



C O M M U N I T Y D E V E L O P M E N T A G E N C Y  
**PLANNING DIVISION**

## **Frequently Asked Questions for the Donahue Highlands Master Plan Environmental Impact Report**

The Marin County Community Development Agency's Planning Division (CDA) is a regulatory agency responsible for implementing California State and local land use laws through the entitlement process. In an effort to provide additional information specifically regarding the Environmental Review process for the Donahue Highlands Master Plan application, Marin County CDA staff have prepared this 'Frequently Asked Questions' document with answers to common questions regarding the Donahue Highlands Master Plan application and the environmental review processes for the property located at Assessor Parcel 052-140-33.

### **1. Has this application for a Master Plan already been approved?**

#### Response:

No – the application for Master Plan approval has not been approved. The overall Planning Application Review process involves a series of steps. These steps have timelines that vary depending on the project. The steps are summarized as follows:

**1. "Initial Review"** – This first step is for the Planning Division to determine whether the application is "complete", meaning that the application package provides the information required in the Planning Application Checklist.

An application for Master Plan approval for the subject property was submitted to the Planning Division on October 27, 2016 by the applicant on behalf of the property owner, Libao Properties, LLC. The application was deemed complete on December 1, 2017. Information on the project application, also known as the "Donahue Highlands Master Plan", and project plans are available at the following website:

[https://www.marincounty.org/depts/cd/divisions/planning/projects/marin-city/donahue-highlands\\_mp\\_p1499\\_mc](https://www.marincounty.org/depts/cd/divisions/planning/projects/marin-city/donahue-highlands_mp_p1499_mc)

**2. "Environmental Review"** – Following a project completeness determination, the next step is for the Environmental Planning Manager to determine the project's compliance with the California Environmental Quality Act (CEQA).

On December 1, 2017, the Environmental Planning Manager determined that an Environmental Impact Report (EIR) would be required in order to assess any potential impacts that the project could have on the environment, and to identify any feasible mitigation measures that could be adopted to avoid or lessen those environmental impacts to less-than-significant. The "Scoping Session" and "Notice of Preparation" are the first milestones in this environmental review process. The timeline for the environmental review process varies depending on the project, but is typically a minimum of one year.

*The application is currently in the "Environmental Review" step.*

**3. “Merits Review”** – This step is for the Planning Division to evaluate whether a proposal conforms to the County’s various land use and development policies, such as the Countywide Plan and the Marin City Community Plan, and the regulations in the Development Code. Whether or not a proposal is consistent with these policy documents are referred to as the projects “merits”.

Master Plan applications require public hearings before the Planning Commission and the Board of Supervisors, with the Board of Supervisors being the ultimate decision-making body. During the hearings, the applicant and the public will be given a brief opportunity to provide their testimony regarding the project, including environmental concerns and overall project merits. The Planning Commission provides a recommendation on the project, and the Board of Supervisors issue a decision on the project by adopting a final Ordinance.

## **2. What is CEQA and what is an EIR?**

Response:

The California Environmental Quality Act (CEQA) was passed in 1970 and its purpose is to provide information, participation, mitigation, and accountability for a proposed project prior to decision-makers determining a formal decision on a project. An Environmental Impact Report (EIR) is an objective, factual study of potential environmental impacts of a proposed project on the physical environment.

A **Notice of Preparation (NOP)** is the first milestone in the EIR process and is sent to the public after a project application is deemed complete and the Environmental Planning Manager has determined that an EIR will be required for the project. The **Scoping Session** provides the public with an opportunity to provide oral and written comments that provide the lead agency (the County in this case) information on the scope the environmental issues that should be addressed in the EIR.

The Notice of Preparation and public notice for a Scoping Session (previously scheduled for October 330, 2019) was mailed to properties within 1,000 feet of the subject property on September 30, 2019.

The NOP and scoping period are opportunities for any interested party, including members of the public and public agencies with authority over aspects of the project, to raise concerns about the project related to any of the environmental topical areas included in the CEQA Guidelines such as:

1. Aesthetics
2. Agricultural and Forestry Resources
3. Air Quality
4. Biological Resources
5. Cultural Resources
6. Energy
7. Geology and Soils
8. Greenhouse Gas Emissions
9. Hazards and Hazardous Materials
10. Hydrology and Water Quality
11. Land Use and Planning

12. Mandatory Findings of Significance
13. Mineral Resources
14. Noise
15. Population and Housing
16. Public Services
17. Recreation
18. Transportation
19. Tribal Cultural Resources
20. Utilities and Service Systems
21. Wildfire

The environmental issues that are raised during this preliminary time-frame will be incorporated and responded to in the **Draft** EIR for the project. However, it is important to note that there will be future opportunities to comment throughout the environmental review process, including written comment periods on both the **Draft** EIR and the **Final** EIR, as well as public hearings where oral testimony can be provided in front of the Planning Commission and the Board of Supervisors.

**3. What if I have a comment regarding socio-economic impacts of the project on the surrounding neighborhood?**

Response:

Although socio-economic impacts are extremely important to consider, they are not included in the CEQA environmental topical areas. However, the project will be analyzed by the Planning Division and addressed for consistency with various planning policies and regulations such as the Marin City Community Plan, the Marin Countywide Plan, the Marin County Zoning and Development Code, and the Marin Multi-Family Design Guidelines or Marin Single-Family Design Guidelines. Thus, socio-economics will be considered through the review of the project's compliance with these regulatory documents and are included in the Board of Supervisors consideration for project approval. This is also referred to as the "merits review" of the project.

Concerns regarding socio-economic impacts or other merits issues can be submitted directly **in writing** to Sabrina Sihakom, the project planner, at any time during the processing of the application at [ssihakom@marincounty.org](mailto:ssihakom@marincounty.org).

However, for the purposes of CEQA and the County Environmental Review Guidelines, the environmental topical areas that are listed above focus on the potential impacts of the project specifically on the environment and are the focus of the environmental review phase. As such, only comments regarding the above environmental topical areas will be accepted at the Scoping Session.

**4. What if I think of an environmental issue after the Notice of Preparation and scoping period have concluded? Is this the last time that I'll be able to submit comments on this project before a decision is made?**

Response:

For the purposes of this phase of the environmental review, the comments that are received during the Notice of Preparation and Scoping comment period (comment period ends on November 26, 2019 by 4:00 p.m.) will help the environmental consultants to scope the issues that should be covered and addressed in the EIR. However, there will be **future opportunities** to comment on the environmental document after the Draft EIR is publicly released, and again after the Final EIR is publicly released.

Additionally, there will be additional opportunities to comment on the merits of the project, as the Master Plan will be heard by the Planning Commission prior to being sent with a recommendation to the Board of Supervisors for a decision on both the EIR and the project. In other words, there will be plenty of opportunities throughout the process to submit comments on the project and during the various phases of the EIR process and notice will be provided with each update.

**5. As things progress, how can I stay informed about where the project is in the process?**

Response:

There is a website for the application, which includes updates on the overall status of the application, the project description and other information. In addition to this website, there is a website focused solely on the environmental review of this application. Marin County CDA staff are working diligently to keep both the project webpage and the environmental webpage up-to-date with the latest information about the project status. In addition, if you have not already done so, please sign up with your email address to receive email updates that will be sent to you as the project and environmental webpages are updated with new information.

You can visit the **environmental review webpage** to subscribe with your email at: [www.marincounty.org/Donahue-Highlands-EIR](http://www.marincounty.org/Donahue-Highlands-EIR)

And/or you can subscribe to the **project application webpage** by visiting: <http://www.marincounty.org/depts/cd/divisions/planning/projects>, where projects are listed for the Marin City area.

**6. How and where do I send my comments, and to whom should they be addressed?**

Response:

Please send environmental review specific comments directly to [envplanning@marincounty.org](mailto:envplanning@marincounty.org) or you can mail them to the attention of Rachel Reid, Environmental Planning Manager at 3501 Civic Center Drive, Suite 308, San Rafael, CA 94903.

If you have comments related specifically to the project merits, or compliance with policies of the Marin Countywide Plan, the Marin City Community Plan, or regulations in the Marin County Development Code, that are not specific to the environmental review or the environmental topical areas, please send your comments directly to the project planner reviewing the application, Sabrina Sihakom, at [ssihakom@marincounty.org](mailto:ssihakom@marincounty.org) or mail them to her attention at 3501 Civic Center Drive, Suite 308, San Rafael, CA 94903.