



MARIN COUNTY  
COMMUNITY DEVELOPMENT AGENCY  
ALEX HINDS, DIRECTOR

Marin County Planning Commission  
3501 Civic Center Drive  
San Rafael, California 94903

June 11, 2007

**SUBJECT:** Public Hearing on Draft Marin Countywide Plan Update (CWP) Final Environmental Impact Report (FEIR)

Dear Planning Commission Members:

**RECOMMENDATION**

Staff recommends that the Planning Commission review the Final Environmental Impact Report (Final EIR) and the administrative record, consider the adequacy of the Final EIR, provide direction regarding the recommendations in this report, and provide direction for items for further clarification on July 9, 2007.

The Planning Commission is requested to take public comment on the Final Environmental Impact Report (Final EIR) for the *Draft 2005 Countywide Plan Update*.

The focus of today's hearing will be the final Environmental Impact Report. The purpose of the hearing is to take testimony on the adequacy of the Final EIR Consistent with County environmental review procedures; the Final EIR is circulated for a two-week period to allow comment on the adequacy of the Final EIR for certification. On July 23, 2007 the Commission will consider the Final EIR and administrative record and consider adoption of a resolution recommending the Board of Supervisors certify the *Draft 2005 CWP Program Final EIR* as adequate and complete pursuant to CEQA, the State CEQA Guidelines and County Environmental Review Procedures.

Also on July 23, 2007 the *Draft 2005 Countywide Plan Update* will be considered by the Planning Commission for recommendation to the Board of Supervisors. This will complete the Planning Commission's role in the consideration of the Countywide Plan.

**PROJECT OVERVIEW:**

The Marin Countywide Plan Update (CWP Update) proposes a comprehensive update of the *1994 Marin Countywide Plan (1994 CWP)*. The CWP Update encompasses the unincorporated territory of Marin County. Marin's total land and water area is approximately 606 square miles, of which about 87 percent

(527 square miles) is unincorporated. Marin County's total land and water area is approximately 606 square miles, of which about 87 percent (527 square miles) is unincorporated. The Draft 2005 CWP Update's regulatory authority encompasses only the unincorporated territory of Marin County.

The purposes of the CWP Update are to set policy guidelines for future conservation and development in the county and to address changed conditions since adoption of the *1994 CWP*. The CWP Update establishes an overall framework and set of goals for countywide development in the unincorporated area of Marin County.

The overarching theme presented in the *Draft 2005 CWP Update* is planning sustainable communities. To address this theme, the *1994 CWP* has been substantially reformatted into three main elements: the Natural Systems and Agriculture Element, the Built Environment Element, and the Socioeconomic Element. The seven mandatory General Plan elements required by the State Planning and Zoning Laws (Conservation, Open Space, Land Use, Circulation, Housing, Noise, and Safety) and the five optional elements in the *1994 CWP* (Agriculture, Community Facilities, Parks and Recreation, Trails, and Economic), have been updated and incorporated into the three main reformatted elements of the *Draft 2005 CWP Update*. The recent update of the Housing Element<sup>1</sup> of the CWP was adopted prior to this *Draft 2005 CWP Update*.

The Final EIR considers the projected development related to the *Draft 2005 CWP Update* and assesses the effects of implementing the project alone and combined with other cumulative development expected in the vicinity.

#### **EIR REVIEW PROCESS:**

Environmental review in compliance with the California Environmental Quality Act (CEQA) is required as part of the County's consideration of the Draft 2005 CWP Update. An Initial Study, completed by Marin County in February 2004 and revised in July 2005, confirmed the need for a full scope EIR, covering all the topical impact areas under CEQA. In January 2004, the County independently selected and contracted with the environmental consultant firm, Nichols Berman Environmental Planning, to prepare the EIR.

#### **DRAFT EIR PROCESS:**

A Notice of Preparation (NOP) was prepared and circulated by Marin County in February 2004 to public agencies and all interested parties for comment on the scope of the EIR. A public scoping session was conducted on March 4, 2004 to further identify environmental issues and concerns of the public for evaluation in the EIR. Following the preparation of the revised Initial Study in July 2005, a revised NOP was prepared and circulated on August 24, 2005, followed by a public scoping session on October 26, 2005. (Responses to the NOPs and scoping comments are contained in the Draft EIR Appendix 1.)

On January 16, 2007, copies of the Draft EIR and a notice of the date and place of the public hearing on the adequacy of the Draft EIR were distributed to members of the Planning Commission, Board of Supervisors, State Clearinghouse, Federal, State and local agencies and special districts, surrounding property owners, and other interested groups and individuals and made available to members of the

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<sup>1</sup> The Housing Element was certified by the State Department of Housing and Community Development on July 24, 2003 and is not the subject of this CWP update.

public. A Notice of Completion was published in a newspaper of general circulation to begin a sixty-day public review and comment period, which concluded on March 16, 2007. Since then, the County has been working to prepare the Final EIR.

## **SUMMARY OF FINAL EIR:**

### Identified Impacts:

Land uses and development consistent with the *Draft 2005 CWP Update* would result in significant impacts that can be reduced to less than significant through mitigation, as well as 42 significant unavoidable impacts. The majority of these significant unavoidable impacts are associated with transportation and water supply issues. The EIR identifies mitigation measures for each impact. In some instances, the proposed mitigations would not be sufficient to reduce the impact to a less-than-significant level. In other cases, the mitigation measures are able to reduce impacts to a less than significant level.

### Plan Consistency:

The plan consistency analysis in the DEIR did not find any plan inconsistencies with the Draft 2005 CWP Update that would result in adverse physical CEQA impacts. Nevertheless, future updates to associated plans and implementing regulations will require careful consideration to ensure continued conformance.

### Alternatives:

The Draft EIR examines four alternatives to the *Countywide Plan Update*. A complete description of the alternatives is contained in **Chapter 5.0 Alternatives** of the DEIR. Each alternative proposes varying development levels for specific project sites.

- *Alternative 1 (No Project / No Action Alternative)* – This alternative assumes that no updated Countywide Plan is adopted for Marin County and future development would continue to be guided by the *1994 CWP* and zoning. This alternative reflects growth under the *1994 CWP* policies.
- *Alternative 2* – This alternative is based on the Economic Vitality scenario considered as a part of the County's Countywide Plan visioning process, which also includes substantially increased housing opportunities.
- *Alternative 3* – This alternative is based on the Environmental Preservation scenario considered as a part of the County's Countywide Plan visioning process.
- *Alternative 4 (Mitigated Alternative)* proposes mitigations in addition to those identified in the Draft EIR to reduce identified significant impacts of the *Draft 2005 CWP Update*, including significant impacts to water supply and traffic. Among other things, *Alternative 4* includes efforts to increase workforce housing rather than full commercial buildout. In addition, *Alternative 4* includes refinements to the Housing Overlay Designation and construction of the Marin-Sonoma Narrows (MSN) road improvement. *Alternative 4* also includes possible development of up to 501 housing units on the St. Vincent's / Silveira properties and adoption of the boundary for Option 2 for the Baylands Corridor.

## **RESPONSE TO COMMENTS ON THE DRAFT EIR**

### **Master Responses**

Master responses have been prepared for selected comment topics to provide a comprehensive analysis of major issues raised in multiple comments. These master responses are referred to in the response to individual comments in *Section 8.4 Response to Comments*. These master responses cover the following topics:

- Master Response A - Transportation Impacts of Different Land Uses
- Master Response B - Additional Measures to Control VMT
- Master Response C - Inconsistencies with Results of Other Traffic Models
- Master Response D - Feasibility of Transportation Mitigation Measures
- Master Response E - Impact of Multifamily Units on Water Demand
- Master Response F - Water Conservation
- Master Response G - Sea Level Rise
- Master Response H - Stream Conservation Areas
- Master Response I - Baylands Corridor Issues
- Master Response J - Drainage, Erosion, and Sedimentation
- Master Response K - Level of Specificity in Program-Level General Plan EIR
- Master Response L - Analysis of Greenhouse Gas Emissions and Global Climate Change
- Master Response M - Alternatives

### **Specified Response to Comments**

Section 8.5 of the responses presents the revisions to the Draft 2005 CWP Update that have been recommended by the Planning Commission. Table 8.0-13 summarizes all of the Planning Commission's recommended revisions to Draft 2005 CWP Update policies and programs. Where the Draft EIR recommended mitigation measures that included changes to policies or programs and the Planning Commission recommended further changes to those policies or programs, only the Planning Commission's revisions are shown. The right-hand column includes an evaluation of the recommended revision on the EIR's analysis. The proposed revisions refine policies and programs in the Draft 2005 CWP Update, and are not required to address new or more substantial impacts of the project. The proposed revisions do not alter any of the conclusions in the EIR, nor do they trigger the thresholds for recirculation as identified in Section 15088.5 of the *CEQA Guidelines*.

Please note that the recommended revisions reflect the Planning Commission's tentative policy direction as of the date of this Final EIR. Changes to the Final EIR, by way of an errata or amendment, may be necessary to fully reflect the tentative changes made by the Planning Commission or to analyze additional changes that may be made by the Planning Commission at future meetings.

Responses to all of the comments received during the 60-day public review period for the Draft EIR are included in the Final EIR. In some cases these responses result in minor clarifications, additional information, and minor changes to the text of the Draft CWP and Final EIR. These changes include a new minimum wetlands setback for parcels less than 0.5 acres in the City-Centered Corridor, clarification of minimum setbacks in the Baylands Corridor, clarification of the use of rainwater catchments, improved reference to specific watershed plans, expanded landscape requirements, modifications to proposed parking cash-out requirement, revised construction standards to ensure consistency with BCDC sea level rise planning, updated standards for Bay Fill to ensure consistency with BCDC Bay Plan, expanded language to address groundwater impacts, additional language to encourage replacing impervious surfaces with pervious surfaces, an expanded description of the Gness Field area, expanded transportation network discussion to include ferry services, and other minor modifications to language (See #1-21 below for specific revisions).

Final EIR Revisions to be considered by the Planning Commission (shown as ~~strikethrough~~ and underline).

1. Based on comments, it is recommended that Policy **BIO-3.1** be revised as follows:

*{NOTE: **BIO-3.1** and **BIO-3.4** were revised to make the setbacks for the WCAs consistent with the Planning Commission direction regarding SCAs. There is additional discussion in Master Response H pertaining to this issue.}*

**BIO-3.1 Protect Wetlands.** Require development to avoid wetland areas so that the existing wetlands and upland buffers are preserved and opportunities for enhancement are retained. Establish a Wetland Conservation Area (WCA) for jurisdictional wetlands to be retained, which includes the protected wetland and associated buffer area. Development shall be set back a minimum distance to protect the wetland and provide an upland buffer. Larger setback standards may apply to wetlands supporting special-status species or associated with riparian systems and baylands under tidal influence, given the importance of protecting the larger ecosystems for these habitat types as called for under Stream Conservation and Baylands Conservation policies defined in Policy BIO-4.1 and BIO-5.1, respectively. Employ the following criteria when evaluating development projects that may impact wetland areas (see Figure 2-1):

*City-Centered Corridor:*

- For parcels more than 2 acres in size, a minimum 100 foot development setback from wetlands is required.
- For parcels between 2 and 0.5 acres in size, a minimum 50 foot development setback from wetlands is required.
- For parcels less than 0.5 acres in size, a minimum setback distance of 20 feet is required with an expanded setback distance provided from edge of avoid jurisdictional wetlands if warranted based on the results of a site assessment. Maximize the setback distance from jurisdictional wetlands to the extent feasible, use best management practices, and provide

landowner education and technical assistance. The developed portions(s) of parcels (less than 0.5 acres in size) located behind an existing authorized flood control levee or dike are not subject to a development setback.

*Coastal, Inland Rural, and Baylands Corridors:*

- For all parcels, provide a minimum 100 foot development setback from wetlands. Exceptions to full compliance with the WCA setback standards may only apply if:
  - 1) Parcel is already developed with an existing use, provided no direct unauthorized fill or other modifications to wetlands occur as part of on-going use and enjoyment of the property;
  - 2) Parcel is undeveloped and falls entirely within the WCA;
  - 3) Parcel is undeveloped and potential impacts on water quality, wildlife habitat, or other sensitive resources would be greater as a result of development outside the WCA than development within the WCA, as determined by a site assessment;
  - 4) Wetlands are avoided and a site assessment demonstrates that minimal incursion within the minimum WCA setback distance would not result in any significant adverse direct or indirect impacts on wetlands.

It is recommended that the cross-section on the right side of the mapped jurisdictional wetland under City-Centered Corridor in **Figure 2-1, Typical Cross-Sections of Wetland Conservation Areas**, in the *CWP Update* be revised as follows:

For parcels under 0.5 acres, minimum setback distance of 20 feet varies and expand setback distance as necessary based on results of a site assessment and avoidance of jurisdictional wetlands.

It is recommended that the bullets below the cross section under City-Centered Corridor in **Figure 2-1, Typical Cross-Sections of Wetland Conservation Areas** in the *CWP Update* be revised as follows:

- Minimum setback distance of 100 feet from jurisdictional wetlands for parcels more than 2 acres.
- Minimum setback distance of 50 feet from jurisdictional wetlands for parcels between 2 and 0.5 acres.
- Minimum setback distance of 20 feet ~~No Specific minimum setback distance~~ from jurisdictional wetlands for parcels less than 0.5 acres in size, but assumes ~~any wetlands are avoided~~ and a site assessment is required which considers site constraints, presence of other sensitive biological resources, and options for expanded setback distance and alternative mitigation.
- A site assessment is required where incursion into a WCA is proposed and where full compliance with all WCA criteria would not be met for any parcel size.

2. *It is recommended that Program **BIO-3.f** of the CWP Update be revised as follows:*

**BIO-3.f Establish Criteria for Setbacks.** Establish criteria to be used in the review of individual development applications for determining an adequate setback distance in upland habitat to serve as a buffer zone between development and wetland areas. Setbacks should provide for minimum filtration functions to intercept sediments and prevent degradation of adjacent wetlands to be protected. The setbacks shall conform with distances specified in Policy BIO-3.1, with ~~varied a~~

20 foot minimum setbacks in the City-Centered Corridor, and minimum 100 foot setback distances in the Coastal, Inland Rural, and Baylands Corridors. Within the City-Centered Corridor, flexibility should be included in the criteria based on site constraints, opportunities to ensure the avoidance of sensitive wetlands and associated resources such as special-status species, and the feasibility of alternative mitigation options for already developed properties and exceptions for existing uses.

3. *Based on comment it is recommended that Program **PFS-2.m** be revised as follows:*

**PFS-2.m Promote Catchments.** Encourage use of rainwater catchments for irrigation and other non-potable uses, and work with service providers to establish standards for rainwater quality. Ensure that catchments do not adversely affect habitat dependent on in-stream flow.

4. *Based on comment it is recommended that Program **WR-1.d** be revised as follows:*

**WR-1.d Coordinate Watershed Efforts.** Work with land and water management agencies, community-based watershed restoration groups, and private property owners to explore methods and programs for maintaining and improving watershed health, including carrying out the actions recommended in the *Marin County and Tomales Bay Watershed Plans- and Redwood Creek Watershed, Vision for the Future, July 2003.*

5. *In response to comment, it is recommended that the County revise Program **BIO-1.f**, Program **BIO-1.c.6**, and Program **PFS-2.g** as follows:*

**BIO-1.f Prepare Appropriate Landscape Lists.** Prepare lists of appropriate native and non-native landscape species that are not invasive plants, have low-water requirements and, for high fire hazard areas of the County, have low flammability. Prepare a second set of lists of plant species to avoid that are highly flammable, and inappropriate water-thirsty plants, or and undesirable invasive exotic species for property owners in developing landscape plans or enhancing existing landscaping. Require applicants with parcels that share all or part of a boundary with publicly owned open space to develop landscape plans that fully conform to the lists of appropriate plants. Prepare lists with input from the California Department of Fish and Game, Agricultural Commissioner, University of California Cooperative Extension, California Native Plant Society, Marin Municipal Water District, National Park Service, and other appropriate sources to verify suitability.

**BIO-1.c.6.** Lists of appropriate and inappropriate plant species for use in developing landscape plans to ensure that invasive exotic plants, plants with high water requirements, and in fire hazard areas, species that are highly flammable, are excluded; and

**PFS-2.g Promote Xeriscaping.** Amend the Development Code to require drought-tolerant landscaping and efficient irrigation systems where appropriate for all development applications and re-landscaping projects. For parcels adjacent to publicly managed open space, appropriate landscaping will also be non-invasive and have low flammability, and prepared in strict conformance with the County's lists of appropriate plants, and ~~1~~ Limit the amount of lawn area allowed to reduce the amount of water required for irrigation.

6. *Based on comment, t Mitigation Measure 4.3-2(a) that would add a new program to the Design Section of the Built Environment Element is modified as follows:*

**DES-2.(new)** Require new office development with more than 50 parking spaces to offer a Parking “Cash-Out” Program. The County shall consider the feasibility of a parking cash-out program for other new developments located in the City-Centered corridor.

It is recommended that this revised mitigation measure be edited for style and included in the Countywide Plan.

7. *Based on comment it is recommended that Program **EH-3.k** be revised as follows:*

**EH-3.k** *Anticipate Sea Level Rise.* Work with the U.S. Geological Survey, the San Francisco Bay Conservation and Development Commission (BCDC), and other monitoring agencies to track bay and ocean levels; utilize estimates for mean sea level rise to map potential areas subject to future inundation (including by updating information about watershed channel conditions and levee elevations); and amend the Development Code to incorporate construction standards consistent with the policies of BCDC’s Bay Plan for any areas subject to increased flooding from a rise in sea level.

8. *Also based on this comment it is recommended that Program **EH-2.a** be revised as follows:*

**EH-2.a** *Require Geotechnical Reports.* Continue to require any applicant for land division, master plan, or development approval, or new construction in a geologic hazard area to submit a geotechnical report prepared by a State-certified engineering geologist (unless waived), in conformance with the State Seismic Hazards Mapping Act (PRC Div. 2, Chapter 7.8), that:

- Evaluates soil, slope, and other geologic conditions;
- Commits to appropriate and comprehensive mitigation measures sufficient to reduce risks to acceptable levels, including post-construction site monitoring, if applicable; and
- Addresses on-site structural engineering, impact of the project on adjacent lands, and potential impacts of off-site conditions.
- Meets the requirements of other agency regulations with jurisdiction in the hazard area, such as, BCDC requirements for the safety of fills consistent with the Bay Plan.

When available, post and disseminate information from Seismic Hazard Zone maps in conformance with the State Seismic Hazards Mapping Act.

9. *Based on comment it is recommended that Program **PFS-2.o** be revised to further protect groundwater resources against cumulative impacts of individual projects and to ensure protection of in-stream flows. It is recommended that Program **PFS-2.o** be revised as follows:*

**PFS-2.o** *Assess Project Impacts to Groundwater.* Require documentation that new development projects (including installation of wells) with the potential to degrade or deplete groundwater resources will not adversely affect a basin or subbasin, including in-stream flows for aquatic habitat.

10. *Based on comment, Mitigation Measure 4.1-2 on page 2.0-3 is revised as follows:*

Policy **CD-(new) Correlate Development and Infrastructure**. For health, safety, and general welfare, new development should only occur when adequate infrastructure is available consistent with the following findings:

- a) Project related traffic will not cause level of service established in the circulation element to be exceeded;
- b) Any circulation improvements needed to maintain the level of service standard established in the Circulation Element have been programmed and funding has been committed;
- ~~c) Any circulation improvements needed to maintain the level of service standard established in the Circulation Element have been programmed and funding has been committed;~~
- ~~d) Environmental review of needed circulation improvement projects has been completed;~~
- e) d) The time frame for completion of the needed circulation improvements will not cause the level of service in the Circulation element to be exceeded.
- e) Wastewater, water and other infrastructure improvements will be available to serve new development by the time the development is constructed.

It is recommended that this revised mitigation measure be included in the Countywide Plan.

11. *In response to comment regarding conversion of impervious surfaces to pervious as a BMP measure, it is recommended that Policy **BIO-4.4** be revised as follows:*

**BIO-4.4 Promote Natural Stream Channel Function.** Retain and, where possible, restore the hydraulic capacity and natural functions of stream channels in SCAs. Discourage alteration of the bed or banks of the stream, including filling, grading, excavating, installation of storm drains and culverts. When feasible, replace impervious surfaces with pervious surfaces. Protect and enhance fish habitat, including through retention of large woody debris, except in cases where removal is essential to protect against property damage or prevent safety hazards. In no cases shall alterations that create barriers to fish migration be allowed on streams mapped as historically supporting salmonids. Alteration of natural channels within SCAs for flood control should be designed and constructed in a manner that retains and protects the riparian vegetation, and allows for sufficient capacity and natural channel migration, and allows for re-establishment of woody trees and shrubs without compromising the flood flow capacity where avoidance of existing riparian vegetation is not possible.

12. *In response to comment, the last sentence to Mitigation Measure 4.6-4(a) on page 4.6-46 of the DEIR is revised as follows:*

...Any efforts to restore or enhance wetlands located west of Gness Field or in the vicinity of San Rafael Airport would have to be balanced with the possible safety concerns that increased activity by birds and other wildlife may have on airport operations

It is recommended that this revised mitigation measure be included in the Countywide Plan.

13. *In response to comment, the discussion of Goal **TR-3** in Mitigation Measure 4.2-2 on page 4.2-46 of the DEIR is revised as follows:*

Goal **TR-3**, which seeks to provide efficient, affordable public transportation service countywide, and its supporting policies and programs would help reduce congestion on the Golden Gate Bridge by attracting more commuters to public transit services by expanding bus and ferry services, improving bus facilities, providing reduced cost transit passes, participating in regional transit initiatives, and promoting transit-oriented development.

*In addition, the last sentence of Mitigation Measure 4.2-2 is revised as follows:*

Though these initiatives would reduce congestion on the Golden Gate Bridge, the mitigating effects would not be substantial enough to reduce this impact to a less than significant level would be dependent on implementation of enhanced transit services and other initiatives that are not currently planned or funded, therefore they cannot be assumed to be implemented during the time frame of the CWP Update at a level that would reduce this impact to a less-than-significant level.

It is recommended that this revised mitigation measure be included in the Countywide Plan.

14. *In response to comment, the applicable portion of Mitigation Measure 4.9-1(b) (see page 4.9-89) of the DEIR is revised as follows:*

**PFS-2.(new) Offset New Water Demand.** In water districts where there is insufficient water to serve new development, the County shall require new development to offset demand so that there is no net increase in demand through one or more the of the following measures, as appropriate: use of reclaimed water; water catchments and reuse on site; water retention serving multiple sites; retrofits of existing uses in the district to offset increased demand; other such means. These measures should be achieved in partnership with the applicable water district.

It is recommended that this revised mitigation measure be included in the Countywide Plan.

15. *In response to comment, Program **WR-2.h** on page 4.9-120 of the DEIR is revised as follows:*

**WR-2.h; Establish Additional County Service Areas.** Establish a Marshall County Service Area to relocate septic systems away from Tomales Bay, and to ~~initiate~~investigate monitoring of on-site septic systems in a risk based, comprehensive and cost effective manner. The proposed boundary of the County Service Area should include the entire East Shore planning area. Additional County Service Areas should be considered for~~include the~~ rural communities of Tomales and Nicasio. Provision of water supply services should be considered for other County Service Areas, for example, for the communities of Tomales and Nicasio.~~In addition to wastewater services, County service areas should provide water supply services.~~

15. *In response to comment,, the portion of Mitigation Measure 4.7-8(a) that pertains to Program **EH-3.a** (see page 4.7-38 of the DEIR) is revised as follows:*

**Program EH-3.a Regulate Development in Flood and Inundation Areas.** Continue to require all improvements in Bayfront, Floodplain, Tidelands, and Coastal High Hazard Zones to be designed to ~~withstand impacts~~ be more resistant to damage resist flooding, tsunami, and seiche related

~~damage from flooding, tsunami, seiches, and related waterborne debris, and to be located so that buildings and features such as docks, decking, floats, and vessels would be more resistant to damage. do not become dislodged.~~

It is recommended that this revised mitigation measure be included in the Countywide Plan.

16. *In response to comment, Program **WR-2.h** of page 2.0-36 and page 4.9-120 of the DEIR is revised as follows.*

**WR-2.h; Establish Additional County Service Areas.** Establish a Marshall County Service Area to relocate septic systems away from Tomales Bay, and to instigate monitoring of on-site septic systems in a risk based, comprehensive and cost effective manner. The proposed boundary of the County Service Area should include the entire East Shore planning area. Additional County Service Areas should include the rural communities of Tomales and Nicasio. In addition to wastewater services, these County service areas ~~cs~~hould provide water supply services.

17. *In response to comment, Policy **BIO-4.(new)** on page 5.0-66 of the DEIR is revised as follows:*

**BIO 4.(new) Continue Collaboration with the Marin Resource Conservation District.** Continue to collaborate with, support, and participate in programs provided by the Marin Resource Conservation District and the Natural Resource Conservation Service to encourage agricultural operator who conduct farm or ranch activities within a Streamside conservation Area to minimize activities that cause sedimentation and erosion to enhance habitat values.

18. *In response to comment, Program **WR-2.d** on page 5.0-69 of the DEIR is revised as follows:*

**WR-2.d~~f~~** *Continue Alternative Septic / Waste System Monitoring.* Establish a Septic / Waste Alternatives Maintenance and Inspection Program to ensure the proper installation, maintenance and use of ~~alternatives to septic systems~~alternative septic system technologies. Work with manufacturers, supplies and installer to provide guidelines for approvable alternative septic/waster systems.

19. *In response to comment, Mitigation Measure 4.5-7(b), page 4.5-49 of the DEIR is revised as follows:*

Mitigation Measure 4.5-7(b) Obtain additional funding necessary to implement Program AIR-**5.c.** In addition, ~~County staff would amend~~ the Marin County Development Code would need to be amended to include construction standards for areas threatened by future sea level rise.

It is recommended that this revised mitigation measure be included in the Countywide Plan.

20. *In response to comment, the portion of Mitigation Measure 4.7-2(a) that pertains to Program **PS-3.f** (see page 4.7-23 of the DEIR) is revised as follows:*

**Program PS-3.f Promote Structural and Nonstructural Safety.** Provide and inform the public of the available educational guides promoting structural and nonstructural earthquake safety.

Encourage natural gas safety and water heater bracing ~~installation of automatic natural gas shut-off valves in buildings~~. Encourage retrofit of older buildings and securing nonstructural elements of a building to prevent the falling or throwing of objects.

It is recommended that this revised mitigation measure be included in the Countywide Plan.

21. *In response to comment, the discussion of Goal **TR-3** in Mitigation Measure 4.2-2 on page 4.2-46 of the DEIR is revised as follows:*

Goal **TR-3**, which seeks to provide efficient, affordable public transportation service countywide, and its supporting policies and programs would help reduce congestion on the Golden Gate Bridge by attracting more commuters to public transit services by expanding bus and ferry services, improving bus facilities, providing reduced cost transit passes, participating in regional transit initiatives, and promoting transit-oriented development.

It is recommended that this revised mitigation measure be included in the Countywide Plan.

#### **COMMENTS ON THE FINAL EIR:**

Consistent with County environmental review requirements, as noted earlier, the Final EIR will be circulated for a two-week review and comment period on the adequacy of the Final EIR for certification ending June 18. Comments will be accepted on the Final EIR within the review period deadline. The responses to comments on the Final EIR will be proposed as an Errata or Amendment to the Final EIR to complete the Final EIR as adequate for certification.

#### **CONCLUSION:**

The *Draft 2005 Countywide Plan Update* EIR has undergone rigorous preparation and processing in full compliance with CEQA, State EIR Guidelines, and County Environmental Review Procedures. Substantial opportunity for public participation in the EIR process and review and comment on the EIR documents has been provided which meets and exceeds the requirements of CEQA and County Environmental Review Procedures.

#### **RECOMMENDATION:**

Staff recommends that the Planning Commission review the Final Environmental Impact Report (Final EIR) and the administrative record, consider the adequacy of the Final EIR, provide direction regarding the recommendations in this report, and provide direction for items for further clarification on July 9,

Respectfully submitted,

Alex Hinds  
Director

Kris Krasnove  
Planner

Attachments:

1. Final EIR (copies previously distributed)

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