testing of the borings, the GEI indicates that the project site is not underlain by artificial fill, and that on-site soils have low strength characteristics and are highly compressible when saturated. In order to avoid adverse impacts related to such, on-site surface soils require compaction, as required by Mitigation Measure 3. Erosion The project site is located on sloping terrain and generally slopes from north to south. The project site is not located adjacent to flowing waterways or channels, thus reducing the potential for erosion. Although the project site is partially</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>developed with impervious surfaces, development of the proposed project would result in an increase in impervious surfaces. Thus, the proposed project may result in an increase in stormwater runoff relative to existing conditions, which could increase the potential for erosion to occur. However, in compliance with Chapter 23.18 of the County's Municipal Code, the proposed project would include preparation and implementation of a SWPPP in compliance with the NPDES, which would help ensure that soil erosion during construction and rain events is limited. Therefore, the potential for erosion and associated hazards is very low due to the implementation of the SWPPP. During operations, vehicles would be limited to paved areas of the site, and all surfaces would be either paved or landscaped; thus, the potential for erosion to occur during project operations would be limited. Stormwater A SWCP was prepared for the proposed project in compliance with the applicable requirements in Section 24.04.627 of the County's Municipal Code. The proposed project would result in a total post-project impervious surface area of approximately 34,500 sf. In order to accommodate runoff from such areas, the</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>project site would be divided into 12 drainage management areas (DMAs) which would direct flows to one of 11 adequately sized vegetated flow-through bioswales scattered throughout the site. According to the SWCP, flows would be directed from the bioswales to an existing 12-inch storm drain that traverses north to south across the eastern edge of the project site. The storm drain would then convey runoff to two existing catch basins within Drake Avenue. Compliance with the SWCP prepared for the proposed project would ensure that impacts related to stormwater would not occur.</p> <p>Conclusion Based on the above, with implementation of Mitigation Measure 3, which requires compliance with all recommendations included in the Geotechnical Engineering Investigation, impacts related to seismic ground shaking, soil suitability and slope, erosion, and stormwater would not occur.</p>	
<p>Hazards and Nuisances including Site Safety and Site-Generated Noise</p>	<p>2</p>	<p>Hazards and nuisances associated with site safety and noise are discussed in the sections below. Site Safety As part of the Phase I prepared for the project site, historical records and potential hazards for the project site and immediate vicinity were reviewed. As noted therein, hazardous materials issues</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>were not identified.</p> <p>Furthermore, the project contractor would be required to comply with all California Health and Safety Codes and local ordinances regulating the handling, storage, and transportation of hazardous and toxic materials. In addition, implementation of Mitigation Measure 1 would ensure that emissions associated with construction of the proposed project would not result in adverse health impacts to surrounding receptors. Thus, construction of the proposed project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. In addition, due to the residential nature of the proposed project, the project would not involve the use or storage of any toxic, hazardous, or radioactive materials, chemicals, or gases. During project operation, hazardous materials use would be limited to landscaping products such as fertilizer and pesticides/herbicides. Such chemicals would be utilized in limited quantities according to label instructions. Because the proposed project would involve limited use of hazardous materials, primarily limited to the construction phase of the</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>project, during which the contractor would be required to adhere to all relevant guidelines and ordinances regulating the handling, storage, and transportation of hazardous materials, the project would not create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment. In addition, according to the BAAQMD's Planning Health Places map, the proposed project is not located within an area that is estimated to have elevated levels of fine particulates and/or TACs. Therefore, residents of the proposed project would not be subject to adverse impacts related to such hazards. Noise As described above, the proposed project would not be exposed to significant noise impacts from nearby roadways, railroads, or airports. Construction of the proposed project would result in temporarily increased noise levels. The nearest sensitive receptors that would be subject to such noise levels are the multi-family residences located immediately north of the project site. However, the developers of the proposed project would be required to comply with the allowable construction hours established</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>in Section 6.70.030, Enumerated noises, of the County Municipal Code. Construction is permitted between the hours of 7:00 AM and 6:00 PM on weekdays and from 9:00 AM to 5:00 PM on Saturdays; construction activities are prohibited on Sundays and Holidays. Given compliance with the allowable hours, and the temporary nature of the construction period, noise associated with construction would not be considered significant. Residential projects do not typically generate substantial operational noise. Primary sources of noise are limited to traffic noise and heating, ventilation, and air conditioning systems. Therefore, noise levels at existing receptors are not expected to exceed the County's acceptable exterior noise level standard. Conclusion Adherence with State regulations and product label instructions would ensure that the proposed project would not subject future residents or nearby receptors to on-site hazards. In addition, noise generated from construction and operations of the proposed project would not cause a significant contribution to community noise levels. Overall, the proposed project would not result in a significant impact related to hazards and</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		nuisances, including site safety and noise.	
SOCIOECONOMIC			
Employment and Income Patterns	1	<p>The proposed project would include development of 74 affordable housing units, which would help fulfill the affordable housing requirements set forth in the RHNA for the ABAG. The proposed project would provide temporary employment for construction workers. Once operational, the proposed project would provide ongoing employment for maintenance workers and landscape workers necessary for the operation of the building. Full- and part-time jobs for project construction and operation would be anticipated to be filled by local workers. Furthermore, although the proposed project would involve the demolition of the existing on-site triple-wide manufactured home and small storage shed, the on-site structure serves at the base for a non-profit organization, and is not residential in nature. Therefore, the replacement of such structures would not displace any residents. Because the proposed project would provide employment opportunities and 74 new housing units for County residents who qualify for affordable housing, the project would have a potentially beneficial impact to</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		employment and income patterns.	
Demographic Character Changes / Displacement	2	<p>The proposed project would include the construction of a five-story multi-affordable housing building comprised of 74 residential units, as well as a community space, office, and laundry room. According to the 2020 U.S. Census, Marin County has an approximate population of 260,200, and the average household size is 2.46 persons per household. Therefore, the proposed project is expected to accommodate approximately 182 future residents (2.46 persons/unit x 74 units). As such, the proposed project would represent a 0.07 percent population increase for the County, assuming all residents of the proposed project to be new residents of the County. Although the proposed project would involve the demolition of the existing on-site triple-wide manufactured home and small storage shed, implementation of the project would not require the relocation of any residents. As such, the proposed project would not displace a substantial number of existing housing or people, necessitate the construction of replacement housing elsewhere, or disrupt any existing demographic character. In addition, the proposed project would comply</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>with the affordable housing goals of the County. Based on the above information, the proposed project would not alter the character of the community in which it would be located, and relocation of existing residents would not be required. The proposed project would serve the existing community by providing needed housing to residents who currently inhabit the County and, thus, would not result in the displacement of people nor any adverse changes related to demographic character.</p>	
<p>Environmental Justice EA Factor</p>	<p>2</p>	<p>Environmental justice means ensuring that the environment and human health are protected fairly for all people regardless of race, color, national origin, or income. As part of compliance with applicable federal laws, federal agencies, including HUD, must consider how federally assisted projects may have disproportionately high and adverse human health or environmental effects on minority and low-income populations. The proposed project would consist of an affordable multi-family residential development comprised of 74 units earning between 30 and 70 percent of the AMI for Marin County. In order to better meet the agency's responsibilities related to the protection of public</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>health and the environment, the US EPA has developed the EJScreen mapping and screening tool, which provides socioeconomic and environmental information for a selected area. Pursuant to EJScreen Environmental Justice Indexes, which highlight block groups with the highest intersection of low-income populations, people of color, and a given environmental indicator, the project site is identified as being below the 80th national percentile for the majority of environmental indicators (i.e., particulate matter, ozone, DPM, air toxics cancer risks, air toxics respiratory health impacts, traffic proximity, lead paint, superfund proximity, RMP facility proximity, USTs, and wastewater discharge), which indicates the project site is not in an area where low-income populations, people of color, and a given environmental issue have been aggregated to a substantial degree. As discussed previously, the project site is not above the 80th percentile for any of the aforementioned environmental indicators. As discussed throughout this EA, because the proposed project would afford 100 percent affordable housing, and, thus, would qualify for an 80 percent density bonus, the proposed project would be consistent</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>with the MF 4.5 General Plan land use designation. In addition, pursuant to the Zoning Compliance Review approved for the proposed project, the project would be consistent with the RMP-34 zoning designation. Although potential impacts could affect future occupants of the proposed project, as demonstrated in this EA, compliance with applicable federal, State, and local regulations would ensure that all potentially significant impacts are reduced to a level of less than significant. As such, future residents of the project would not be disproportionately exposed to undue hazards relative to any other resident of Marin County. Based on the above, potential impacts related to environmental justice on future residents of the proposed project would not occur.</p>	
COMMUNITY FACILITIES AND SERVICES			
Educational and Cultural Facilities (Access and Capacity)	2	<p>Public school services for the proposed project would be provided by the Sausalito Marin City School District (SMCSD) for grades K-8 and the Tamalpais Union High School District (TUHSD) for high school. The SMCSD has two campuses, the nearest of which is the Bayside Martin Luther King, Jr. Middle School, located at 200 Phillips Drive, approximately 0.2-mile south of the project site. The TUHSD</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>is comprised of five school campuses, the nearest of which is Tamalpais High School, located at 700 Miller Avenue, approximately three miles northwest of the project site. According to the SMCS D's Facilities Master Plan, the existing school facilities are projected to have the capacity to support the increasing population of Marin County. In addition, the proposed project would be subject to all applicable impact fees to help fund educational facilities. Therefore, adverse impacts related to educational facilities would not occur with implementation of the proposed project. With regard to cultural facilities, residents of the proposed project would have access to the Marin City branch of the Marin County Library, located approximately 0.2-mile to the southeast of the project site at 164 Donahue Street. While the proposed project could increase demand on the library, the demand increase would not be such that the library's operations or capacity would be adversely impacted. Based on the above, any increase in demand for educational and cultural facilities generated by the proposed project could reasonably be accommodated by existing facilities, and would not necessitate the expansion of existing facilities or</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		construction of new facilities. Therefore, impacts related to educational and cultural facilities would not occur.	
Commercial Facilities (Access and Proximity)	2	The project site is located in close proximity to numerous neighborhood-serving commercial and retail uses, including the Marin Gateway Shopping Center, located approximately 0.3-mile east of the project site, which includes personal services, restaurants, houseware and apparel shops, and health and fitness clubs. Given the project's location within an established community, adequate and convenient access is available to essential items such as food, medicine, banks, and other convenience shopping services that would meet the needs of the project occupants. As discussed above, the proposed project would represent only a minor increase in County population. Thus, the project would not cause a significant increase in demand for commercial facilities within the County.	
Health Care / Social Services (Access and Capacity)	2	Marin County contains multiple health care facilities, including the Marin City Health and Wellness Center, located approximately 0.2-mile south of the project site. The nearest hospital is the Marin General Hospital, located approximately seven miles north of the project site. Thus, both non-emergency and emergency	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>services are accessible within proximity to the project site. Social services would be available to future residents of the proposed project through the Marin County Health and Human Services Department. Services include assistance with gaining access to CalFresh and in-home care assistance for those who are aged or disabled. The nearest Marin County Health and Human Services Department district office to the project site is located at 3240 Kerner Boulevard, San Rafael, approximately 2.6 miles north of the project site. As such, social services are accessible within proximity to the project site. Based on the above, future residents of the proposed project would have access to existing health care and social services in Marin County. Thus, the project would not create impacts related to health care and social services and would not cause a significant increase in the demand for health care and social services that could not be met by existing facilities.</p>	
Solid Waste Disposal and Recycling (Feasibility and Capacity)	2	<p>Solid waste, recyclable materials, and compostable material collection within the project area is operated by Bay Cities Refuse and transported to the Redwood Landfill located at 8950 Redwood Highway in Novato, California. The Redwood Landfill has a</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>maximum permitted capacity of 26,000,000 cubic yards, and a remaining capacity of 19,100,000 cubic yards. Given the substantial remaining capacity at the landfill, and because project construction would be temporary, construction waste would not exceed the landfill's capacity. Furthermore, pursuant to the CALGreen Code, at least 65 percent diversion of construction waste is required for projects permitted after January 1, 2017. Thus, construction of the proposed project would not result in a significant impact related to solid waste generation. With respect to operational solid waste generation, the Redwood Landfill has sufficient remaining capacity to accommodate operational waste of the proposed project. Additionally, because the proposed project is consistent with the General Plan land use designation for the site, the increase in solid waste generation associated with development of the project site has already been generally anticipated by the County, and accounted for in planning efforts. Based on the above information, impacts relating to solid waste disposal and recycling would not occur.</p>	
Waste Water and Sanitary Sewers	2	Sanitary sewer services would be provided to the proposed project by the Sausalito-Marin	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
(Feasibility and Capacity)		<p>City Sanitary District (Sanitary District). The Sanitary District serves a population of approximately 18,000 residents, consisting of approximately 10,000 equivalent dwelling units. The Sanitary District owns and operates 11 sewage pump stations and approximately 11 miles of pipelines. In addition, the Sanitary District owns and operates a wastewater treatment plant (WWTP) with a capacity on an average daily dry weather flow (addwf) of up to 1.8 million gallons per day (mgd). During wet weather flow, the WWTP is designed to hydraulically handle up to 12 mgd and is capable of treating up to nine mgd of full secondary treatment and up to six mgd of tertiary treatment. As stated previously, assuming all residents of the proposed project would be new to Marin County, the proposed project would result in a 0.07 percent increase in population. As such, the proposed project would not result in a substantial increase in demand for sanitary sewer services. Based on the above, sufficient capacity exists to convey and treat wastewater generated by the proposed project. Therefore, the project would be consistent with HUD policy and impacts related to wastewater and sanitary sewers would not occur.</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Water Supply (Feasibility and Capacity)	2	<p>Water services for the proposed project would be provided by the Marin Municipal Water District, which supplies potable water to a 147-square-mile area, including the project site, and approximately 190,000 customers. According to the Marin Municipal Water District 2020 Urban Water Management Plan (UWMP), overall water demand in the Marin Municipal Water District service area was 26,703 acre feet per year in 2020 for a service area population of 191,269, or 125 gallons per capita per day. The UWMP estimates that total water demand would increase to 38,207 acre feet in 2045 with a 2045 service area population of 211,961. Due to water conservation efforts, the per capita water demand in 2045 is expected to be reduced to 75 gallons per capita per day. Using the above water use ratio, the project's 74 residential units, which would house approximately 182 residents, would result in a water demand of approximately 13,650 gallons of water per day in 2045, or approximately 0.04 percent of water demand for the district as a whole in 2045, constituting a negligible contribution to the projected district-wide water demand. Furthermore, the Marin Municipal Water District</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>uses population growth projections provided by ABAG to develop the water demand projections contained in the UWMP. The proposed project would be encompassed within planned growth in ABAG's projections; therefore, the proposed project was accounted for in the water demand projections contained in the UWMP. As noted in the UWMP, the district's current water supply portfolio is sufficient to meet 2045 demand under most scenarios. The district did identify that emergency supplies combined with mandatory conservation and rationing would be needed to manage water supply if a six-year severe drought were to occur. However, the UWMP establishes a Water Shortage Contingency Plan, which would ensure that even in such conditions, residents within the Marin Municipal Water District would have adequate water supply. Based on the above, a significant impact related to water supply would not occur.</p>	
<p>Public Safety - Police, Fire and Emergency Medical</p>	<p>2</p>	<p>The proposed project would be provided law enforcement services from the Marin County Sheriff's Department and fire protection services from the Marin County Fire Department. Both the Marin County Sheriff's department and the Marin City Fire Station are located at 850 Drake Avenue, approximately 400 feet south of the project</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>site. The Marin County Fire Department also provides emergency medical services and transport. Other emergency medical transportation to the Marin General Hospital could be provided by a number of private ambulance providers. Implementation of the project would likely increase the demand for police protection, fire protection, and emergency medical services. However, the increase would not be considered substantial given the overall demand for such services on a district-wide basis. Police protection, fire protection, and emergency medical resources are regularly assessed in order to maintain acceptable service ratios. Based on the above, a significant impact relating to the provision of police, fire, and emergency medical services would not occur.</p>	
<p>Parks, Open Space and Recreation (Access and Capacity)</p>	<p>2</p>	<p>The nearest public park to the project site is George Rocky Graham Park, located directly south of the project site, across Drake Avenue. George Rocky Graham Park offers several amenities including a tree-house-themed play structure, drought-resistant turf lawn, adult fitness areas, and a mural showcasing scenes from Marin City's history. In addition, the Manzanita Recreation Center is located approximately 500 feet south of the project site.</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>Furthermore, the northern border of the approximately 81,000-acre Golden Gate National Recreational Area is located approximately 700 feet south of the project site. The proposed project would increase the demand for recreational services and activities; however, the numerous parks, open space, and recreation facilities nearby can accommodate the demand generated by implementation of the project.</p>	
<p>Transportation and Accessibility (Access and Capacity)</p>	<p>2</p>	<p>Access to the project site would be provided by way of two new paved driveways, one from Drake Avenue in the southeastern corner of the project site, and another from Park Circle in the northwestern corner of the site. A total of 24 surface parking spaces would be developed as part of the proposed project, including one space reserved for ride sharing, and two spaces designed to be ADA-compatible. According to the County's Zoning Compliance Review, the proposed project would qualify for a parking reduction and the project would remain in compliance with County standards. In addition, it is noted that off-site parking may be available in the nearby shopping center. Based on the above, the project site would be accessible to vehicles. Traditionally, jurisdictions have used level of service (LOS) to</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>assess the significance of transportation-related impacts generated by proposed development projects. LOS represents a qualitative description of the traffic operations experienced by the driver along a roadway segment or at an intersection and ranges from LOS A, which represents the absence of congestion and little delay, to LOS F, which signifies excessive congestion and delays. The minimum acceptable LOS for most County intersections and roadway segments is LOS D. The nearest study intersections to the project site that were evaluated in the Countywide General Plan EIR both operate at LOS A under existing conditions (2005). Even under General Plan buildout conditions, both intersections would operate at LOS A or LOS B (2030). According to the ITE Trip Generation Manual 10th Edition, the proposed project would generate approximately 403 trips per day (5.44 trips per unit x 74 units = 402.56 trips per day). The addition of 403 daily trips would not result in the degradation of the foregoing intersections from LOS A or LOS B to LOS D or below. Residents would have access to several existing commercial facilities within Marin County. Grocery stores, pharmacies, restaurants, and banks are all accessible within</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>two miles. In addition, sidewalks are provided on both sides of Drake Avenue in the project vicinity, as well as along the south side of Park Circle. The Marin County Transit District (Marin Transit) provides bus service throughout the County. Two bus stops for the #17 bus, Downtown San Rafael - Sausalito, are located within walking distance of the project site, at the intersections of Drake Avenue and Buckelew Street as well as Drake Avenue and Donahue Street. Marin Transit also provides the Redit-Ride Transit Service, which is an on-call transit service within the County limits. As such, adequate transit service is available to serve the proposed project. In the project vicinity, sidewalks are present on both sides of Drake Avenue, and on the southern side of Park Circle. In addition, as shown in Figure 5.3 of the County's Bicycle and Pedestrian Master Plan, existing Class I and Class II bicycle lanes are present on Donahue Street in the vicinity of the project site. Therefore, adequate pedestrian and bicycle infrastructure exists to serve the proposed project. With regard to transportation safety, it is noted that the proposed project would not involve significant alterations to the existing transportation infrastructure. Access to the project site would be provided</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>from Drake Avenue and Park Circle; both roads have multiple access points that would allow emergency responders ingress to the site. In addition, both roadways are designed in compliance with all applicable County standards. Furthermore, the proposed paved driveways would be required to be designed in compliance with Marin County Uniform Construction Standards. Through compliance with all applicable UCS requirements, the proposed project would not result in an adverse impact related to transportation safety. Based on the above information, the proposed project would not cause a significant impact related to transportation and accessibility.</p>	
NATURAL FEATURES			
Unique Natural Features /Water Resources	2	<p>As stated previously, the project site has been previously developed. In addition, the project site is devoid of unique natural features and does not contain water resources. Furthermore, the area around the project site is similarly developed with urban uses. Therefore, impacts related to unique natural features and water resources would not occur.</p>	
Vegetation / Wildlife (Introduction, Modification,	3	<p>As discussed earlier in this EA, based on the lack of ideal habitat at the project site, and because the project site is already graded, it is not</p>	<p>Prior to issuance of grading permits, the grading plans shall require, via notation, that the contractor comply with all tree preservation</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
Removal, Disruption, etc.)		<p>anticipated that any plant or wildlife species protected by the Federal ESA would occur on the project site. However, other species that are not protected under the Federal ESA but are otherwise considered special-status have been observed in the project area. Based on the BSA, such species include 55 special-status plant species and 27 special-status wildlife species. The lack of suitable habitat on-site precludes the presence of the majority of the foregoing special-status species on-site. Furthermore, due to the site's previous disturbance and the lack of wetlands on or in the immediate vicinity of the project site, none of the identified special-status plant species are anticipated to exist on the project site. However, the BSA indicates that on-site trees and buildings directly adjacent to the project site could provide hibernation or roosting habitat for two species of bats: the pallid bat and the hoary bat. The pallid bat is designated as high priority under the Western Bat Working Group (WBWG), and the hoary bat is listed as medium priority. Furthermore, the pallid bat is designated as a species of special concern by the California Department of Fish and Wildlife (CDFW). In addition, birds protected by the federal Migratory Bird Treaty</p>	<p>recommendations provided in the site-specific Arborist Survey Report prepared for the proposed project by WRA, Inc. Proof of compliance with all recommendations specified in the Arborist Survey Report shall be subject to review and approval by the Marin County Community Development Agency.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>Act (MBTA), including white-tailed kite, could nest in trees on-site. Because construction of the proposed project would involve the removal of on-site trees, the proposed project could directly affect birds protected by the MBTA if birds are nesting in the trees at the time they are removed.</p> <p>According to the Arborist Survey Report (ASR) prepared for the proposed project by WRA, Inc., the project site currently contains 27 trees, seven of which would be removed. Of the on-site trees proposed for removal, only one, a coastal redwood, is defined as a "heritage tree" by the Marin County Tree Ordinance. As set forth in Chapter 22.27, Native Tree Protection and Preservation, of the Marin County Municipal Code, a tree removal permit is required any time a heritage tree is removed. As such, the project applicant would be required to apply for a tree removal permit, subject to approval by the County's Community Development Agency, which may include one or more of the following conditions: * Establishment and maintenance of replacement trees in conformance with the countywide plan policies, the County's landscaping objectives, the single-family residential guidelines, and/or</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>the vegetation management requirements of the Marin County Fire Department or local fire protection district, as applicable; * Replacement of trees at a ratio of up to three new appropriately sized and installed trees for each tree designated to be removed; * Removal of invasive exotic species; or * Posting of a bond to cover the cost of an inspection to ensure success of measures described above. Given compliance with the requirements of Chapter 22.27 of the Marin County Municipal Code described above, the proposed project would not result in an adverse impact to protected tree species. However, as described in the ASR, the 20 trees that would be maintained on-site could be adversely impacted during construction activities. Based on the above, adverse impacts relating to protected bat species, MBTA-protected birds, and on-site trees could occur with implementation of the proposed project. However, the proposed project would be required to comply with Sections 22.20.040 (f) and (g) of the Marin County Development Code, which require protections for roosting bats and nesting birds, respectively. In addition, implementation Mitigation Measure 4 would ensure that adverse impacts to</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		vegetation and wildlife do not occur.	
Other Factors 1			
Other Factors 2			
CLIMATE AND ENERGY			
Climate Change	2	<p>HUD-assisted projects need to consider the potential future impacts of climate change on occupants. The frequency and severity of natural hazards may be affected by climate change, including flooding, sea level rise, hurricanes, extreme heat, wildfire, etc. The following discussion evaluates climate change impacts associated with the proposed project. As noted previously, the project site is located within an Area of Minimal Flood Hazard and, therefore, would not be subjected to substantial risks from flooding. The project would be required to prepare drainage and stormwater systems which comply with all applicable requirements in Section 24.04.627 of the County's Municipal Code, Permanent stormwater controls for new and redevelopment; thus, on-site flooding would not occur as a result of the project. Although flooding is known to affect the general project vicinity and access roadways, the County is aware of such hazards, and has planned to install a pump station to address such concerns. In addition, the project site is located</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>approximately 2.3 miles east of the nearest coastal zone. Furthermore, according to projections from Our Coast Our Future, a collaborative modeling and planning tool created by USGS and others, due to site elevation, even in the most extreme climate change scenario, the project site would not be subject to flooding from predicted sea level rise. As such, the project site is not susceptible to risks associated with sea level rise. Although the project site is located within a State Responsibility Area Very High Fire Hazard Severity Zone, the site is located in a developed urban area. As such, wildfire risks associated with the area are urban in nature, and the Marin County Fire Department, who have been notified of the proposed project, would control any fire that occurred. Furthermore, the proposed project would be subject to all relevant provisions of the CBSC, including fire prevention measures such as sprinklers, as well as all relevant requirements of Chapter 7A of the most recently adopted California Building Code. Thus, wildfire risk is not a significant concern for the proposed project. According to the FEMA National Risk Index, Marin County is shown to have a relatively low risk index of 12.23, compared to the State</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>average of 28.10. However, it is noted that the census tract rating is moderate. The County is known to be susceptible to relatively moderate risk for drought, relatively low risk for heat wave and wildfire, and relatively moderate risk for earthquake. The potential for all other categories of natural risk factors, such as risk of lightning, strong wind, tornado, and tsunami, are low risk, very low risk, or not applicable. The community resilience rating for Marin County is 54.12, which is considered a relatively high ability to prepare for anticipated natural hazards, adapt to changing conditions, and withstand and recover rapidly from disruptions when compared to the rest of the U.S. Thus, the proposed project is not expected to be significantly affected by severe natural disasters or other climate change impacts that may shorten the project life span. In terms of the project's contribution to climate change, the project would result in a less-than-significant impacts pursuant to the BAAQMD's recently-adopted thresholds of significance. In addition, pursuant to Marin County's recent guidance, the project would not include any natural gas appliances or plumbing.</p>	
Energy Efficiency	2	The proposed project would be subject to all relevant provisions of the California	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>Building Standards Code (CBSC), including the 2022 Building Energy Efficiency Standards and CALGreen Code. Adherence to the CALGreen Code and the Building Energy Efficiency Standards would ensure that the proposed structures would consume energy efficiently. Required compliance with the CBSC would ensure that the building energy use associated with the proposed project would not be wasteful, inefficient, or unnecessary. In addition, pursuant to Marin County Ordinance Number 3776, adopted November 15, 2022, the proposed project would be required to comply with the Marin County Green Building Requirements, which, in some cases, exceed the CALGreen Code requirements. The California Energy Commission is required by law to adopt standards every three years that are cost effective for homeowners over the 30-year lifespan of a building. The standards are updated to consider and incorporate new energy efficient technologies and construction methods in order to save energy, increase electricity supply reliability, increase indoor comfort, avoid the need to construct new power plants, and help preserve the environment. The 2022 Building Energy Efficiency Standards expands upon</p>	

Environmental Assessment Factor	Impact Code	Impact Evaluation	Mitigation
		<p>energy efficiency measures from the 2019 Building Energy Efficiency Standards. In addition, the proposed project is an allowable use under the Marin Countywide Plan. Therefore, the energy consumption associated with the proposed project has already been evaluated by the County in the Countywide Plan EIR. Based on the above, the proposed project would not result in a significant impact related to energy consumption.</p>	

Supporting documentation

[Portable Pump Station Proposed for Marin City.pdf](#)

[Map_National Risk Index.pdf](#)

[Fire hazard severity zone.png](#)

[Community Input Key to Marin City Stormwater Plan.pdf](#)

[County Code - Roosting Bats and Nesting Birds Protections Section 2220.png](#)

[Uniform construction standards - Marin County Public Works.pdf](#)

[GP LOS Standards.png](#)

[Bike and Ped Master Plan.pdf](#)

[17_Marin Transit.pdf](#)

[Rocky Graham Park - Our Work in CA.pdf](#)

[Fire Department - County of Marin.pdf](#)

[MMWD UWMP 2020-1.pdf](#)

[Sausalito-Marín City Sanitary District Strategic Plan.pdf](#)

[SWIS Facility Site Activity Details.pdf](#)

[CALGreen Construction Waste Management Requirements - CalRecycle Home Page.pdf](#)

[Public Assistance_Marin Health and Human Services.pdf](#)

[TUHSD_Overview.pdf](#)

[SMCSD_Facilities Master Plan_November 2020.pdf](#)

[Sausalito Marin City School District - About Us.pdf](#)

[EJscreen\(1\).png](#)

[Zoning Compliance Report_P2813_Decision_FINAL\(1\).doc](#)

[US Census Bureau QuickFacts_Marin County California.pdf](#)

[Regional Housing Needs Allocation.png](#)

[Muni Code - Enumerated noises.png](#)

[BAAQMD Planning Healthy Places.png](#)

[KCE-2022-459E-R1_accessible\(1\).pdf](#)
[Marin Drake SWCP.pdf](#)
[Geotech Report \(Drake Ave Project\).pdf](#)
[Muni code - stormwater controls for new and redev.png](#)
[Zoning Compliance Report_P2813_Decision_FINAL.doc](#)
[RMP code definition.png](#)

Additional Studies Performed:

Field Inspection [Optional]: Date and completed
by:

List of Sources, Agencies and Persons Consulted [40 CFR 1508.9(b)]:

See attached document.

[Refs.docx](#)

List of Permits Obtained:

Public Outreach [24 CFR 58.43]:

Public outreach requirements were conducted as required by the Department of Housing and Urban Development. The following organizations were contacted to provide opportunities to comment on the project. The following list does not include the Native American tribal organizations that were contacted pursuant to Section 106 of the NHPA. * Play Marin (December 23, 2022); * Community Action Marin (CAM) (January 2022); * ISOJI (January 2022); * North Marin Community Services (January 2022); * Downtown Streets Team (January 2022); * Marin Asian Advocacy Project (January 2022); * Marin Community Clinic (January 2022); * Marin American Indian Alliance (January 2022); * Homeward Bound of Marin New Beginnings Center and Mill Street Shelters (January 2022); and * Golden Gate Village (January 2022). Golden Gate Village responded to the project notification to request a meeting. The meeting has not occurred to date.

Cumulative Impact Analysis [24 CFR 58.32]:

Cumulative impacts can result from incremental minor impacts that can be seen as collectively significant over time. Air quality, greenhouse gas emissions, noise, and traffic are often the issues which present cumulative impacts. Construction of the

proposed project would be temporary, and thus would not result in cumulative impacts related to pollutant emissions, noise, or traffic. In addition, the proposed project would result in criteria pollutant emissions below the applicable thresholds of significance and, thus, would not result in a cumulatively considerable contribution to the region's existing air quality conditions. Noise generated from the project is not expected to have an adverse impact on the surrounding area given that the proposed project is a residential development. A substantial increase in vehicular traffic is not anticipated during operations of the proposed project. As demonstrated in this EA, all potential environmental impacts that could occur as a result of project implementation would be reduced to a less-than-significant level through compliance with the mitigation measures included herein, as well as applicable General Plan policies, Municipal Code standards, and other applicable local and State regulations.

Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]

Off-Site Alternative The Off-Site Alternative would include development of the proposed project at a different location within Marin County. Development of the proposed project at an alternative site would likely result in similar impacts as those analyzed under the proposed project; however, depending upon the characteristics of the alternative site, physical environmental impacts would potentially be greater. For example, alternative sites could be located within areas containing sensitive biological resources. As discussed above, the proposed project, with implementation of the identified mitigation measures, would not result in any significant and adverse impacts to the environment. The project site is currently designated MF 4.5 per the Countywide Plan, with which the proposed project would be consistent following approval of a density bonus. It is noted that the project site is identified in in the Table H-4.3 of the County's 2023-2031 Housing Element as an Approved or Entitled Project for affordable housing. Table H-4.3 also lists other sites designated for the development of affordable housing that may serve as the Off-Site Alternative location, including 150 Shoreline, Aspen Lots, and Overlook Lots. However, the aforementioned off-site locations may not have the land use and zoning designations required to develop the proposed project. In addition, a portion of the alternative site locations may not be feasible due to property owners' unwillingness to sell their properties for the project. If other Off-Site Alternative sites were located outside of Marin County, the objectives and goals of the proposed project, which are primarily concerned with providing affordable low-income housing within the County, would not be met. Implementation of the Off-Site Alternative would not reduce impacts to less than those anticipated for the proposed project. Furthermore, any alternative location for the proposed project would be unlikely to improve the range and proximity of the amenities available to the future residents of the development beyond what is currently available at the project site. Thus, this alternative is hereby rejected.

Reduced Intensity Alternative Affordable, low-income units could be developed on-site at a reduced density under a Reduced Intensity Alternative. However, the

proposed project would not be as economically feasible at a lower density, due to the increased cost per unit to build the housing for low-income residents. The current ABAG RHNA has identified the need for an additional 1,100 very low-income units, 634 low-income units, 512 moderate-income units, and 1,323 above-moderate income units within the County. As such, the County has established goals to encourage and facilitate the development of affordable housing units needed for low-income households. While the Reduced Intensity Alternative would help meet the need for the proposed project, it would be at a reduced capacity as compared to the proposed project. In addition, as stated above, the project site has been identified as an Approved or Entitled Project for affordable housing. Furthermore, the County's 2023-2031 Housing Element identifies the project site for the development of 74, 100 percent affordable housing units; thus, a Reduced Intensity Alternative would not fulfill the proposed use for the project site to the same degree as the proposed project. Although all other environmental impacts under the Reduced Intensity Alternative would be generally similar to the proposed project, this alternative is hereby rejected.

No Action Alternative [24 CFR 58.40(e)]

Under the No Action Alternative, the project site would not be developed and, therefore, the site would remain unchanged. However, the No Action Alternative would hinder the County's ability to achieve the affordable housing goals identified in the ABAG RHNA. In addition, the project site has already been planned for affordable residential development in the Countywide Plan. Should the proposed project not be implemented, the site would remain undeveloped. However, the project site is located in an area in which the population is increasing and housing is scarce; thus, development would likely occur at the location in the future; however, future development on the site may or may not include affordable housing. Because the proposed project, as mitigated, would not result in significant adverse environmental impacts, and because the beneficial impacts of the project would not be realized, the No Action Alternative would be a net detriment to the environment compared to the proposed project, and is hereby rejected.

Summary of Findings and Conclusions:

The proposed project is appropriately sited and designed, and overall would provide a substantial benefit to the community and to future residents with few adverse environmental consequences. Alternatives that would better fulfill the purpose and need of the project, while avoiding or reducing those environmental consequences, are not available. In addition, all identified significant environmental effects can be mitigated. With implementation of the specified mitigation measures, the proposed project would not result in a significant impact. Furthermore, the proposed project would result in potentially beneficial impacts related to employment and income patterns.

Mitigation Measures and Conditions [CFR 1505.2(c)]:

Summarized below are all mitigation measures adopted by the Responsible Entity to reduce, avoid or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure or Condition	Comments on Completed Measures	Mitigation Plan	Complete
Soil Suitability / Slope/ Erosion / Drainage and Storm Water Runoff	Prior to issuance of grading permits, the project Civil Engineer shall show on the project plans that the project design adheres to all engineering recommendations provided in the site-specific Geotechnical Engineering Investigation prepared for the proposed project by Krazan & Associates, Inc. Proof of compliance with all recommendations specified in the Geotechnical Engineering Investigation shall be subject to review and approval by the County Engineer.	N/A		
Vegetation / Wildlife (Introduction, Modification, Removal, Disruption, etc.)	Prior to issuance of grading permits, the grading plans shall require, via notation, that the contractor comply with all tree preservation recommendations provided in the site-specific Arborist Survey Report prepared for the proposed project by WRA, Inc. Proof of compliance with all recommendations specified in the Arborist Survey Report shall be subject to review and approval by the Marin County Community Development Agency.	N/A		
Clean Air Act	Prior to grading permit approval, the project applicant shall show on the plans via notation that the contractor shall ensure that the	N/A		

	<p>heavy-duty off-road vehicles (50 horsepower or more) to be used in the construction project, including owned, leased, and subcontractor vehicles, shall not generate average annual PM2.5 emissions in excess of 0.0202 tons PM2.5 per year. The PM2.5 reduction shall be achieved by requiring a combination of engine Tier 3 or Tier 4 off-road construction equipment or the use of hybrid, electric, or alternatively fueled equipment. In addition, all off-road equipment working at the construction site must be maintained in proper working condition according to manufacturer's specifications. Idling shall be limited to five minutes or less in accordance with the Off-Road Diesel Fueled Fleet Regulation as required by CARB. Portable equipment over 50 horsepower must have either a valid District Permit to Operate (PTO) or a valid statewide Portable Equipment Registration Program (PERP) placard and sticker issued by CARB. The aforementioned requirements shall be noted on Grading Plans and submitted for review and approval by the Marin County Community Development Agency.</p>			
<p>National Historic Preservation Act</p>	<p>Prior to issuance of grading permits, the grading plans shall require, via notation, that the contractor comply with all measures identified in the site-specific Archeological and Tribal Monitoring Plan prepared for the proposed project by Evans & De Shazo, Inc. during all ground-</p>	<p>N/A</p>		

	disturbing activities. Proof of compliance with all recommendations specified in the Archeological and Tribal Monitoring Plan shall be submitted to the Marin County Community Development Agency for review and approval.			
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Project Mitigation Plan

Mitigation shall be implemented prior to issuance of grading permits, subject to review and approval by the Marin County Community Development Agency or the County Engineer.

Supporting documentation on completed measures

APPENDIX A: Related Federal Laws and Authorities

Airport Hazards

General policy	Legislation	Regulation
It is HUD's policy to apply standards to prevent incompatible development around civil airports and military airfields.		24 CFR Part 51 Subpart D

1. To ensure compatible land use development, you must determine your site's proximity to civil and military airports. Is your project within 15,000 feet of a military airport or 2,500 feet of a civilian airport?

✓ No

Based on the response, the review is in compliance with this section. Document and upload the map showing that the site is not within the applicable distances to a military or civilian airport below

Yes

Screen Summary

Compliance Determination

The project site is not within 15,000 feet of a military airport or 2,500 feet of a civilian airport. The project is in compliance with Airport Hazards requirements. The San Rafael Airport is located approximately ten miles to the north, and does not have an adopted airport land use compatibility plan. The proposed project would not be affected by the San Rafael Airport due to the substantial distance between the airport and the project site. Active military airfields are not located in Marin County or the nearby vicinity; therefore, a military airfield Airport Protection Zone or Clear Zone would not affect the proposed project.

Supporting documentation

[Distance to Airport.PNG](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Coastal Barrier Resources

General requirements	Legislation	Regulation
<p>HUD financial assistance may not be used for most activities in units of the Coastal Barrier Resources System (CBRS). See 16 USC 3504 for limitations on federal expenditures affecting the CBRS.</p>	<p>Coastal Barrier Resources Act (CBRA) of 1982, as amended by the Coastal Barrier Improvement Act of 1990 (16 USC 3501)</p>	

This project is located in a state that does not contain CBRA units. Therefore, this project is in compliance with the Coastal Barrier Resources Act.

Compliance Determination

The proposed project is located in a state that does not contain Coastal Barrier Resource System (CBRS) Units. Therefore, the project site is not within a CBRS Unit, or John H. Chafee CBRS buffer zones, as defined under the Coastal Barrier Resources Act of 1982 (PL 97-348), as amended by the Coastal Barrier Improvement Act of 1990 (PL 101-591). Therefore, the proposed project is in compliance with the Coastal Barrier Resources Act.

Supporting documentation

[Coastal Barrier Resources Act _ US Fish and Wildlife Service.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Flood Insurance

General requirements	Legislation	Regulation
Certain types of federal financial assistance may not be used in floodplains unless the community participates in National Flood Insurance Program and flood insurance is both obtained and maintained.	Flood Disaster Protection Act of 1973 as amended (42 USC 4001-4128)	24 CFR 50.4(b)(1) and 24 CFR 58.6(a) and (b); 24 CFR 55.1(b).

1. Does this project involve financial assistance for construction, rehabilitation, or acquisition of a mobile home, building, or insurable personal property?

- ✓ No. This project does not require flood insurance or is excepted from flood insurance.

Based on the response, the review is in compliance with this section.

Yes

4. While flood insurance is not mandatory for this project, HUD strongly recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). Will flood insurance be required as a mitigation measure or condition?

Yes

- ✓ No

Screen Summary

Compliance Determination

Based on the project description the project includes no activities that would require further evaluation under this section. The project does not require flood insurance or is excepted from flood insurance. While flood insurance may not be mandatory in this instance, HUD recommends that all insurable structures maintain flood insurance under the National Flood Insurance Program (NFIP). The project is in compliance with Flood Insurance requirements. According to FEMA FIRM 06041C0507E, effective March 16, 2016, the entirety of the project site is within Zone X, identified as an Area of Minimal Flood Hazard. Therefore, the project site is not located within a 100-year floodplain or a special flood hazard area. Accordingly, the proposed project would not require coverage under the National Flood Insurance Program, and conflicts with the Flood Disaster Protection Act and the Insurance Reform Act would not occur.

Supporting documentation

[FEMA FIRM map.png](#)

Are formal compliance steps or mitigation required?

Yes

No

Air Quality

General requirements	Legislation	Regulation
The Clean Air Act is administered by the U.S. Environmental Protection Agency (EPA), which sets national standards on ambient pollutants. In addition, the Clean Air Act is administered by States, which must develop State Implementation Plans (SIPs) to regulate their state air quality. Projects funded by HUD must demonstrate that they conform to the appropriate SIP.	Clean Air Act (42 USC 7401 et seq.) as amended particularly Section 176(c) and (d) (42 USC 7506(c) and (d))	40 CFR Parts 6, 51 and 93

1. Does your project include new construction or conversion of land use facilitating the development of public, commercial, or industrial facilities OR five or more dwelling units?

Yes

No

Air Quality Attainment Status of Project's County or Air Quality Management District

2. Is your project's air quality management district or county in non-attainment or maintenance status for any criteria pollutants?

No, project's county or air quality management district is in attainment status for all criteria pollutants.

Yes, project's management district or county is in non-attainment or maintenance status for the following criteria pollutants (check all that apply):

Carbon Monoxide

Lead

Nitrogen dioxide

Sulfur dioxide

- ✓ Ozone
- ✓ Particulate Matter, <2.5 microns
- Particulate Matter, <10 microns

3. What are the *de minimis* emissions levels (40 CFR 93.153) or screening levels for the non-attainment or maintenance level pollutants indicated above

Carbon monoxide	100.00	ppm (parts per million)
Ozone	100.00	ppb (parts per million)
Particulate Matter, <2.5 microns	100.00	µg/m ³ (micrograms per cubic meter of air)

Provide your source used to determine levels here:

According to the U.S. Environmental Protection Agency (EPA), Marin County, in which the project site is located, is currently designated as a marginal nonattainment area for ozone, a moderate nonattainment area for PM_{2.5}, and a maintenance area for the CO ambient air quality standards (AAQS). The U.S. EPA maintains a *de minimis* table which establishes a maximum rate of criteria pollutant emissions per criteria pollutant. Federal projects that result in emissions below the rates established in the *de minimis* tables would be considered to be in general conformity with the CAA. In order to compare the proposed project's associated emissions to the thresholds of significance, the proposed project's short-term construction-related and long-term operational emissions were estimated using the California Emissions Estimator Model (CalEEMod) version 2020.4.0 software. According to the CalEEMod results, the proposed project would result in maximum unmitigated emissions during both construction and operations that are below the applicable thresholds of significance. As a result, significant impacts related to criteria air pollutants would not occur.

4. Determine the estimated emissions levels of your project. Will your project exceed any of the *de minimis* or threshold emissions levels of non-attainment and maintenance level pollutants or exceed the screening levels established by the state or air quality management district?

- ✓ No, the project will not exceed *de minimis* or threshold emissions levels or screening levels.

Enter the estimate emission levels:

Carbon monoxide	1.86	ppm (parts per million)
Ozone	0.70	ppb (parts per million)
Particulate Matter, <2.5 microns	0.08	µg/m ³ (micrograms per cubic meter of air)

Based on the response, the review is in compliance with this section.

Yes, the project exceeds *de minimis* emissions levels or screening levels.

Screen Summary

Compliance Determination

The project's county or air quality management district is in non-attainment status for the following: Carbon monoxide, Ozone, Particulate Matter, <2.5 microns. This project does not exceed *de minimis* emissions levels or the screening level established by the state or air quality management district for the pollutant(s) identified above. The project is in compliance with the Clean Air Act. Another category of environmental concern is Toxic Air Contaminants (TACs). The CARB has identified diesel particulate matter (DPM) from diesel-fueled engines as a TAC; The proposed project would not involve any land uses or operations that would be considered major sources of TACs, including DPM. As such, the proposed project would not generate any substantial pollutant concentrations during operations. However, short-term, construction-related activities could result in the generation of TACs, primarily DPM, from on-road haul trucks and off-road equipment exhaust emissions. Sensitive receptors in the project vicinity include single-family and multi-family residences, a nearby childcare center, and Bayside Martin Luther King, Jr. Middle School, with the nearest sensitive receptor located approximately 25 feet north of the project site. Consequently, the operation of off-road equipment within the project site during project construction could result in exposure of nearby residents to DPM. The project site is located within the jurisdiction of the Bay Area Air Quality Management District (BAAQMD), which has established significance criteria for local community risk and hazard impacts as a result of new sources of TACs. The BAAQMD's thresholds for analyzing health risks from new sources of emissions are presented below: * The cancer risk would be greater than 10 per million persons; or * The chronic and acute hazard index would be greater than 1. The foregoing thresholds are generally intended for use when analyzing the operation of new proposed sources of TACs. Although the proposed project would not involve the siting or operation of any permanent sources of TACs, in the absence of specific thresholds for use when analyzing health risks from short-term projects, the foregoing BAAQMD thresholds are applied to the project, for construction specifically. To analyze potential health risks to the nearby sensitive receptors that could result from DPM emissions from off-road equipment at the project site, total DPM emissions from project construction were estimated using CalEEMod. DPM concentrations resulting from project implementation were estimated using the American Meteorological Society/Environmental Protection Agency Regulatory Model (AERMOD). The associated cancer risk and non-cancer hazard index were calculated using the CARB's Hotspot Analysis Reporting Program

Version 2 (HARP 2) Risk Assessment Standalone Tool (RAST). Based on the foregoing methodology, the cancer risk and non-cancer hazard indices were estimated for the maximally-exposed receptor and were determined to exceed the BAAQMD's threshold of significance. Thus, implementation of Mitigation Measure 1, which requires the use of lower-emitting construction equipment, is required. With implementation of Mitigation Measure 1, the cancer risk would be reduced to a level below the BAAQMD's threshold of significance, and construction of the proposed project would not result in exposure of nearby receptors to substantial pollutant concentrations.

Supporting documentation

[Appendix B_AQ Modeling Results.pdf](#)

[OEHHA Guidance page 8-18 \(2015\).pdf](#)

[De Minimis Tables _ US EPA.pdf](#)

[california-air-resources-board-air-quality-and-land-use-handbook-a-community-health-perspective.pdf](#)

[BAAQMD CEQA Guidelines May2017 pdf.pdf](#)

[aermod_userguide.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Coastal Zone Management Act

General requirements	Legislation	Regulation
Federal assistance to applicant agencies for activities affecting any coastal use or resource is granted only when such activities are consistent with federally approved State Coastal Zone Management Act Plans.	Coastal Zone Management Act (16 USC 1451-1464), particularly section 307(c) and (d) (16 USC 1456(c) and (d))	15 CFR Part 930

1. Is the project located in, or does it affect, a Coastal Zone as defined in your state Coastal Management Plan?

Yes

✓ No

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project is not located in or does not affect a Coastal Zone as defined in the state Coastal Management Plan. The project is in compliance with the Coastal Zone Management Act. The Coastal Zone Management Act (CZMA) Section 1453, Definitions, defines the term "coastal zone" as "...the coastal waters (including the lands therein and thereunder) and the adjacent shorelands (including the waters therein and thereunder), strongly influenced by each other and in proximity to the shorelines of the several coastal states, and includes islands, transitional and intertidal areas, salt marshes, wetlands, and beaches..." and extending "...inland from the shorelines only to the extent necessary to control shorelands, the uses of which have a direct and significant impact on the coastal waters, and to control those geographical areas which are likely to be affected by or vulnerable to sea level rise." The project site is located outside of the Coastal Zone Boundary. The proposed project would not involve any operations that would increase the potential to degrade water quality downstream and have a negative effect on the Coastal Zone. Therefore, implementation of the proposed project would not affect a Coastal Zone. The BCDC has authority under Section 307 of the federal CZMA (16 U.S.C. Section 1456) over federal activities and development projects and non-federal projects that

require a federal permit or license or are supported by federal funding and that are within the jurisdictional area of the BCDC, which includes the Bay itself and land within 100 feet of the Bayshore. The project site is located approximately 1,000 feet from the shore, and, thus, is not located within BCDC jurisdiction. Based on the above, impacts related to the Coastal Zone Management Act would not occur.

Supporting documentation

[Coastal Zone proximity.png](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Contamination and Toxic Substances

General requirements	Legislation	Regulations
It is HUD policy that all properties that are being proposed for use in HUD programs be free of hazardous materials, contamination, toxic chemicals and gases, and radioactive substances, where a hazard could affect the health and safety of the occupants or conflict with the intended utilization of the property.		24 CFR 58.5(i)(2) 24 CFR 50.3(i)

1. How was site contamination evaluated? Select all that apply. Document and upload documentation and reports and evaluation explanation of site contamination below.

- American Society for Testing and Materials (ASTM) Phase I Environmental Site Assessment (ESA)
- ASTM Phase II ESA
- Remediation or clean-up plan
- ASTM Vapor Encroachment Screening
- None of the Above

2. Were any on-site or nearby toxic, hazardous, or radioactive substances found that could affect the health and safety of project occupants or conflict with the intended use of the property? (Were any recognized environmental conditions or RECs identified in a Phase I ESA and confirmed in a Phase II ESA?)

- No

Explain:

Regulatory agency databases, including those maintained by the U.S. EPA and DTSC, were reviewed for contaminated sites/facilities located in the vicinity of the site. According to the database search, a fire destroyed the church that occupied the project site in October, 1999. The church retained a licensed contractor who encapsulated the burned structure and removed approximately 88.49 tons of asbestos containing material (ACM). Following removal of the ACM, the church retained a licensed contractor to demolish the former church facility under permit with the Marin County Community Development Agency. The Phase I determined that no further action is required regarding the ACM, and the former presence of such material does not constitute a REC for the project site.

Based on the response, the review is in compliance with this section.

Yes

Screen Summary

Compliance Determination

Supporting documentation

[KCE-2022-459E-R1_accessible.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Endangered Species

General requirements	ESA Legislation	Regulations
Section 7 of the Endangered Species Act (ESA) mandates that federal agencies ensure that actions that they authorize, fund, or carry out shall not jeopardize the continued existence of federally listed plants and animals or result in the adverse modification or destruction of designated critical habitat. Where their actions may affect resources protected by the ESA, agencies must consult with the Fish and Wildlife Service and/or the National Marine Fisheries Service (“FWS” and “NMFS” or “the Services”).	The Endangered Species Act of 1973 (16 U.S.C. 1531 <i>et seq.</i>); particularly section 7 (16 USC 1536).	50 CFR Part 402

1. Does the project involve any activities that have the potential to affect species or habitats?

No, the project will have No Effect due to the nature of the activities involved in the project.

No, the project will have No Effect based on a letter of understanding, memorandum of agreement, programmatic agreement, or checklist provided by local HUD office

- ✓ Yes, the activities involved in the project have the potential to affect species and/or habitats.

2. Are federally listed species or designated critical habitats present in the action area?

- ✓ No, the project will have No Effect due to the absence of federally listed species and designated critical habitat

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below. Documentation may include letters from the Services, species lists from the Services’ websites, surveys or other documents and analysis showing that there are no species in the action area.

Yes, there are federally listed species or designated critical habitats present in the action area.

Screen Summary**Compliance Determination**

This project will have No Effect on listed species because there are no listed species or designated critical habitats in the action area. This project is in compliance with the Endangered Species Act. The project site is currently developed with a triple-wide manufactured home and a small storage shed in the western portion of the site, as well as a paved driveway which is used by the apartment complex to the north of the site. In addition, the project site was developed with residential uses from approximately 1946 to 1958, and a church from 1958 to approximately 1999. According to the Biological Site Assessment (BSA) prepared for the proposed project by WRA Environmental Consultants, the on-site habitat is defined as either "developed" (0.29-acre) or "landscaped/ornamental" (0.71-acre). The BSA prepared for the proposed project included a search of the California Natural Diversity Database (CNDDDB) conducted for the project area, as well as a search of the USFWS Information for Planning and Consultation (IPaC). In addition, a site visit was conducted on December 27, 2019; wetlands and streams were not observed during the site visit. According to the BSA, 13 federally protected plant species (Franciscan manzanita, Presidio manzanita, marsh sandwort, Tiburon mariposa-lily, Tiburon paintbrush, Presidio clarkia, Marin western flax, Santa Cruz tarplant, beach layia, San Francisco lessingia, white-rayed pentachaeta, Tiburon jewelflower, and two-fork clover) and 11 federally protected wildlife species (southern sea otter, tidewater goby, Bay checkerspot butterfly, mission blue butterfly, coho salmon, California Ridgway's rail, California red-legged frog, salt-marsh harvest mouse, callippe silverspot butterfly, longfin smelt, and eulachon) have been documented within the project area. However, according to the BSA, suitable habitat is not present on the project site that could support any of the foregoing species. Federally designated critical habitats are not documented within the project site or in the project vicinity. As such, effects on federally designated critical habitat would not occur from the project. Based on the above, implementation of the proposed project would not result in any conflicts with the ESA.

Supporting documentation

[critical habitat.png](#)

[Marin Drake Biological Site Assessment.pdf](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Explosive and Flammable Hazards

General requirements	Legislation	Regulation
HUD-assisted projects must meet Acceptable Separation Distance (ASD) requirements to protect them from explosive and flammable hazards.	N/A	24 CFR Part 51 Subpart C

1. Is the proposed HUD-assisted project itself the development of a hazardous facility (a facility that mainly stores, handles or processes flammable or combustible chemicals such as bulk fuel storage facilities and refineries)?

No

Yes

2. Does this project include any of the following activities: development, construction, rehabilitation that will increase residential densities, or conversion?

No

Yes

3. Within 1 mile of the project site, are there any current or planned stationary aboveground storage containers that are covered by 24 CFR 51C? Containers that are NOT covered under the regulation include:

- Containers 100 gallons or less in capacity, containing common liquid industrial fuels OR

- Containers of liquified petroleum gas (LPG) or propane with a water volume capacity of 1,000 gallons or less that meet the requirements of the 2017 or later version of National Fire Protection Association (NFPA) Code 58.

If all containers within the search area fit the above criteria, answer "No." For any other type of aboveground storage container within the search area that holds one of the flammable or explosive materials listed in Appendix I of 24 CFR part 51 subpart C, answer "Yes."

No

Yes

4. Based on the analysis, is the proposed HUD-assisted project located at or beyond the required separation distance from all covered tanks?

Yes

Based on the response, the review is in compliance with this section.

No

Screen Summary

Compliance Determination

There is a current or planned stationary aboveground storage container of concern within 1 mile of the project site. The Separation Distance from the project is acceptable. The project is in compliance with explosive and flammable hazard requirements. The proposed project would not involve explosive or flammable materials or operations, and the project site does not contain above-ground storage tanks (ASTs). According to the California Environmental Protection Agency (CalEPA) Regulated Site Portal, the following two ASTs exist within one mile of the project site: the County of Marin Fire Station, which contains a 1,199 gallon tank and has an acceptable distance of 298 feet for people and 55 feet for buildings; and Caltrans-Manzanita, which contains a 5,999 gallon tank and has an acceptable distance of 583 feet for people and 115 feet for buildings. Because the project site is located approximately 400 feet from the County of Marin Fire Station and approximately 2,400 feet from Caltrans-Manzanita, and the intervening space is developed with numerous buildings and roads, the project site is located an acceptable distance from all ASTs. Based on the above, the proposed project would not result in impacts associated with siting HUD-assisted projects near explosive and flammable hazards, as regulated by 24 CFR Part 51 Subpart C.

Supporting documentation

[CAL epa regulated site portal.png](#)

[Acceptable distance for Marin fire.png](#)

[Acceptable distance for Caltrans.png](#)

Are formal compliance steps or mitigation required?

Yes

No

Farmlands Protection

General requirements	Legislation	Regulation
The Farmland Protection Policy Act (FPPA) discourages federal activities that would convert farmland to nonagricultural purposes.	Farmland Protection Policy Act of 1981 (7 U.S.C. 4201 et seq.)	7 CFR Part 658

1. Does your project include any activities, including new construction, acquisition of undeveloped land or conversion, that could convert agricultural land to a non-agricultural use?

Yes

✓ No

If your project includes new construction, acquisition of undeveloped land or conversion, explain how you determined that agricultural land would not be converted:

The project site is classified by the California Department of Conservation as "Urban and Built-Up Land." Therefore, the project would not affect farmlands regulated under the Farmland Protection Policy Act (7 U.S.C. 4201 et seq, implementing regulations 7 CFR Part 658, of the Agriculture and Food Act of 1981, as amended). As such, the project is in compliance with the Farmland Protection Policy Act.

Based on the response, the review is in compliance with this section. Document and upload all documents used to make your determination below.

Screen Summary

Compliance Determination

This project does not include any activities that could potentially convert agricultural land to a non-agricultural use. The project is in compliance with the Farmland Protection Policy Act. The project site is classified by the California Department of Conservation as "Urban and Built-Up Land." Therefore, the project would not affect farmlands regulated under the Farmland Protection Policy Act (7 U.S.C. 4201 et seq, implementing regulations 7 CFR Part 658, of the Agriculture and Food Act of 1981, as amended). As such, the project is in compliance with the Farmland Protection Policy Act.

Supporting documentation

[Farmlands Protection.png](#)

Are formal compliance steps or mitigation required?

Yes

No

Floodplain Management

General Requirements	Legislation	Regulation
Executive Order 11988, Floodplain Management, requires federal activities to avoid impacts to floodplains and to avoid direct and indirect support of floodplain development to the extent practicable.	Executive Order 11988	24 CFR 55

1. Do any of the following exemptions apply? Select the applicable citation? [only one selection possible]

55.12(c)(3)

55.12(c)(4)

55.12(c)(5)

55.12(c)(6)

55.12(c)(7)

55.12(c)(8)

55.12(c)(9)

55.12(c)(10)

55.12(c)(11)

None of the above

2. Upload a FEMA/FIRM map showing the site here:

[FEMA FIRM map\(1\).png](#)

The Federal Emergency Management Agency (FEMA) designates floodplains. The FEMA Map Service Center provides this information in the form of FEMA Flood Insurance Rate Maps (FIRMs). For projects in areas not mapped by FEMA, use **the best available information** to determine floodplain information. Include documentation, including a discussion of why this is the best available information for the site.

Does your project occur in a floodplain?

No

Based on the response, the review is in compliance with this section.

Yes

Screen Summary**Compliance Determination**

This project does not occur in a floodplain. The project is in compliance with Executive Order 11988. As noted previously, according to FEMA FIRM 06041C0507E, the entirety of the project site is within Zone X, identified as an Area of Minimal Flood Hazard. Because the project site is not located within a FEMA Special Flood Hazard Zone, impacts related to Executive Order 11988, Floodplain Management would not occur.

Supporting documentation

[FEMA FIRM map\(2\).png](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Historic Preservation

General requirements	Legislation	Regulation
Regulations under Section 106 of the National Historic Preservation Act (NHPA) require a consultative process to identify historic properties, assess project impacts on them, and avoid, minimize, or mitigate adverse effects	Section 106 of the National Historic Preservation Act (16 U.S.C. 470f)	36 CFR 800 "Protection of Historic Properties" https://www.govinfo.gov/content/pkg/CFR-2012-title36-vol3/pdf/CFR-2012-title36-vol3-part800.pdf

Threshold

Is Section 106 review required for your project?

No, because the project consists solely of activities listed as exempt in a Programmatic Agreement (PA). (See the PA Database to find applicable PAs.)
 No, because the project consists solely of activities included in a No Potential to Cause Effects memo or other determination [36 CFR 800.3(a)(1)].

- ✓ Yes, because the project includes activities with potential to cause effects (direct or indirect).

Step 1 – Initiate Consultation

Select all consulting parties below (check all that apply):

- ✓ State Historic Preservation Offer (SHPO) Completed
- ✓ Indian Tribes, including Tribal Historic Preservation Officers (THPOs) or Native Hawaiian Organizations (NHOs)
 - ✓ Federated Indians of Graton Rancheria Completed
 - ✓ Guidiville Indian Rancheria Completed

✓ Wuksache Indian Tribe/Eshom Valley Band Completed

Other Consulting Parties

Describe the process of selecting consulting parties and initiating consultation here:

Pursuant to Section 106 of the National Historic Preservation Act, on January 13, 2023, the County distributed project notification letters to the applicable Native American tribes identified by the NAHC. The Federated Indians of Graton Rancheria (FIGR) responded on January 25, 2023, with a request to consult. Other contacted tribes have not responded to date. A letter requesting review of the findings of the historic records search was submitted to the State Historic Preservation Officer (SHPO) for the proposed project on March 1, 2023. A response letter from SHPO was received on March 9, 2023, confirming that SHPO does not object to the finding that historic properties would not be affected by the proposed project.

Document and upload all correspondence, notices and notes (including comments and objections received below).

Was the Section 106 Lender Delegation Memo used for Section 106 consultation?

Yes
No

Step 2 – Identify and Evaluate Historic Properties

- 1. Define the Area of Potential Effect (APE), either by entering the address(es) or uploading a map depicting the APE below:**
825 Drake Avenue, Sausalito, California

In the chart below, list historic properties identified and evaluated in the APE. Every historic property that may be affected by the project should be included in the chart.

Upload the documentation (survey forms, Register nominations, concurrence(s) and/or objection(s), notes, and photos) that justify your National Register Status determination below.

Address / Location / District	National Register Status	SHPO Concurrence	Sensitive Information
Marin City Historic District	Eligible	Yes	✓ Not Sensitive

Additional Notes:

The HRE prepared for the proposed project evaluated potential impacts to both the direct and indirect area of potential effects (APE). The direct APE is comprised of the project site, whereas the indirect APE is comprised of the greater project vicinity. Given the results of the CHRIS and NAHC discussed above, the HRE determined that the direct APE is unlikely to contain any historic resources. The HRE determined that six properties in the indirect APE are contributors to a potential "Marin City" historic district that could be eligible for protection by the NRHP. However, because the potential "Marin City" historic district has not been formally designated for protection, buildout of the proposed project would not result in an adverse effect upon an identified historic resource.

2. Was a survey of historic buildings and/or archeological sites done as part of the project?

✓ Yes

Document and upload surveys and report(s) below.
For Archeological surveys, refer to HP Fact Sheet #6, Guidance on Archeological Investigations in HUD Projects.

Additional Notes:

No

Step 3 –Assess Effects of the Project on Historic Properties

Only properties that are listed on or eligible for the National Register of Historic Places receive further consideration under Section 106. Assess the effect(s) of the project by applying the Criteria of Adverse Effect. (36 CFR 800.5)] Consider direct and indirect effects as applicable as per guidance on direct and indirect effects.

Choose one of the findings below - No Historic Properties Affected, No Adverse Effect, or Adverse Effect; and seek concurrence from consulting parties.

✓ No Historic Properties Affected

Based on the response, the review is in compliance with this section. Document and upload concurrence(s) or objection(s) below.

Document reason for finding:

- ✓ No historic properties present.

Historic properties present, but project will have no effect upon them.

No Adverse Effect

Adverse Effect

Screen Summary

Compliance Determination

Based on Section 106 consultation there are No Historic Properties Affected because there are no historic properties present. The project is in compliance with Section 106.

Supporting documentation

[Summary Letter of HRE Findings Drake Ave Apartments.pdf](#)

[HUD_2023_0301_SHPO_Concurrence_Letter.pdf](#)

[Drake Ave EA SHPO Letter 3-1-2023-signed.pdf](#)

[THPO-Wuksache-825 Drake Ave MC.pdf](#)

[THPO-Guidiville-825 Drake Ave MC.pdf](#)

[THPO-FIGR-Sarris-825 Drake Ave MC.pdf](#)

[THPO-FIGR-Buvelot-825 Drake Ave MC.pdf](#)

Are formal compliance steps or mitigation required?

- ✓ Yes

No

Noise Abatement and Control

General requirements	Legislation	Regulation
HUD’s noise regulations protect residential properties from excessive noise exposure. HUD encourages mitigation as appropriate.	Noise Control Act of 1972 General Services Administration Federal Management Circular 75-2: “Compatible Land Uses at Federal Airfields”	Title 24 CFR 51 Subpart B

1. What activities does your project involve? Check all that apply:

- New construction for residential use

NOTE: HUD assistance to new construction projects is generally prohibited if they are located in an Unacceptable zone, and HUD discourages assistance for new construction projects in Normally Unacceptable zones. See 24 CFR 51.101(a)(3) for further details.

Rehabilitation of an existing residential property

A research demonstration project which does not result in new construction or reconstruction

An interstate land sales registration

Any timely emergency assistance under disaster assistance provision or appropriations which are provided to save lives, protect property, protect public health and safety, remove debris and wreckage, or assistance that has the effect of restoring facilities substantially as they existed prior to the disaster
None of the above

4. Complete the Preliminary Screening to identify potential noise generators in the vicinity (1000’ from a major road, 3000’ from a railroad, or 15 miles from an airport).

Indicate the findings of the Preliminary Screening below:

There are no noise generators found within the threshold distances above.

- ✓ Noise generators were found within the threshold distances.

5. **Complete the Preliminary Screening to identify potential noise generators in the**

- ✓ Acceptable: (65 decibels or less; the ceiling may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Indicate noise level here: 62

Based on the response, the review is in compliance with this section. Document and upload noise analysis, including noise level and data used to complete the analysis below.

Normally Unacceptable: (Above 65 decibels but not exceeding 75 decibels; the floor may be shifted to 70 decibels in circumstances described in §24 CFR 51.105(a))

Unacceptable: (Above 75 decibels)

HUD strongly encourages conversion of noise-exposed sites to land uses compatible with high noise levels.

Check here to affirm that you have considered converting this property to a non-residential use compatible with high noise levels.

Indicate noise level here: 62

Document and upload noise analysis, including noise level and data used to complete the analysis below.

Screen Summary

Compliance Determination

A Noise Assessment was conducted. The noise level was acceptable: 62.0 db. See noise analysis. The project is in compliance with HUD's Noise regulation. HUD considers all sites with environmental or community noise exposure that exceeds the day/night average sound level of 65 decibels (dB) as noise-impacted areas. The project site is not located within the vicinity of a source of significant noise disturbance. For example, the project site is not located 3,000 feet of an active railroad, active military airfields are not located in Marin County or the nearby

vicinity, and the closest civilian airport is the San Rafael Airport, located approximately ten miles to the north. Therefore, the project would not be subject to noise disturbance from such sources. Ambient noise in the project area is primarily defined by vehicle traffic. The HUD Day/Night Noise Level (DNL) Calculator can be used to estimate noise levels at a project site based on the traffic volumes along nearby roads/railroads and the project site's distance from such roads/railroads. Highway 101 (Hwy 101), which generally extends north to south in the project vicinity, is the nearest major roadway to the project site, and is located approximately 900 feet to the northeast. According to the Caltrans 2017 Traffic Volumes for Hwy 101, approximately 139,700 annual average daily trips (AADT) occur at the junction of Hwy 101 and State Route 1, which is the measuring location nearest to the project site. Based on the above information, the HUD DNL Calculator determined a DNL of 62 dB at the project site. Therefore, ambient noise levels at the project site are estimated to be less than 65 dB and, as a result, the project site is not considered a noise-impacted area. In addition, it is noted that residential projects do not typically generate substantial operational noise. Primary sources of noise are limited to traffic noise and heating, ventilation, and air conditioning systems. As such, noise produced from the proposed project would be consistent with the residential uses in the site proximity. Based on the above information, conflicts with the Noise Control Act of 1972 would not occur.

Supporting documentation

[DNL Calculator - HUD Exchange.pdf](#)
[CalTrans Hwy 101 Trips.png](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Sole Source Aquifers

General requirements	Legislation	Regulation
The Safe Drinking Water Act of 1974 protects drinking water systems which are the sole or principal drinking water source for an area and which, if contaminated, would create a significant hazard to public health.	Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300f et seq., and 21 U.S.C. 349)	40 CFR Part 149

1. Does the project consist solely of acquisition, leasing, or rehabilitation of an existing building(s)?

Yes

No

2. Is the project located on a sole source aquifer (SSA)?

A sole source aquifer is defined as an aquifer that supplies at least 50 percent of the drinking water consumed in the area overlying the aquifer. This includes streamflow source areas, which are upstream areas of losing streams that flow into the recharge area.

No

Based on the response, the review is in compliance with this section. Document and upload documentation used to make your determination, such as a map of your project (or jurisdiction, if appropriate) in relation to the nearest SSA and its source area, below.

Yes

Screen Summary

Compliance Determination

The project is not located on a sole source aquifer area. The project is in compliance with Sole Source Aquifer requirements. The project site is not served by a U.S. EPA designated sole-source aquifer, is not located within a sole source aquifer watershed, and would not affect a sole-source aquifer. The project site would be entirely served

by the existing municipal water supply, as occurs under current site conditions.
Therefore, the project is in compliance with Sole Source Aquifer requirements.

Supporting documentation

[Sole Source Aquifer Map.png](#)

Are formal compliance steps or mitigation required?

Yes

No

Wetlands Protection

General requirements	Legislation	Regulation
Executive Order 11990 discourages direct or indirect support of new construction impacting wetlands wherever there is a practicable alternative. The Fish and Wildlife Service's National Wetlands Inventory can be used as a primary screening tool, but observed or known wetlands not indicated on NWI maps must also be processed. Off-site impacts that result in draining, impounding, or destroying wetlands must also be processed.	Executive Order 11990	24 CFR 55.20 can be used for general guidance regarding the 8 Step Process.

1. Does this project involve new construction as defined in Executive Order 11990, expansion of a building's footprint, or ground disturbance? The term "new construction" shall include draining, dredging, channelizing, filling, diking, impounding, and related activities and any structures or facilities begun or authorized after the effective date of the Order

No

Yes

2. Will the new construction or other ground disturbance impact an on- or off-site wetland? The term "wetlands" means those areas that are inundated by surface or ground water with a frequency sufficient to support, and under normal circumstances does or would support, a prevalence of vegetative or aquatic life that requires saturated or seasonally saturated soil conditions for growth and reproduction. Wetlands generally include swamps, marshes, bogs, and similar areas such as sloughs, potholes, wet meadows, river overflows, mud flats, and natural ponds.

"Wetlands under E.O. 11990 include isolated and non-jurisdictional wetlands."

No, a wetland will not be impacted in terms of E.O. 11990's definition of new construction.

Based on the response, the review is in compliance with this section. Document and upload a map or any other relevant documentation below which explains your determination

Yes, there is a wetland that be impacted in terms of E.O. 11990's definition of new construction.

Screen Summary

Compliance Determination

The project will not impact on- or off-site wetlands. The project is in compliance with Executive Order 11990. According to the NWI, the nearest surface water sources to the project site are a riverine wetland located approximately 750 feet west of the project site and a freshwater pond located approximately 650 feet east of the project site. In compliance with Chapter 23.18 of the County's Municipal Code, the proposed project would prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the National Pollutant Discharge Elimination System (NPDES) because the proposed project would disturb more the one acre of soil. The SWPPP would help ensure that soil erosion during construction and rain events is limited, and would therefore ensure that impacts to nearby surface waters do not occur. In addition, a Stormwater Control Plan (SWCP) was prepared for the proposed project by Kister, Savio, & Rei, Inc., in compliance with the applicable requirements in Section 24.04.627 of the County's Municipal Code, Permanent stormwater controls for new and redevelopment. Implementation of the SWPPP and SWCP would ensure that impacts to wetlands would not occur. Based on the substantial distance between the nearest wetlands and the project site, as well as compliance with the requirements of the SWPPP and SWCP, construction or operation of the proposed project would not result in a substantial adverse effect on the freshwater wetland or detention ponds, or any other riparian habitat, sensitive natural community, or protected wetland. Therefore, the proposed project would not conflict with Executive Order 11990.

Supporting documentation

[nearby wetlands - NWI.png](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

Wild and Scenic Rivers Act

General requirements	Legislation	Regulation
The Wild and Scenic Rivers Act provides federal protection for certain free-flowing, wild, scenic and recreational rivers designated as components or potential components of the National Wild and Scenic Rivers System (NWSRS) from the effects of construction or development.	The Wild and Scenic Rivers Act (16 U.S.C. 1271-1287), particularly section 7(b) and (c) (16 U.S.C. 1278(b) and (c))	36 CFR Part 297

1. Is your project within proximity of a NWSRS river?

No

Yes, the project is in proximity of a Designated Wild and Scenic River or Study Wild and Scenic River.

Yes, the project is in proximity of a Nationwide Rivers Inventory (NRI) River.

Screen Summary

Compliance Determination

This project is not within proximity of a NWSRS river. The project is in compliance with the Wild and Scenic Rivers Act. The nearest designated Wild and Scenic River to the project site is the American River, which is located approximately 74 miles northeast of the project site. It is noted, however, that the National Park Service does identify Olema Creek as a Scenic River within Marin County. Nevertheless, because the project site is not within the vicinity of a Wild and Scenic River, implementation of the proposed project would not conflict with the Wild and Scenic Rivers Act 1968.

Supporting documentation

[Wild and Scenic Rivers Map.png](#)

[Nationwide Rivers Inventory.pdf](#)

Are formal compliance steps or mitigation required?

Yes

No

Environmental Justice

General requirements	Legislation	Regulation
Determine if the project creates adverse environmental impacts upon a low-income or minority community. If it does, engage the community in meaningful participation about mitigating the impacts or move the project.	Executive Order 12898	

HUD strongly encourages starting the Environmental Justice analysis only after all other laws and authorities, including Environmental Assessment factors if necessary, have been completed.

1. Were any adverse environmental impacts identified in any other compliance review portion of this project’s total environmental review?

Yes

No

2. Were these adverse environmental impacts disproportionately high for low-income and/or minority communities?

Yes

No

Explain:

According to CalEnviroScreen, the census tract in which the project site is located has a population of 2,939, and a race/ethnicity makeup of 28.8 percent White, 26.3 percent Hispanic, 23.1 percent African American, 7.1 percent Asian American, and 14.6 percent other. CalEnviroScreen indicates that the project site is not located in a census tract that has been identified as having a disproportionate pollution burden. Therefore, adverse environmental impacts are not disproportionately high for low-income and/or minority communities. Furthermore, according to the EPA Environmental Justice Screening and Mapping Tool (EPA EJScreen) Report Analysis, the project site is located in an area in the 40th percentile for particulate matter, 8th percentile for air toxics cancer risk, 40th percentile for superfund proximity, and the 20th percentile for hazardous waste proximity. As such, the proposed project is

located in an EJ community. However, mitigation measures set forth in this Environmental Assessment would ensure that significant environmental impacts associated with the proposed project would not occur. Thus, the proposed project would not result in any significant environmental justice issues, and the project is in compliance with Executive Order 12898.

Based on the response, the review is in compliance with this section. Document and upload any supporting documentation below.

Screen Summary

Compliance Determination

Adverse environmental impacts are not disproportionately high for low-income and/or minority communities. The project is in compliance with Executive Order 12898. According to CalEnviroScreen, the census tract in which the project site is located has a population of 2,939, and a race/ethnicity makeup of 28.8 percent White, 26.3 percent Hispanic, 23.1 percent African American, 7.1 percent Asian American, and 14.6 percent other. CalEnviroScreen indicates that the project site is not located in a census tract that has been identified as having a disproportionate pollution burden. Therefore, adverse environmental impacts are not disproportionately high for low-income and/or minority communities. Furthermore, according to the EPA Environmental Justice Screening and Mapping Tool (EPA EJScreen) Report Analysis, the project site is located in an area in the 40th percentile for particulate matter, 8th percentile for air toxics cancer risk, 40th percentile for superfund proximity, and the 20th percentile for hazardous waste proximity. As such, the proposed project is located in an EJ community. However, mitigation measures set forth in this Environmental Assessment would ensure that significant environmental impacts associated with the proposed project would not occur. Thus, the proposed project would not result in any significant environmental justice issues, and the project is in compliance with Executive Order 12898.

Supporting documentation

[EJscreen.png](#)

[calenviroscreen\(1\).png](#)

[calenviroscreen ethnicity and population.png](#)

Are formal compliance steps or mitigation required?

Yes

✓ No

