COUNTY OF MARIN, CALIFORNIA

Draft 2015–2023 Marin County Housing Element

ADDENDUM TO THE
2012 DRAFT MARIN COUNTY HOUSING ELEMENT
SUPPLEMENT TO THE 2007 COUNTYWIDE PLAN EIR

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Marin County 2015–2023 Housing Element

Addendum to the 2013 SEIR

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Chapter 1: Introduction and Project History

Marin County is the lead agency, pursuant to the State Guidelines for the California Environmental Quality Act (CEQA Guidelines Section 15050), for the preparation of this Addendum to the 2013 Marin County Housing Element Supplement to the 2007 Countywide Plan EIR ("2013 SEIR")[1], which was prepared for the County of Marin's (County) 2007–2014 Housing Element.[2] This Addendum explains that implementation of the County's proposed 2015–2023 Housing Element (also "Project") would not create any new or substantially more severe significant environmental effects that were not analyzed in the 2013 SEIR. The 2013 SEIR previously determined that "…adoption and implementation of the *2012 Draft Housing Element* would not substantially alter development patterns currently allowed under the Countywide Plan," because development would occur in areas already designated for residential, commercial, or public facilities development in the Countywide Plan and implementing zoning ordinances. (2013 Draft SEIR at page 54.) When adopted, the 2015-2023 Housing Element will be incorporated into the 2007 *Marin Countywide Plan* (*Countywide Plan*), which is the County's general plan. This Addendum has been prepared by the County of Marin in accordance with CEQA, the State CEQA Guidelines, and the Marin County Environmental Impact Review Guidelines.

1.1 Project History

State planning law requires each city and county to adopt a general plan that identifies existing land use relationships in the jurisdiction, identifies a blueprint for future growth and development, and establishes specific goals, policies, and implementation measures to guide current and future land use within the jurisdiction. At a minimum, each general plan must include seven components, or "elements," which are Land Use, Circulation, Housing, Conservation, Open Space, Noise, and Safety. Some agencies compile their general plans into a single document that contains all required elements and may contain other optional elements, while others prepare each element as a stand-alone document. The Housing Element, in particular, is a general plan element that many agencies prepare as a stand-alone document, because it must be updated every eight years (or four years in some cases) , and must be certified by the State, unlike other general plan elements.

The purpose of the Housing Element is to identify existing and projected housing needs within the jurisdiction, establish policies and programs to achieve quantified objectives, and identify appropriate sites for development of safe and affordable housing to meet the housing needs of all income levels covered by the general plan land use element and implementing zoning.

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1 State Clearinghouse No. 2012072028, certified September 24, 2013.

2 Throughout the SEIR, the then-proposed 2007-2014 Housing Element is referred to as the *2012 Draft Housing Element*. It was adopted by the County on December 31, 2013, and is the current Housing Element for the County. To distinguish it from the proposed Project, which is the 2015–2023 Housing Element evaluated in this Addendum, it is referred to throughout this document as "the 2007–2014 Housing Element."

Pursuant to Government Code Section 65588(e), the last update to the County's Housing Element was to be adopted by June 30, 2007. However, the State Department of Housing and Community Development (HCD) extended this deadline to June 30, 2009 so that projections of housing needs could be coordinated with the Regional Housing Needs Allocation (RHNA) then being developed by the Metropolitan Transportation Commission.

The County prepared a *Draft Housing Element* for the 2007–2014 planning period after an extensive effort of public outreach, including public workshops and public meetings before the Planning Commission. Prior to adoption of the 2007–2014 Housing Element, the County prepared and certified an SEIR that included the December 2012 Draft SEIR and May 2013 and June 2013 Responses to Comments documents that together comprised the Final SEIR. The Final SEIR was certified by the Board of Supervisors on September 24, 2013. The 2007-2014 Housing Element was certified by HCD on December 31, 2013. Litigation challenging the 2007–2014 Housing Element was filed on October 24, 2013.[3]

Due to the delay in adopting the housing element for the 2007–2014 planning period, the County must now prepare a new Housing Element for the planning period of 2015 through 2023. The statutory deadline for the fifth-cycle update is January 31, 2015. The Regional Housing Needs Allocation (RHNA), which establishes the minimum number of units a jurisdiction must plan for, has decreased significantly in comparison with the RHNA applicable to the 2007–2014 Housing Element. Therefore, the existing sites can be relied upon to fully accommodate the County's RHNA, decision makers will have some flexibility in selecting sites, and no new housing sites for the 2015–2023 Housing Element have been proposed. In addition, the County has already implemented numerous programs identified in the recently certified 2007–2014 Housing Element, so the 2015–2023 Housing Element is expected to address fewer housing programs. On the whole, the proposed changes from the 2007–2014 Housing Element are minor modifications and largely technical in nature, and therefore require only minor technical changes or additions to the SEIR.

This Addendum describes the policies and programs proposed for the 2015–2023 Housing Element, identifies the housing sites consistent with the *Countywide Plan* that would meet the County's RHNA obligation, and identifies the substantive changes to the proposed 2015–2023 Housing Element in comparison with the 2007–2014 Housing Element or the land use element of the *Countywide Plan*. Using an Environmental Checklist, it then identifies where impacts that could occur from implementation of the 2007–2014 Housing Element were evaluated in the 2013 SEIR, determines and documents whether any of the conditions described in *CEQA Guidelines* Section 15162(a) are applicable, and provides an evaluation of how the 2013 SEIR analysis applies to the proposed 2015–2023 Housing Element. Where warranted, additional analysis of the potential environmental impacts of the proposed 2015–2023 Housing Element is provided.

[3] *Marin Community Alliance vs. County of Marin,* Case No. 130439, filed October 24, 2013.

1.2 Environmental Review of Proposed Project

The 2013 SEIR was prepared as a supplement to the *2007 Marin Countywide Plan EIR* ("CWP EIR")[4], which evaluated the significant environmental impacts of the *Countywide Plan*, including the previous 2003 Housing Element and land use element. The 2013 SEIR programmatically evaluated the environmental effects associated with the 2007–2014 Housing Element, which covered the planning period from 2007 through 2014. Additionally, the 2013 SEIR programmatically evaluated the environmental effects associated with the planning period from 2014-2022. In accordance with Section 15150 of the *CEQA Guidelines*, the 2013 SEIR—including the December 2012 Draft SEIR, the May 2013 Final SEIR, a June 2013 Final SEIR Amendment, and the Mitigation Monitoring and Reporting Program—are hereby incorporated by reference, as are the 2007–2014 Housing Element and the CWP EIR. Documents incorporated by reference are available for review at the following website: www.marincounty.org/envplanning.

Under Section 15164 of the *CEQA Guidelines*, a Lead Agency or Responsible Agency shall prepare an addendum to a previously certified Environmental Impact Report (EIR) if changes or additions to the project have occurred since certification of the EIR, but the changes are sufficiently limited such that preparation of a subsequent EIR is not required. Specifically, a lead agency shall prepare an Addendum to an EIR if only minor technical changes or additions are necessary but none of the conditions described in *CEQA Guidelines* Section 15162 calling for preparation of a subsequent EIR have occurred.

Section 15162(a) requires preparation of a subsequent EIR if one or more of the following conditions applies:

1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the Negative Declaration was adopted, shows any of the following:

    A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;

    B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;

[4] State Clearinghouse No. 2004022076, certified November 6, 2007.

C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

For the proposed 2015–2023 Housing Element and as discussed in detail in Chapter 3, Environmental Checklist, of this document, the County has determined through preliminary environmental review of the proposed Project that there would be no new or substantially more severe significant impacts not already addressed in the 2013 SEIR, and nor would any of the other conditions set forth in Section 15162(a) apply. That is primarily because the inventory of sites in the proposed 2015–2023 Housing Element consists of the same housing sites identified in the 2007–2014 Housing Element, with the exception that one of the former sites has been removed, and because the County's Regional Housing Needs Allocation for the period 2015–2023 is 185 units, which is 588 fewer than the RHNA for the period 2007–2014. In addition, many of the implementing programs from the 2007–2014 Housing Element have been deleted from the proposed 2015–2023 Housing Element because they have already been implemented. A few new implementing programs are proposed, which are described in Chapter 2, below. These proposed new program call for performing planning studies, and do not have the potential to result in significant effects on the environment. Based on the conclusions of the Environmental Checklist (Chapter 3, below), an Addendum to the 2013 SEIR is warranted, and neither a Subsequent EIR nor a Supplemental EIR (pursuant to *CEQA Guidelines* Section 15163) is required.

The Environmental Checklist evaluates the CEQA checklist categories in terms of any "changed condition" (i.e. changed circumstances, project changes, or new information of substantial importance) that may result in a different environmental impact significance conclusion from the certified 2013 SEIR and would require major revision of the 2013 SEIR. As discussed in Chapter 3, the proposed changes that constitute the Project, in combination with other changed conditions, would not result in new or substantially more severe significant environmental effects requiring revisions to the 2013 SEIR. The continued implementation or application of mitigation measures identified in the 2013 SEIR would be necessary to avoid or reduce potential effects of the proposed project. These mitigation measures are identified, and their full, final, adopted text is provided, in Chapter 3 Environmental Checklist. The text of all adopted mitigation measures, with minor revisions as shown in Chapter 3, is provided in a revised Mitigation Monitoring and Reporting Program (MMRP), which is available for review at: www.marincounty.org/envplanning.

Neither CEQA nor the Marin County Environmental Impact Review Guidelines require a formal public review and comment period for an addendum. However, the 2013 SEIR and this Addendum are available for review during the hours of 8:00 am to 4:00 pm, Monday through

Thursday, at the Marin County Community Development Agency at 3501 Civic Center Drive, Room 308, San Rafael, CA 94903, and on the Community Development Agency's website at: www.marincounty.org/envplanning. The proposed Housing Element is available online at: www.marincounty.org/housingelement. The previous EIRs that have been incorporated by reference are also available for review.

This Addendum is available for review by the public for a period of at least 21 days prior to a November 17, 2014 meeting before the Planning Commission, at which point the Planning Commission will consider recommendation of adoption of the Addendum by the Board of Supervisors, along with final recommendation of adoption of the proposed 2015–2023 Housing Element.

Final consideration of whether or not to adopt the Addendum and approve the 2015–2023 Housing Element will be made by the Marin County Board of Supervisors, and is tentatively scheduled for December 2014 or January 2015. Following approval of the 2015–2023 Housing Element, the County will submit the Housing Element to the State Department of Housing and Community Development (HCD) for certification.

Chapter 2: Description of the Proposed Project

The proposed project consists of the 2015–2023 Housing Element for Marin County, which is an update of the County's 2007–2014 Housing Element of the 2007 *Countywide Plan*. The list of housing sites that are being evaluated is the same list and is found in Table 3, and the sites are shown on Exhibits 2 through 9. The proposed 2015–2023 Housing Element also includes deletion of 2007–2014 Implementing Programs that have been completed, and minor revisions to some of the Implementing Programs. Seven new programs have been added, and County Development Code amendments are proposed to make the Code consistent with the 2015-2023 Housing Element. The full text of these deleted, revised, and new Implementing Programs is found in Section 2.4. The proposed consistency amendments to the County Development Code are described in Section 2.5

Marin County is one of nine counties comprising the San Francisco Bay Area. Located to the north of the City of San Francisco, Marin County covers approximately 606 square miles of land and water area, and supports a population of 252,409 permanent residents.[5] The majority of the County's population resides in the County's 11 incorporated cities and towns, which are concentrated in proximity to the U.S. 101 corridor that extends along the east side of the County, near San Francisco and San Pablo bays. Much of the additional land potentially available for development (approximately 5 percent of the County) is within these incorporated cities and towns.

5 U.S. Census, 2010.

Exhibit 1
Marin County and San Francisco Bay Area

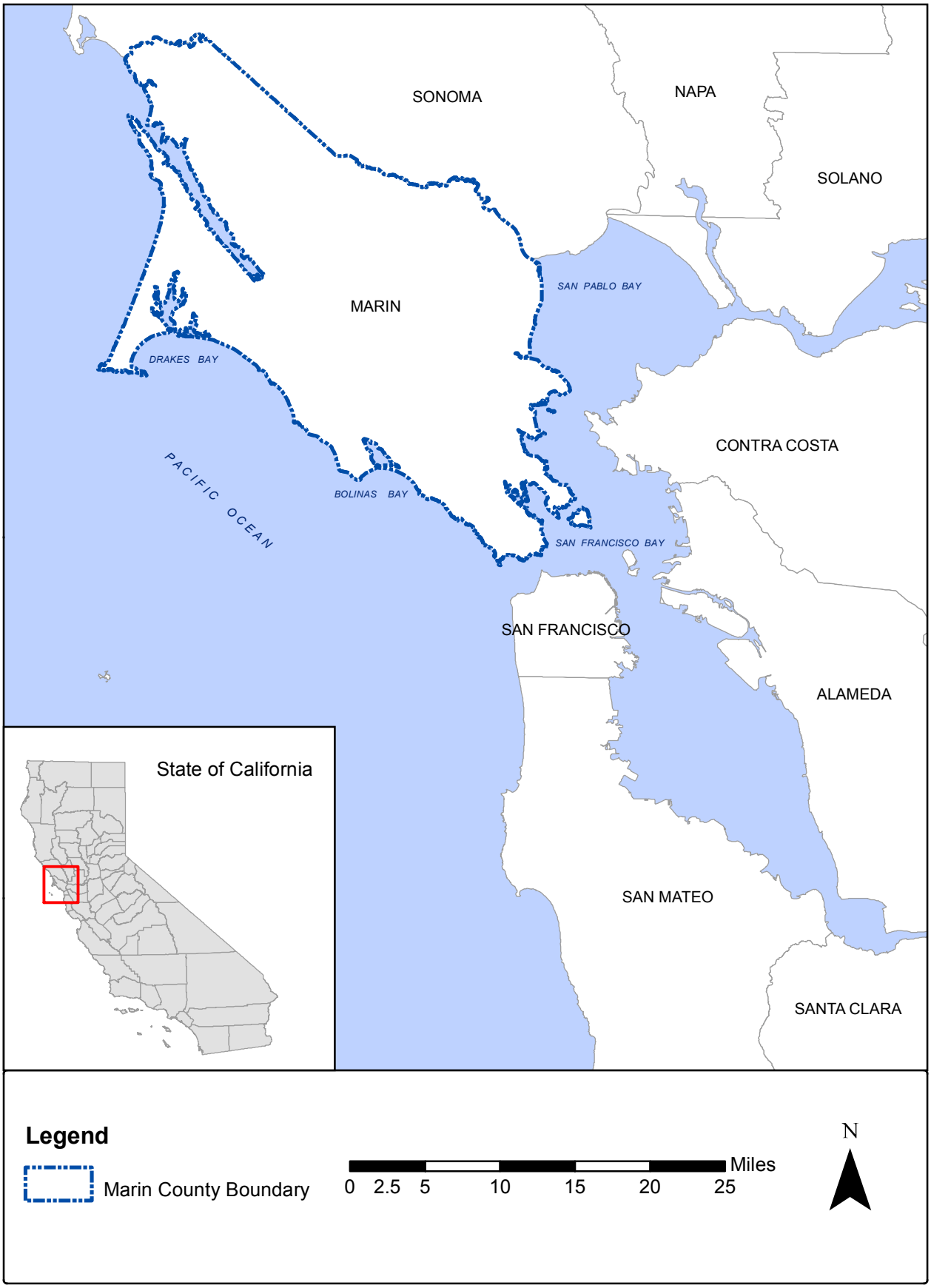
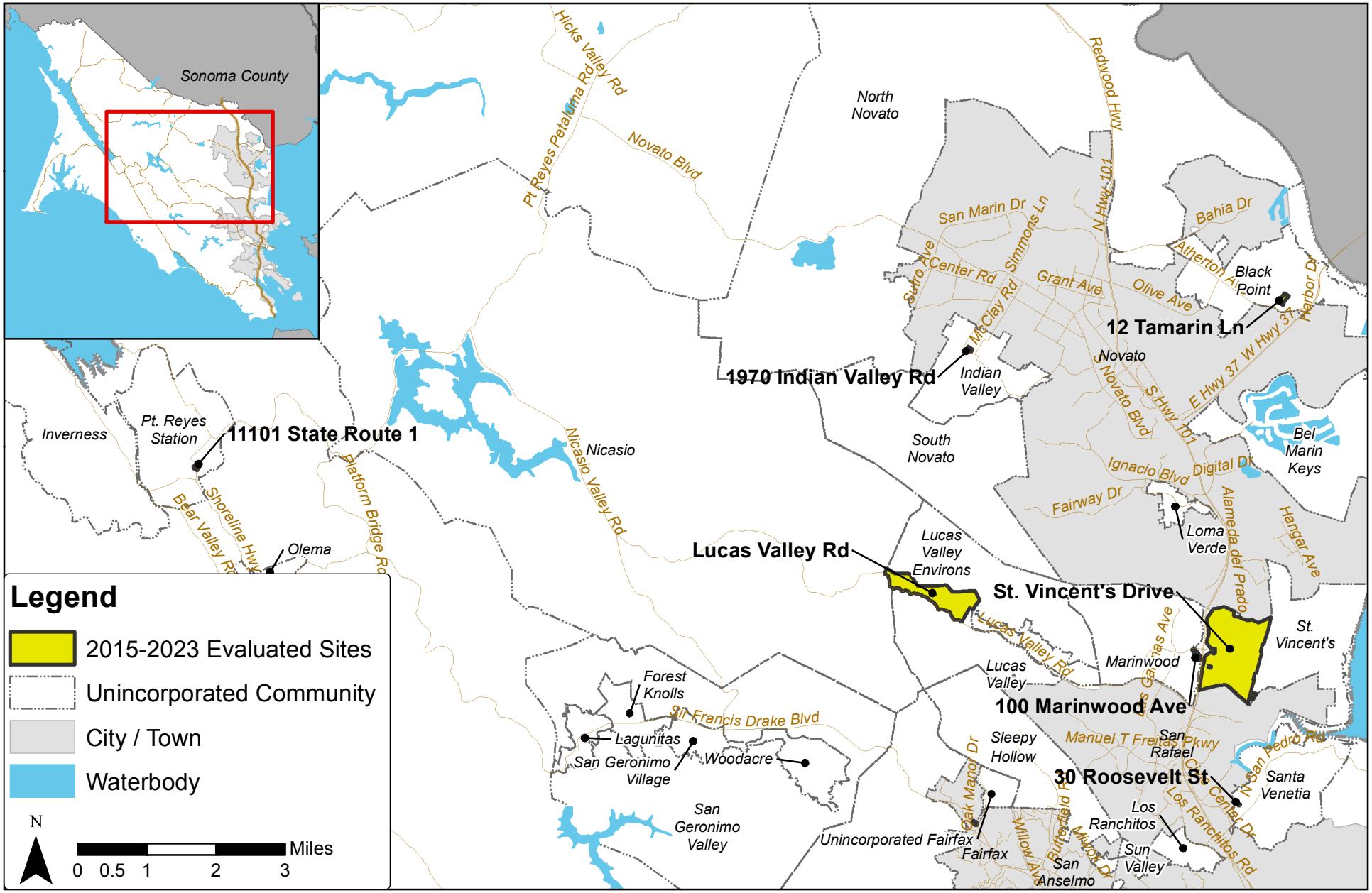
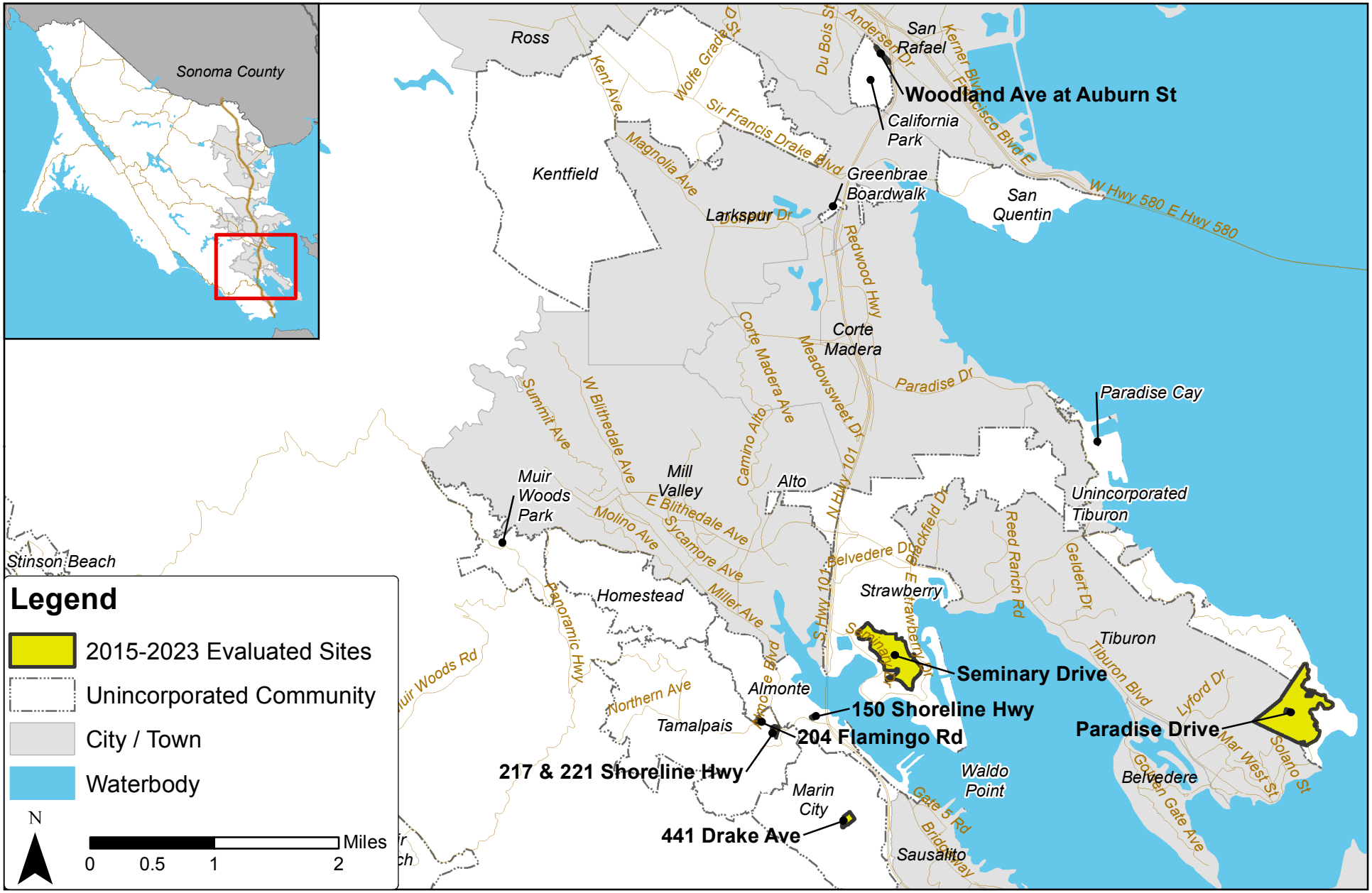


Exhibit 2(a)
Location of Housing Sites - North Marin



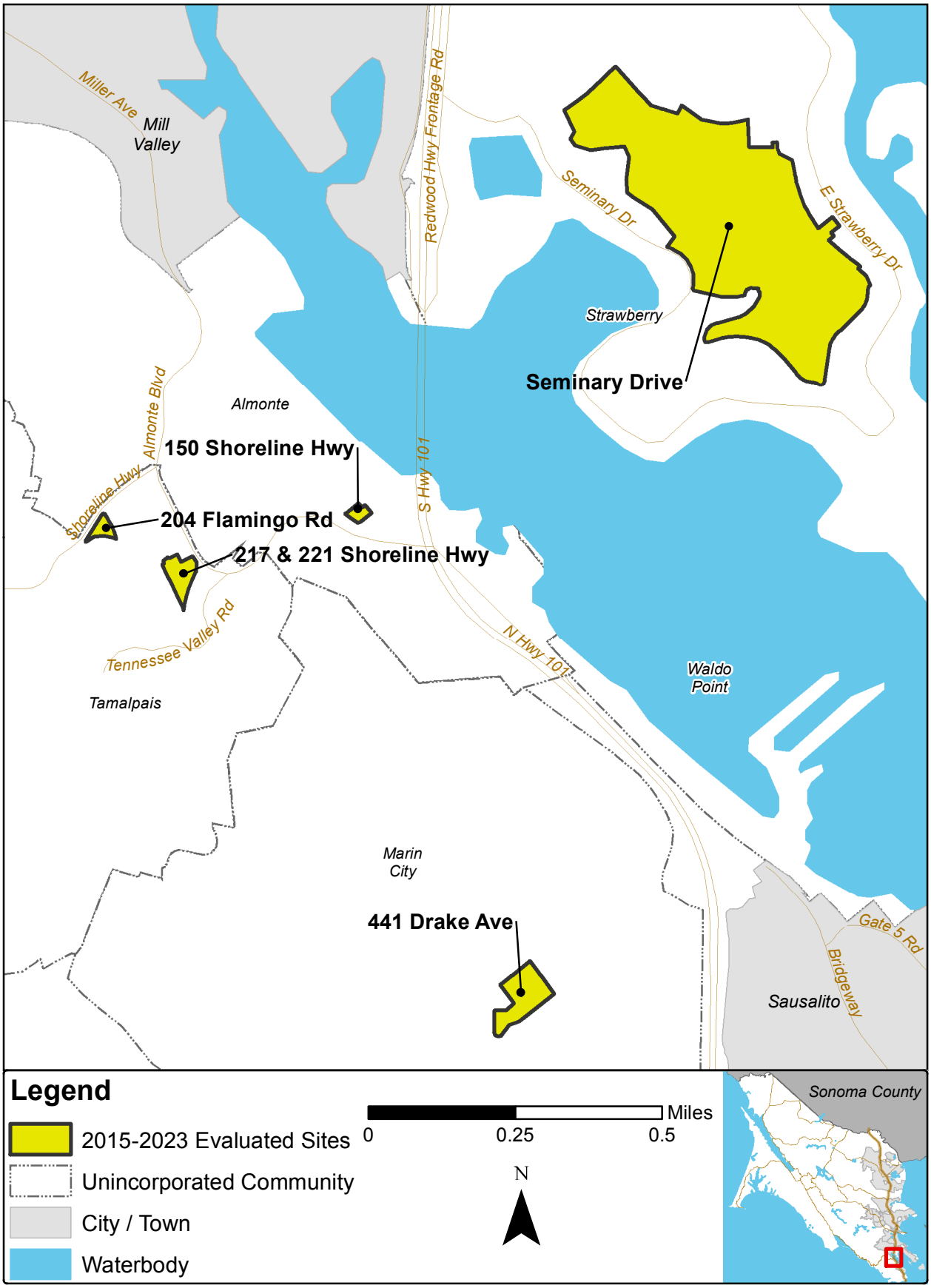
Source: County of Marin Community Development Agency, September 2014

Exhibit 2(b)
Location of Housing Sites - South Marin



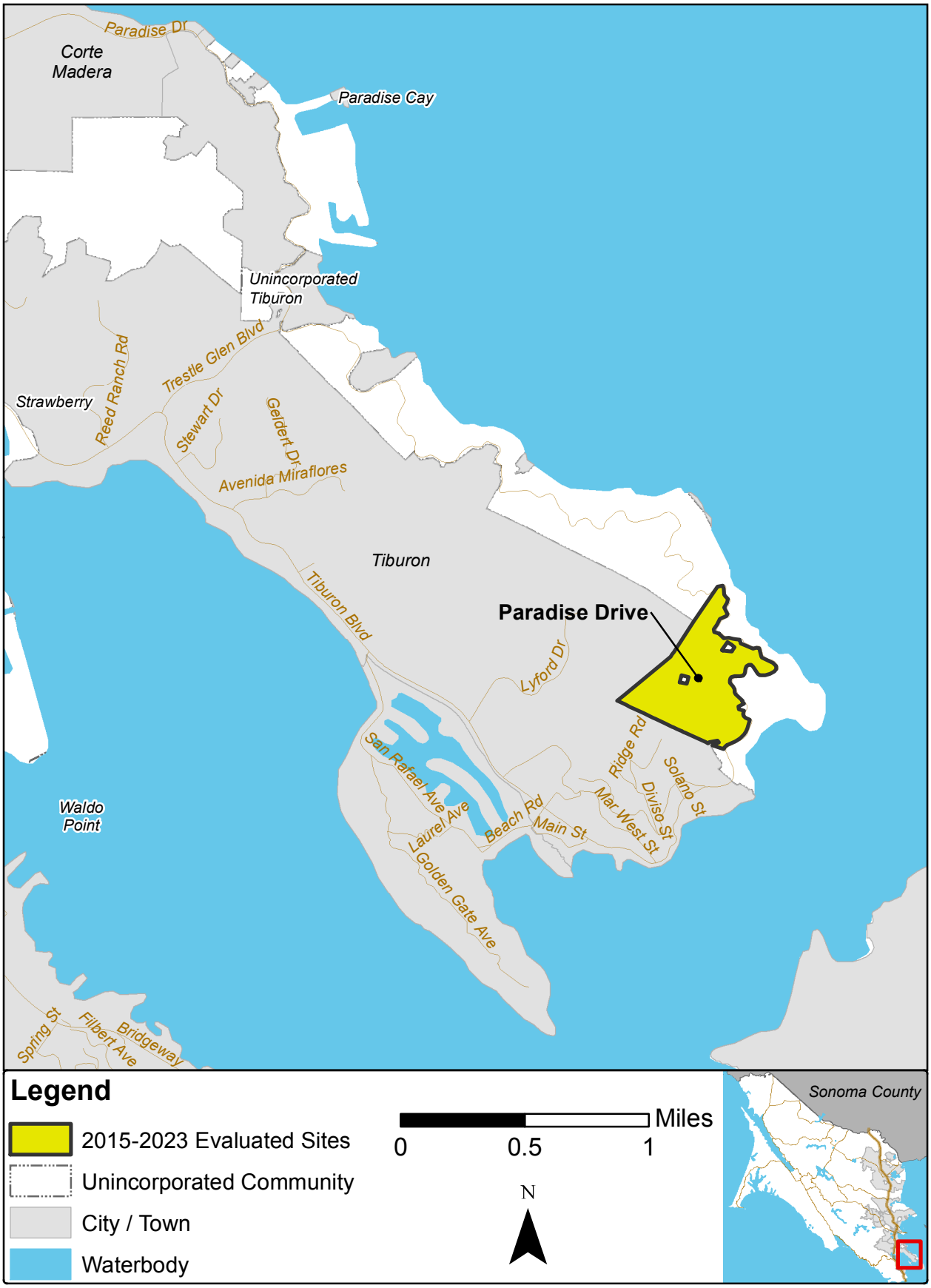
Source: County of Marin Community Development Agency, September 2014

Exhibit 3
Housing Sites - Southern Marin



Source: County of Marin Community Development Agency, September 2014

Exhibit 4
Housing Sites - East Tiburon

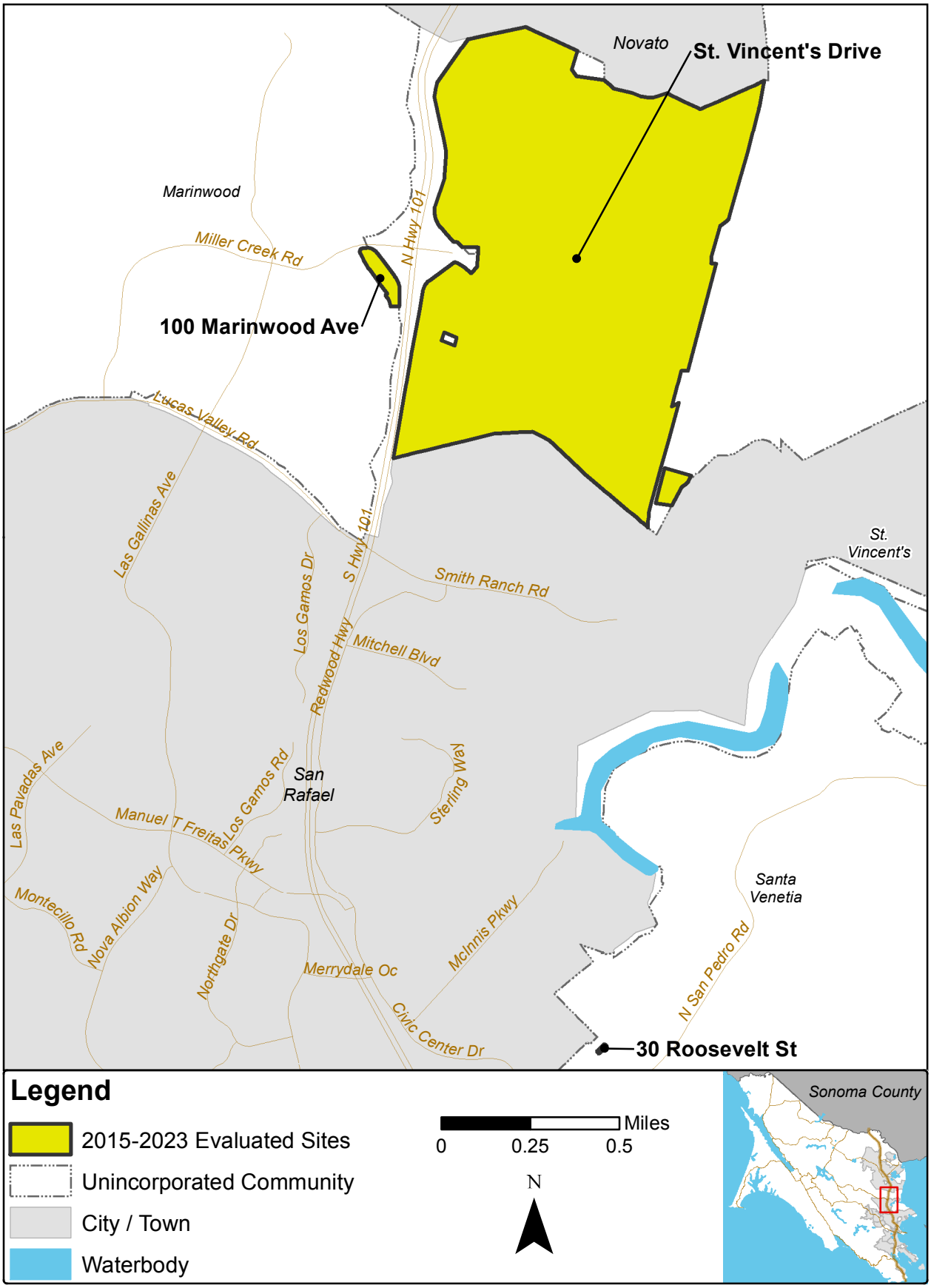


Source: County of Marin Community Development Agency, September 2014

Exhibit 5
Housing Sites - South San Rafael

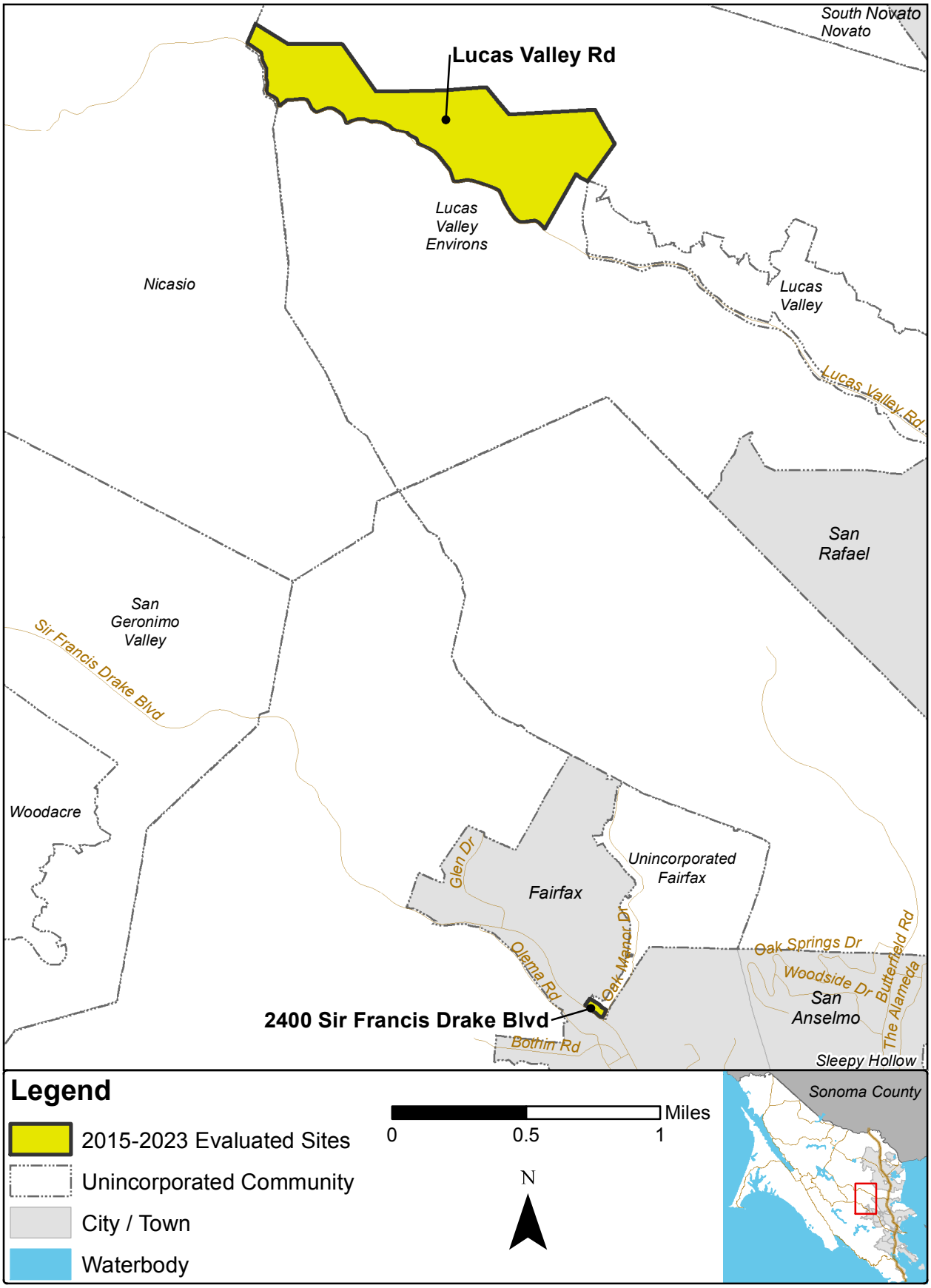
Source: County of Marin Community Development Agency, September 2014

Exhibit 6
Housing Sites - North San Rafael



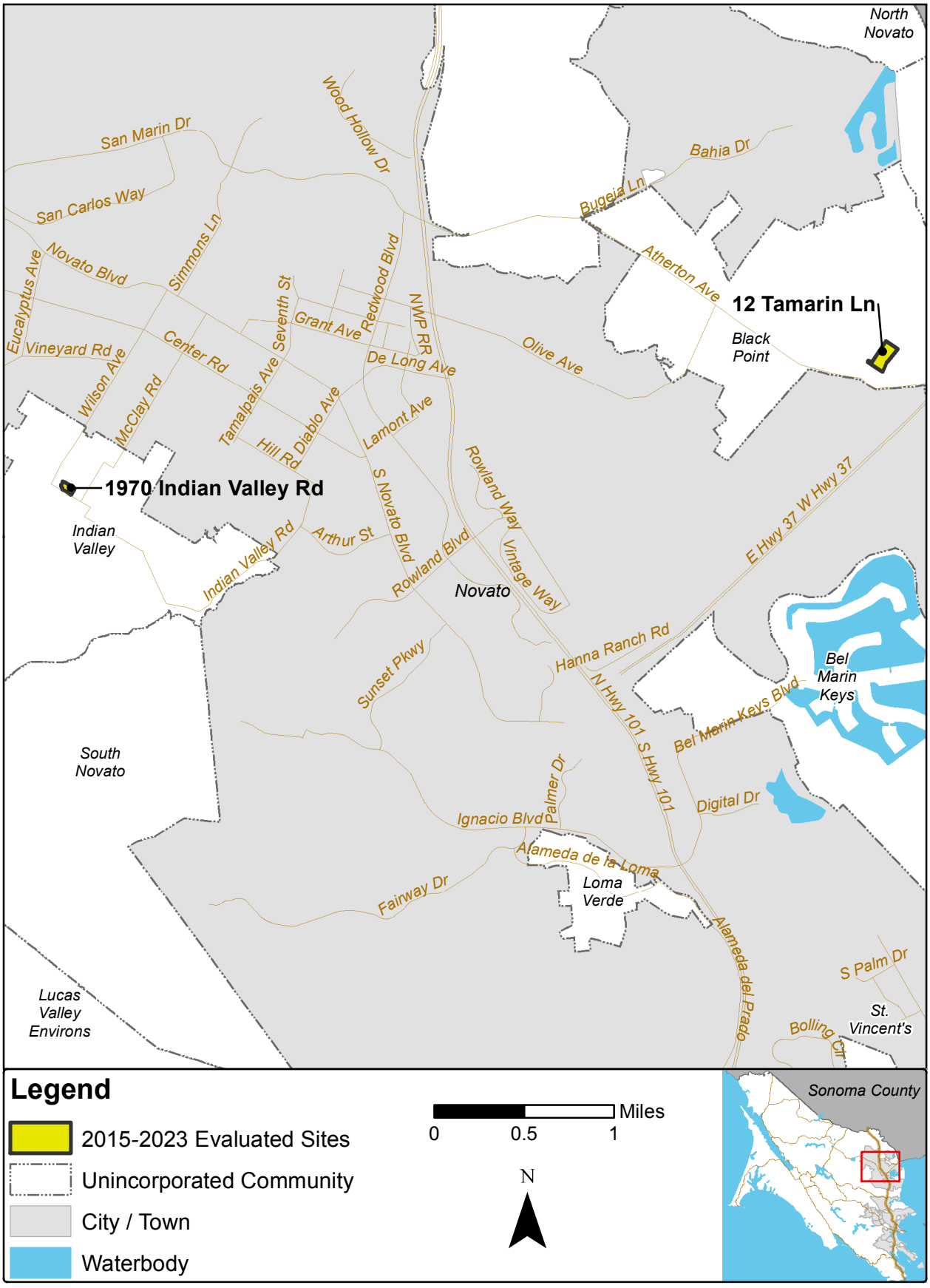
Source: County of Marin Community Development Agency, September 2014

Exhibit 7
Housing Sites - Lucas Valley and Fairfax



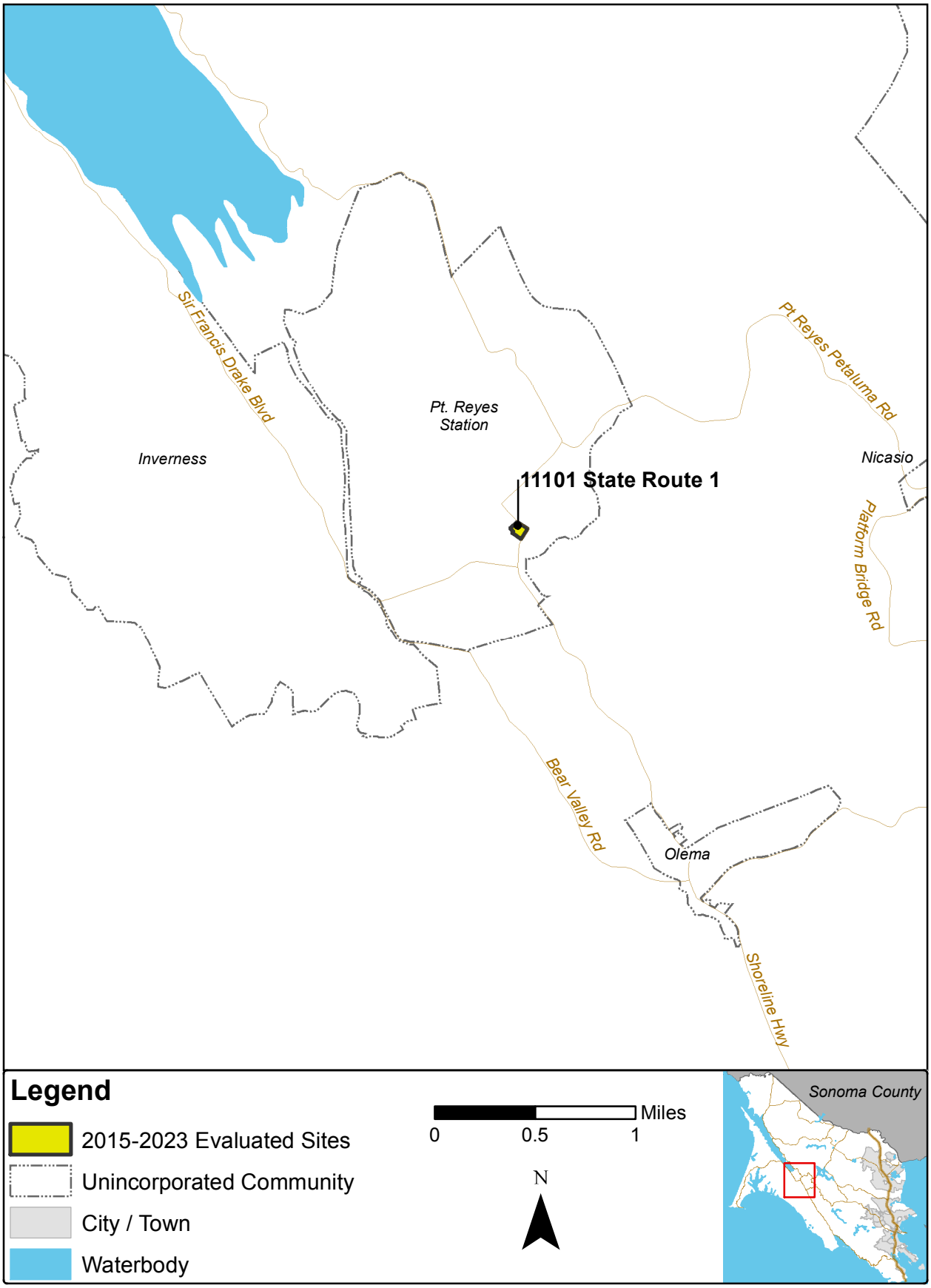
Source: County of Marin Community Development Agency, September 2014

Exhibit 8
Housing Sites - Novato



Source: County of Marin Community Development Agency, September 2014

Exhibit 9
Housing Sites - Point Reyes Station



Source: County of Marin Community Development Agency, September 2014

While the population is concentrated in the 11 cities and towns, the majority of the land area—approximately 87 percent—is unincorporated, and includes 16 unincorporated communities, many located near the County's western coastal area. The County's boundaries and its relationship to the greater San Francisco Bay Area are shown on Exhibit 1.

2.1. Project Overview

As summarized above, State housing element law mandates that local governments adequately plan to meet the existing and projected housing needs of all economic segments of the community. The law acknowledges that in order for the private market to adequately address housing needs and demand, local governments must adopt land use plans and regulatory systems that provide opportunities for, and do not unduly constrain, housing development.

State law requires that the housing element contain the following information:

- A review of the goals, objectives, and policies of the current housing element.
- Current demographic, economic, and housing information for the locality.
- A quantified housing needs assessment.
- Analysis of the constraints to providing housing for all income levels.
- A discussion of opportunities for energy conservation in new housing developments.
- An inventory of assisted units at risk of conversion to market rate.
- An inventory of residential land resources, including suitable sites for housing, homeless shelters, and transitional housing.
- A set of housing goals, policies, and programs.
- Quantified objectives for housing over the next five-year period.
- A description of diligent efforts towards participation by all economic groups in the update process.

Marin County's proposed Housing Element for the 2015–2023 planning period is organized as follows:

> **Section I: Introduction.** This section provides an overview of the Housing Element planning process, including recent changes to State housing element law. It lists the three primary goals and ten policies that provide the overall direction for the Housing Element. The extensive community outreach and public participation for the Housing Element planning process are summarized and the relationship of the Housing Element to other *Countywide Plan* elements is described.

Section II: Housing Needs Analysis. This section describes the County's population and housing characteristics and data, broken down by income level. Current sales and rent prices are described and occupancy data, by income level, are provided. Other factors affecting the need for housing are discussed, including ability to pay, overcrowding, foreclosures, and population groups with special needs.

Section III: Constraints and Opportunities for Housing Development. Constraints include non-governmental constraints, such as land and construction costs, financing, community resistance to new development, and infrastructure (transportation facilities, water supply, wastewater capacity). Governmental constraints, including land use and permit controls and procedures, and a variety of fees and exactions, are discussed. Affordable housing incentives are among the opportunities described.

Section IV: Sites Inventory and Analysis. This section is a key component of the Housing Element. It describes the land characteristics of the County, including its four environmental corridors (Baylands, City-Centered, Inland-Rural, and Coastal). It provides current data on affordable housing units in Marin. This section lists the latest Regional Housing Needs Allocation as determined by the Executive Board of the Association of Bay Area Governments (ABAG). It quantifies the County's affordable housing objectives, by strategy (i.e., from new construction, rehabilitation, and conservation/preservation), broken down by income category. To achieve these objectives, an inventory of available affordable housing sites from the land use element of the *Countywide Plan* is presented that considers site size, zoning controls, site availability, and income suitability. The inventory is presented in tabular form, supplemented by detailed descriptions of each site. Funding opportunities are also discussed.

Section V: Goals, Policies & Programs. Section V lists all of the goals, policies, and implementing programs intended to enable the County to meet its objectives for new residential units, as established by the RHNA.

2.2. Project Objectives

CEQA requires an EIR to provide a statement of the objectives of the project being evaluated in the EIR. The CEQA project objectives of the Project are the same as the project objectives of the 2007–2014 Housing Element, which have been carried over into the proposed 2015–2023 Housing Element, and are as follows.

2.2.1 Primary Project Objective

The primary objective of the Housing Element is to plan sustainable communities by supplying housing affordable to the full range of Marin County's diverse community and workforce.

2.2.2 Additional Project Objectives

Additional project objectives of the Housing Element focus on the County's housing strategies, which are the following:

2.2.2.1 Goal 1 Use Land Efficiently

Use Marin's land efficiently to meet housing needs and implement smart and sustainable development principles.

2.2.2.2 Goal 2 Meet Housing Needs Through a Variety of Housing Choices

Respond to the broad range of housing needs in Marin County by supporting a mix of housing types, densities, prices, and designs.

2.2.2.3 Goal 3 Ensure Leadership and Institutional Capacity

Build and maintain local government institutional capacity and monitor accomplishments so as to respond to housing needs effectively over time.

2.2.3 Interpretation of Project Objectives

The Policies in the Housing Element are organized around three central ideas, in furtherance of the preceding goals, for facilitating development of housing affordable to lower income households in Marin:

- Provide clear development standards and incentives for affordable housing developments to minimize risk to funders and developers.
- Minimize discretionary review; streamline the permitting process.
- Establish programs appropriate to various Marin locations (urban vs. rural) and be responsive to the local community.

These ideas have been carried through in the proposed 2015–2023 Housing Element. For example, in direct response to input received from the development community and the housing advocacy community, programs are included to build support for moderate and lower income housing.

Marin County's housing policies and programs have been revised to reflect the major themes identified through the County's community outreach process and a critical evaluation of the programs and policies from the 2007–2014 Housing Element. Implementing programs are grouped by the housing goals described above.

With respect to meeting Goal 2 (Meet Housing Needs Through a Variety of Choices), State law requires each jurisdiction to address how it will satisfy the objectives for new residential units as represented by the Regional Housing Needs Allocation. Means of achieving the development of these units are outlined through policies and programs in the 2015–2023 Housing Element. The County's quantified housing provision objectives sufficient to meet the RHNA requirements are listed below in Section 2.3, Housing Sites.

More details on the County's housing policies and programs are provided below in Section 3.4, Policies and Programs.

2.3. Housing Sites

2.3.1 Regional Housing Needs Allocation

A key component of the Housing Element is an inventory of sites consistent with the land use element of the *Countywide Plan* and implementing zoning suitable for housing development that can meet the jurisdiction's allocation of housing affordable to various income levels, as determined by the RHNA. The RHNA establishes quantified objectives for housing affordable to families with extremely low, very low, low, moderate, and above moderate income levels. Every city and county in the State of California has a legal obligation to accommodate its fair share of the existing and projected future housing needs in the region in which it is located. Housing element law requires local governments to update land use plans, policies, and zoning to accommodate projected housing growth. The RHNA figure is not a projection of residential building permit activities, but of housing need based on regional growth projections and regional policies for accommodating that growth.

On July 18, 2013, the Executive Board of the Association of Bay Area Governments adopted the 2014-2022 Regional Housing Need Allocation Plan for the San Francisco Bay Area, which included a formula for distributing the regional housing need across all the jurisdictions in the nine-county Bay Area.[6] The formula is based on a fair-share allocation intended to achieve the requirement that all cities and counties in California work to provide a fair share proportion of the region's total housing need for households at all income levels. However, it also factors in sustainability, i.e., a jurisdiction's ability to promote growth in sustainable locations. Table 1 lists the Regional Housing Needs Allocation for all jurisdictions in Marin County.

Marin jurisdictions saw a significant decrease in the 2014-2022 RHNA allocations from the 2007–2014 allocations. This was due to the methodological decision to focus growth in transit-oriented areas of the Bay Area. Because Marin has no fixed transit[7] and a relatively low service level of bus transit, the County's RHNA share was reduced.

Every housing element must demonstrate that the local jurisdiction has made adequate provisions to support development of housing at various income levels (extremely low, very low, low, moderate, and above moderate) to meet its 'fair share' of the existing and projected regional housing need. However, because local jurisdictions are rarely, if ever, involved in the actual construction of housing units, the RHNA numbers establish goals that should be used to guide planning and development decision-making. Specifically, the numbers establish a gauge for determining whether the County is allocating adequate sites at a range of densities to accommodate the development of housing at a range of income levels. The proxy to

[6] The 2014-2022 Regional Housing Needs Allocation (RHNA) applies to the Housing Element planning period of January 31, 2015 to January 31, 2023 ("2015-2023").

[7] Fixed route public transportation is public transportation by metro subway and light rail.

demonstrate that the County can achieve housing goals for lower income households is currently the identification of available sites that allow residential uses at 30 units per acre.[8]

Table 1: Regional Needs Housing Allocation, 2015–2023 Planning Period

Jurisdiction	UNITS NEEDED BY INCOME CATEGORY					
	Very Low (0-50% AMI)†	Low (51-80% AMI)	Moderate (81-120% AMI)	Above Moderate (120%+ AMI)	2015–2023 Total	*2007–2014 Total*
Belvedere	4	3	4	5	**16**	17
Corte Madera	22	13	13	24	**72**	244
Fairfax	16	11	11	23	**61**	108
Larkspur	40	20	21	51	**132**	382
Mill Valley	41	24	26	38	**129**	292
Novato	111	65	72	167	**415**	1,241
Ross	6	4	4	4	**18**	27
San Anselmo	33	17	19	37	**106**	113
San Rafael	240	148	181	438	**1,007**	1,403
Sausalito	26	14	16	23	**79**	165
Tiburon	24	16	19	19	**78**	117
Unincorporated	55	32	37	61	**185**	773
TOTAL	**618**	**367**	**423**	**890**	**2,298**	**4,882**

† Extremely Low Income (ELI) units are assumed to be 50% of the Very Low (VL) income RHNA figure, or 27 units, for the unincorporated County.
Source: http://www.abag.ca.gov/planning/housingneeds/pdfs/2014-22_RHNA_Plan.pdf and Marin County Community Development Agency

The primary means through which Marin County's quantified objectives will be achieved are a combination of new construction, rehabilitation, and conservation/preservation of market-rate to affordable units. Table 2 below provides a breakdown of housing units that can be developed over the planning period using these three strategies for achieving the County's quantified objectives. With respect to the third strategy, conversion and rehabilitation will significantly support lower income housing objectives, with the conversion of 20 housing units at the Forest Knolls Trailer Court, and of single family homes through the federally funded Rehab Loan Program. The Marin Agricultural Housing program also aims to rehabilitate up to 40 agricultural worker housing units in the next five years, 15 of which are represented in the extremely low income category in Table 2. Achieving affordable housing objectives will also rely, in part, on new construction, consistent with potential opportunities reported in the site inventory discussed below. Development trends have historically shown that moderate and above

[8] Pending legislation (AB 1537, Levine) would reduce the County's default density from 30 DUA to 20 DUA for the 2015-2023 planning period.

moderate income housing objectives will be met through new construction of single-family homes and second units.

2.3.2 Housing Sites Inventory

Government Code Sections 65583 and 65583.2 require planning jurisdictions to provide an inventory of sites in the Housing Element, consistent with the land use element of the *Countywide Plan,* that are suitable for housing development and can accommodate the jurisdiction's short-term housing development objectives, as determined by the Regional Housing Needs Allocation for the planning period, in this case for January 31, 2015 to January 31, 2023.

Marin County's housing needs will be met through the implementation of a variety of strategies. The primary method for addressing the adequate sites requirement is the identification of available vacant and underutilized sites that have appropriate land use designations in the land use element of the *Countywide Plan* and are appropriately zoned and possible to develop within this planning period. The Housing Element analysis includes a parcel-specific inventory of appropriately zoned, available, and suitable sites that can provide realistic opportunities for the provision of housing to all income segments within the community. Table 3 provides a summary inventory of potential housing sites, each of which is analyzed in detail in Appendix F: Site Inventory Profiles, of the proposed 2015–2023 Housing Element.

Table 2: Quantified Housing Objectives by Income Category

		New Construction	Rehabilitation	Conservation/ Preservation	TOTAL
Extremely Low (EL)					**40**
	Permits issued or projects pending	25[1]			
	Rehab Loan Program				
	Marin Agricultural Housing Program		15		
Very Low (VL)					**171**
	Permits issued or projects pending	35			
	Rehab Loan Program		96		
	Marin Agricultural Housing Program		30		
	Gates Coop Houseboat Community		10		
Low (L)					**38**
	Permits issued or projects pending	12			
	Forest Knolls Trailer Court Conversion			20	
	Gates Coop Houseboat Community		6		
Moderate (M)					**75**
	Permits issued or projects pending	75			
Above Moderate (AM) (Market Rate)					**19**
	Permits issued or projects pending	19			
TOTAL		**166**	**157**	**20**	**343**

[1]Marinwood Village (Lower income Inventory assumptions are 25 ELI, 35 VL and 12 L)

The County's land inventory was developed for the previous housing element using a combination of resources, including the County's GIS parcel database and review of policies in the Marin Countywide Plan Community Development (land use) Element and the Marin County Development Code (zoning). Sites were also vetted through direct community input, a series of community workshops, and current development proposals. This cross-analysis resulted in identification of suitable sites and an estimate of potential residential development capacity for these sites. Small and large residentially zoned and mixed-use parcels are included to accommodate a range of housing types and income categories.

The land inventory began with the 16 sites included in the 2007–2014 Housing Element, which was the result of a review of over 29,000 assessor's parcels. Studies were conducted by Countywide Plan land use designation groupings. Vacant and underutilized parcels were evaluated for residential potential. To encourage compact and sustainable development, an emphasis was placed on sites within existing communities and proximity to major roads and services. Opportunities for housing related to community need and local support were also evaluated, particularly in the Inland-Rural Corridor and Coastal Corridor. Development potential on identified sites was also compared to community plans for consistency. Competitiveness for tax credit funding was also considered. The resulting site inventory in Table 3 accommodates Marin County's need with properties currently identified as housing policy sites, or sites that comply with the County's current default density. Only properties with potential to develop within the planning period were included in the inventory. Each site, its governing land use, and development potential is further detailed in Appendix F, Site Inventory Profiles, of the proposed 2015–2023 Housing Element.

The proposed inventory is a subset of the housing sites inventory in the certified 2007–2014 Housing Element, and reflects the reduction in the County's RHNA in comparison with the previous planning period. The previous inventory identified a total of 793 housing units distributed among 16 sites, including four sites with approved projects at the time the 2007–2014 Housing Element was adopted (September 2013). In addition, a total of 30 second units were included for a total of 823 units, although the SEIR evaluated 50 second units.

The evaluation for the 2015-2023 Housing Element carries forward the sites from the 2007-2014 Housing Element, with minor modifications. One site was removed because it was purchased to preserve it from development[9] and based on updated development history, additional second units are projected. As shown in Table 3, this includes a total of 801 units; 596 lower income units, 205 moderate and above moderate income units. These units are distributed on 15 sites and include 40 projected second units.

[9] 650 North San Pedro, San Rafael.

Table 3: Sites Evaluated for the 2015–2023 Housing Element

Sites to Accommodate the RHNA	Site Size (acres)	Number of Units
St. Vincent's Drive, San Rafael *(St. Vincent's/Silveira)*	55	221
100 Marinwood Ave., San Rafael *(Marinwood Plaza)*	5	85
Woodland at Auburn, San Rafael *(California Park)*	1.77	50
Seminary Drive, Mill Valley *(Golden Gate Seminary)*	73.61	60
441 Drake Ave., Sausalito *(Marin City CDC)*	4.06	15
150 Shoreline Hwy., Mill Valley *(Manzanita Mixed-Use)*	0.59	3
2400 Sir Francis Drake Blvd., Fairfax *(Oak Manor)*	1.59	10
Paradise Drive, Tiburon *(Easton Point)*	110	43
1970 Indian Valley Road, Novato *(Indian Valley)*	8.27	5
12 Tamarin Lane, Novato *(Tamarin Lane)*	6.34	5
204 Flamingo Road *(Old Chevron Station)*	0.79	10
11101 State Route 1 *(Grandi Building)*	2.5	2
217 & 221 Shoreline Highway *(Armstrong Nursery)*	1.77	10
Lucas Valley Road *(Grady Ranch)*	240	240
30 Roosevelt *(Roosevelt Street)*	0.18	2
Second Units	–	40
TOTAL Units Allocated	**–**	**801**

Table 4: Sites included in the 2015–2023 Housing Element [10]

Sites to accommodate the RHNA	Lower Income Units	Moderate Income Units	Above Moderate Income Units	Totals
St. Vincent's Drive, San Rafael *(St Vincent's/Silveira)*	**100**	**50**	**71**	**221**
100 Marinwood Ave, San Rafael *(Marinwood Village)*	**72**		**10**	**82**
Woodland at Auburn, San Rafael *(California Park)*	**40**			**40**
Seminary Drive, Mill Valley *(Golden Gate Seminary)*	**20**	**20**		**40**
441 Drake Ave, Sausalito *(Marin City CDC)*	**15**			**15**
150 Shoreline Hwy, Mill Valley *(Manzanita Mixed-Use)*		**3**		**3**
2400 Sir Francis Drake Blvd, Fairfax *(Oak Manor)*		**10**		**10**
Paradise Drive, Tiburon *(Easton Point)*			**43**	**43**
1970 Indian Valley Road, Novato *(Indian Valley)*			**5**	**5**
12 Tamarin Lane, Novato *(Tamarin Lane)*			**3**	**3**
Second units	**21**	**10**	**9**	**40**
TOTAL units allocated	**268**	**93**	**141**	**502**
RHNA minimum requirement for 2015-2023	87	37	61	**185**
Units allocated above RHNA for 2015-2023	181	56	80	**317**

However, the 2015–2023 proposed Housing Element housing sites inventory includes fewer sites and units than what is being evaluated in this Addendum. This is intended to provide options and flexibility for County decision makers. The inventory for the proposed 2015-2023 Housing Element includes 10 of the 16 sites evaluated in this Addendum, with an aggregate total of 502 units allocated as follows: 268 lower-income (ELI, VLI, and LI) units, 93 moderate income units, 141 above moderate income units, and 40 projected second units. As shown in Table 4,

[10] As recommended by the Planning Commission on August 25, 2014

the full inventory demonstrates zoning capacity of 317 units above the 2014–2022 RHNA of 185 units.[11] The proposed housing sites are shown on Exhibits 2 through 9.

2.3.3 Currently Permitted Residential Development

Approved new housing units that were issued building permits between the beginning of the RHNA period (January 1, 2014) and the beginning of the planning period (January 31, 2015) will be counted toward the County's RHNA objectives. Table 5 lists building permits issued from January 1, 2014 to July 31, 2014, showing the County's progress thus far in meeting the 2014–2022 regional housing needs.

Table 5: Unit Development Inventory: Building permits issued January through July 2014

Type of Building Permits Issued 1/1/14 – 7/31/14	Units by Income Level					Method of Affordability: (1) Sales price (2) Rent price (3) Type of Subsidy
	Total Units	VL	L	M	AM†	
Single-family building permits	20	0	0	8	12	8 Moderate rent price worker units. No subsidy.
Multi-family building	0	0	0	0	0	n/a
Houseboats and Mobile home permits issued	0	0	0	0	0	n/a
New second units permitted	3	0	1	1	1	Rent price. See Second Unit Survey 2014 discussion below.
Total permits issued	**23**	**0**	**1**	**9**	**13**	**n/a**
RHNA –2014-2022	*185*	*55*	*32*	*37*	*61*	*RHNA –2014-2022*
Remaining need	*162*	*55*	*31*	*28*	*48*	*Remaining need*

Source: Marin County Community Development Agency, July 2014
VL = Very low income; L = Low income; M = Moderate income; AM = Above moderate income.
Note: A detailed discussion on income categories for second units can be found in the section titled Second Units.

[11] The acreages reported in Table 3 vary somewhat from most of the acreages for the same sites as listed in the 2007–2014 Housing Element. This is because the data in the previous inventory was based on a GIS evaluation, while the more recent acreage numbers were the result of audits of parcel data in the County Assessor's records. While the revised numbers are more accurate, the actual physical sizes of the affordable sites have not changed.

2.4. Policies and Programs

State law requires each jurisdiction to address how it will satisfy the objectives for new residential units as represented by the Regional Housing Needs Allocation (RHNA). Means of achieving the development of these units should be outlined through policies and programs in the Housing Element. The County's quantified housing provision objectives were listed above in Tables 1 and 2.

Marin County's housing policies and programs have been revised to reflect the major themes identified through the County's community outreach process and a critical evaluation of the programs and policies from the certified 2007–2014 Housing Element. Policies for the proposed Housing Element update are grouped by the housing goals described below, which were also listed in Section 3.2. The complete list of implementing programs is provided in Section V of the proposed 2015–2023 Housing Element. An evaluation and status update of programs from the 2007–2014 Housing Element is included in Appendix B of the proposed 2015–2023 Housing Element. Revisions to the implementing programs in comparison with the2007–2014 Housing Element are discussed below.

2.4.1 Revisions to Previous Goals, Policies, and Programs

This and the following subsections provide a summary discussion of revisions, deletions, and additions to the goals, policies, and programs from the 2007–2014 Housing Element for the proposed 2015–2023 Housing Element. The complete list of goals and policies is shown below. These goals and policies would remain unchanged in the 2015–2023 Housing Element, and only some implementing programs would change, as noted below. For the full text of all proposed implementing programs, see Section V of the proposed 2015–2023 Housing Element. Note that the reference numbers of deleted Implementing Programs listed below pertain to the 2007–2014 Housing Element; program numbers in the proposed 2015–2023 Housing Element have been changed in some cases, as shown below and in Section V of the proposed 2015–2023 Housing Element.

2.4.2 2007–2014 (and proposed 2015–2023) Housing Element Goals and Policies

Goal 1 Use Land Efficiently

Use Marin's land efficiently to meet housing needs and implement smart and sustainable development principles.

Policy 1.1 Land Use

Enact policies that encourage efficient land use regulations which foster a range of housing types in our community.

Policy 1.2 Housing Sites

Recognize developable land as a scarce community resource. Protect and strive to expand the supply and residential capacity of housing sites, particularly for lower income households.

Policy 1.3 Development Certainty
Promote development certainty and minimize discretionary review for affordable and special needs housing through amendments to the Development Code.

Policy 1.4 Design, Sustainability, and Flexibility
Enact programs that facilitate well designed, energy efficient development and flexibility of standards to encourage outstanding projects.

Goal 2 Meet Housing Needs Through a Variety of Housing Choices
Respond to the broad range of housing needs in Marin County by supporting a mix of housing types, densities, prices, and designs.

Policy 2.1 Special Needs Groups
Promote the development and rehabilitation of housing for special needs groups, including seniors, people living with disabilities, agricultural workers, individuals and families who are homeless, people in need of mental health care, single-parent families, large families, extremely low income households and other persons identified as having special housing needs in Marin County. Link housing to programs of the Department of Health and Human Services in order to coordinate assistance to people with special needs.

Policy 2.2 Housing Choice
Implement policies that facilitate housing development and preservation to meet the needs of Marin County's workforce and low income population.

Policy 2.3 Incentives for Affordable Housing
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.

Policy 2.4 Protect Existing Housing
Protect and enhance the housing we have and ensure that existing affordable housing will remain affordable.

Goal 3 Ensure Leadership and Institutional Capacity
Build and maintain local government institutional capacity and monitor accomplishments so as to respond to housing needs effectively over time.

Policy 3.1 Coordination
Take a proactive approach in local housing coordination, policy development, and communication. Share resources with other agencies to effectively create and respond to opportunities for achieving housing goals.

Policy 3.2 Research, Monitoring, and Evaluation
Perform effective management of housing data relating to Marin County housing programs, production, and achievements. Monitor and evaluate housing policies on an ongoing basis, and respond effectively to changing housing conditions and needs of the population over time.

Policy 3.3 Funding
Aggressively and creatively seek ways to increase funding resources for lower income and special needs housing.

2.4.3 Deleted and Revised Implementing Programs

The following implementing programs from the 2007–2014 Housing Element have been revised, where noted, or deleted from the proposed 2015–2023 Housing Element.

[Deleted] Implementing Program 1.b from the 2007–2014 Housing Element, in support of Goal 1, called for a task force to conduct a comprehensive affordable housing sites inventory sufficient to meet the projected housing needs of the community over the next two RHNA cycles. This program was deleted from the proposed 2015–2023 Housing Element because it was successfully implemented. The Housing Element Taskforce evaluated over 35 sites for multi-family housing at increased densities.

[Deleted] Implementing Program 1.c from the 2007–2014 Housing Element, in support of Goal 1, called for establishing in the Development Code an affordable housing (AH) combining district that increases residential density to 30 dwelling units per acre on certain sites specified in the Housing Element, in order to meet future RHNA need. This program was deleted from the proposed 2015–2023 Housing Element update because it was successfully implemented. A new AH combining district was added both to the Development Code and the Countywide Plan, and three new sites were rezoned with the new district.

[Deleted] Implementing Program 1.d from the 2007–2014 Housing Element, in support of Goal 1, called for streamlining the review of new affordable housing development by exempting deed-restricted housing developments that are affordable to extremely low, very low, and low-income households from the Master Plan and Precise Development Plan review and permit procedures. This program was deleted from the proposed 2015–2023 Housing Element update because it was successfully implemented. Changes were made to the Development Code in 2010 and 2012.

[Deleted] Implementing Program 1.f from the 2007–2014 Housing Element, in support of Goal 1, called for developing design guidelines for multi-family and residential mixed-use projects to established clear design standards for such developments. This program was deleted from the proposed 2015–2023 Housing Element update because it was successfully implemented. The Multi-Family Design Guidelines were adopted by the Board of Supervisors in December 2013.

[Revised] Implementing Program 1.g from the 2007–2014 Housing Element, in support of Goal 1, called for making adjustments to second unit development standards to allow for larger units so as to provide housing for families and individuals in need of in-home care services. It also called for a reduction in fees on second units in recognition of their small size and low impact. Program 1.g is being carried forward (renumbered as Program 1.f) with modifications, with subprograms c and g being deleted because they are complete and deleted subprogram f

because the Planning Commission chose not to implement it. The revised program reads as follows (new text shown in underlined text; deleted text shown in ~~strikethrough text~~:

1.~~g~~f Undertake Adjustments to Second Unit Development Standards. Consistent with SB1866, continue to enable construction of well-designed second units in both new and existing residential neighborhoods as an important way to provide workforce and special needs housing. Also pursue the following:

a. Consider amending Development Code Section 22.56.050.I to permit~~ting~~ larger sized second units of up to 1000 square feet to increase flexibility and to provide housing for families and for individuals in need of in-home care services. Consider deed restrictions on units larger than 750 square feet to preserve affordability.

b. Reduce fees for second units in recognition of their small size and the low impact of second units. Pursue reductions in road impact and traffic fees, coastal permit fees, and design review fees.

~~**c.** Consider developing standards to allow the height limit for primary residences to be applied to second units that are located over detached garages.~~

~~**d**~~**c.** Develop standards to allow flexibility of second unit parking requirements, such as off-site parking, and curb and shoulder parking along a property's frontage.

~~**e**~~**d.** Consider adjustments in septic standards for second units.

~~**f.** Consider requiring Master Plans, Precise Development Plans and Coastal Permit applications that include development of 3 or more single family residences to include second units at an appropriate ratio, such as three primary residences to one second unit (3:1). .~~

~~**g.** Amend the Development Code Section 22.32.140 G to insure consistency with State Law in all planning areas, and eliminate the prohibition in Bolinas related to water adequacy for primary units.~~

e. Consider amending Development Code Section 22.56.050.A to remove the owner occupancy requirement for the primary residence.

[Deleted] Implementing Program 1.h from the 2007–2014 Housing Element, in support of Goal 1, called for allowing rental of detached accessory structures. This program was deleted from the proposed 2015–2023 Housing Element update because it was successfully implemented. Changes were made to the Development Code in 2012.

[Deleted] Implementing Program 1.j from the 2007–2014 Housing Element, in support of Goal 1, called for zoning and providing appropriate standards for Single Room Occupancy (SRO) units. This program was deleted from the proposed 2015–2023 Housing Element update because it was successfully implemented. Changes were made to the Development Code in 2013.

[Deleted] Implementing Program 1.k from the 2007–2014 Housing Element, in support of Goal 1, called for zoning and providing appropriate standards for homeless shelters. This program was deleted from the proposed 2015–2023 Housing Element update because it was successfully implemented. Changes were made to the Development Code in 2012.

[Deleted] Implementing Program 1.l from the 2007–2014 Housing Element, in support of Goal 1, called for enabling transitional and supportive housing by adding definitions to the Development Code. The program has been deleted because it was successfully implemented.

[Revised] Implementing Program 1.m from the 2007–2014 Housing Element, in support of Goal 1, called for codifying affordable housing incentives identified in the Community Development Element of the Countywide Plan. It also called for adjustment of parking requirements for senior and affordable housing to encourage transit-oriented development (TOD) and identifying incentives to encourage residential and mixed-use development in commercial zoning districts. Subprograms a and d are being deleted because they were successfully completed. The revised program reads as follows (new text shown in underlined text; deleted text shown in ~~strikethrough text~~:

> **1.~~m~~h Codify Affordable Housing Incentives Identified in the Community Development Element.** Amend County Code to implement the provisions of the Countywide Plan by codifying certain affordable housing incentives. These should include:
>
> ~~**a.** Allow additional units of senior housing on a Housing Overlay Designation (HOD) site if the units are affordable to low and very low income households, and if the projected peak hour traffic impacts of the total project fall within the maximum peak hour traffic level permissible on the site. (CD-2.d.7)~~
>
> ~~**b**~~**a.** Adjust parking requirements for senior and affordable housing using criteria established in the URBEMIS model to encourage transit-oriented development. (CD-2.d.8)
>
> ~~**c**~~**b.** Exempt affordable housing projects and second units from paying the full cost of impact fees. (CD-5.j)
>
> ~~d. Allow housing for low and very low income households to exceed the FAR on mixed-use sites. Allow moderate income housing to exceed the FAR on mixed-use sites within areas of acceptable levels of traffic service. (CD-8.7.5)~~
>
> ~~**e**~~**c.** Identify incentives to strongly encourage residential and mixed-use development in commercial zoning districts. (DES-2.c)
>
> ~~**f.** For affordable housing projects, mixed-use projects that include affordable housing, second units, and projects developed in accordance with the Housing Overlay Designation, allow densities above the low end of the range in areas with LOS D, E and F: In accordance with the Countywide Plan Policy CD-8.7, residential units on mixed use sites in the Tamalpais Area Community Plan area shall be restricted to 100 residential units, including any applicable density bonus. Such units are not subject to the FAR exemption described in CD-8.7 (5).~~

[Deleted] Implementing Program 1.q from the 2007–2014 Housing Element, in support of Goal 1, called for evaluating policies in the Countywide Plan and Development Code to ensure consistency with the State density bonus. This program is being deleted from the proposed 2015–2023 Housing Element update because it currently being implemented.

[Revised] Implementing Program 2.g from the 2007–2014 Housing Element, in support of Goal 2, called for reducing barriers in housing for people with disabilities. Two of the subprograms are being deleted from the 2015–2023 Housing Element because they have already been implemented. The revised program reads as follows (new text shown in underlined text; deleted text shown in ~~strikethrough text~~:

> **2.g Ensure Reasonable Accommodation.** Consistent with SB 520 enacted January 1, 2002, reduce barriers in housing for individuals with disabilities through the following actions:
>
> ~~a. Establish a written Reasonable Accommodation procedure for providing exceptions in zoning and land use for housing for persons with disabilities.~~
>
> ~~b. Amend the Development Code to clarify that retrofitted access ramps are permitted in setback areas.~~
>
> ~~c.~~a. Develop guidelines encouraging the principles of universal design. Evaluate possible incentives to developers who incorporate principles of universal design and advance visitability.
>
> ~~d.~~b. Consider allowing up to 50% reduction in parking requirements for disabled housing, as allowed for senior housing.

[Revised] Implementing Program 2.j from the 2007–2014 Housing Element, in support of Goal 2, called for promoting the development of agricultural worker units. A minor revision to one of the subprograms is being proposed in the 2015–2023 Housing Element. The revised program reads as follows (new text shown in underlined text; deleted text shown in ~~strikethrough text~~:

> **2.j Promote the Development of Agricultural Worker Units.** Pursue policy changes that promote the development of agricultural worker units.
>
> - **a.** Consider ministerial review of applications for agricultural worker units in order to expedite the permitting process and facilitate the development of legal agricultural worker units.
> - **b.** As the County undertakes an update of the Local Coastal Program (LCP), revise the C-APZ zoning district to allow certain agricultural worker housing as a permitted agricultural use, demonstrating consistency with California Health and Safety Code Section 17021.6.
> - **c.** Consider a program to facilitate the legalization of agricultural worker housing units.
> - **d.** Seek funding opportunities to assist with rehabilitation and replacement of agricultural worker housing units.

e. ~~Amend the Development Code to insure consistency with Health and Safety Code Section 17021.5.~~Amend the Development Code to clarify provisions for agricultural worker housing.

[Deleted] Implementing Program 2.q from the 2007–2014 Housing Element, in support of Goal 2, called for consideration of an area-wide Environmental Assessment or Program EIR to expedite CEQA review of new affordable housing development proposals. This program was deleted from the proposed 2015–2023 Housing Element update because it was successfully implemented by completion of the 2013 SEIR.

[Revised] Implementing Program 2.u from the 2007–2014 Housing Element, in support of Goal 2, called for monitoring of the conservation of the County's affordable housing stock. References to the Ridgeway Apartments are being deleted because conversion of the site to affordable housing was successfully completed. The revised program reads as follows (new text shown in underlined text; deleted text shown in ~~strikethrough text~~:

2.u Monitor Rental Housing Stock. Ensure that existing housing is conserved as part of the County's affordable housing stock, including State, Federal and locally-assisted subsidized developments. ~~(See Figure IV-4 on page IV-7 for more detail about the Ridgeway Apartments conversion.)~~

a. Identify and monitor affordable properties at risk of conversion to market rate.

b. Continue to work with and provide technical assistance to property owners and non-profit organizations to acquire and rehabilitate affordable rental housing units in order to maintain ongoing affordability of the units and to convert market rate units to affordable units.

c. Provide support ~~and committed funding~~ to purchasers of the ~~Ridgeway Apartments~~ Coast Guard residential facility to facilitate conversion of ~~153 units of market rate rental~~ existing housing to long-term deed restricted units affordable to low and moderate income households.

d. Commit to provide relocation assistance in the event of displacement of residents ~~of the Ridgeway Apartments as well as any other residents~~ who may be displaced as a result of conversion from market rate to long-term affordable housing with committed assistance from the County.

e. Ensure that all units receiving committed assistance from the County for conversion from market rate to affordable carry affordability restrictions of 55 years, or the maximum allowed under the State or Federal funding source~~, including the Ridgeway Apartments~~.

~~**f.** Submit a written report to the Board Supervisors and the California Department of Housing and Community Development documenting progress towards and committed assistance to the conversion of the Ridgeway Apartments. This report will be provided during the third year of the planning~~

~~period (2012) in conjunction with the annual report on housing element progress.~~

[Deleted] Implementing Program 3.a from the 2007–2014 Housing Element, in support of Goal 3, called for consideration of affordable housing at the Civic Center site and collaboration with the City of San Rafael in meeting RHNA requirements. This program was deleted from the proposed 2015–2023 Housing Element update the Planning Commission has declined to pursue it.

[Revised] Implementing Program 3.e from the 2007–2014 Housing Element, in support of Goal 3, called for coordination with other agencies to facilitate and streamline the development of affordable and special needs housing. Subprogram b is being deleted because it was successfully implemented. The revised program reads as follows (new text shown in underlined text; deleted text shown in ~~strikethrough text~~:

> **3.e Coordinate with Other Agencies.** Coordinate with other regulatory agencies and special districts to facilitate and streamline the development of affordable and special needs housing. Pursue fee waivers and expedited review.
>
> **a.** Pursue fee waivers and expedited review for affordable and special needs housing.
>
> ~~**b.** Coordinate with pertinent departments in their efforts to amend the Safety and Conservation Elements of the Countywide Plan to include analysis and policies regarding flood hazard and flood management information.~~

[Deleted] for updating Affordable Housing Trust Fund operating procedures. This program was deleted from the proposed 2015–2023 Housing Element update because it was successfully completed in 2009.

2.4.4 Proposed New Implementing Programs

The following new implementing programs have been added to the proposed 2015–2023 Housing Element.

> **1.b Evaluate Multi-family Land Use Designations.** Conduct a comprehensive analysis of multi-family land use to evaluate whether multi-family zoning is appropriately located. Possible outcomes of this analysis could include:
>
> **a.** Adjust zoning maps as appropriate and redistribute multi-family zoning to locations suitable for multi-family development.
>
> **b.** Avoid designating or rezoning multi-family residential land for other uses or to lower densities without rezoning equivalent land for higher density multi-family development.
>
> **c.** Identify sites for multi-family, mixed-use, affordable workforce, and special needs housing, when undertaking community planning and zoning processes.

1.c Study Residential Density Equivalents. Evaluate options for calculating density through adjusted density equivalents based on bedrooms count or square footage rather than total number of units. Such an amendment to the Development Code would encourage development of smaller units, which corresponds to the demographic trend of increasing numbers of small households.

- **a.** Conduct an analysis to determine the feasibility of a density equivalent program. Identify appropriate density equivalent strategies for implementation and determine the fiscal impacts.
- **b.** Analyze how such a program might interact with inclusionary requirements, parking standards, and density bonuses.
- **c.** If it is determined feasible and appropriate, consider amending the Development Code to calculate density through density equivalents.

1.d Evaluate the Housing Overlay Designation. Analyze the Housing Overlay Designation (HOD) policy in the Countywide plan for its effectiveness in encouraging the construction of housing for lower income workforce and special needs populations. Amend the Countywide Plan if it is determined that changes are necessary to make the program more effective.

- **a.** Amend Countywide Plan Policy CD-2.3 to remove the requirement that HOD sites shall not comply with the mixed-use criteria.

2.i Increase Tenants Protections. Explore providing rental protections, such as:

- Noticing of rental increases
- Relocation costs
- Just cause eviction
- Rent stabilization
- Rent control

2.q Study best practices for Housing Choice voucher acceptance. Support Marin Housing Authority in their efforts to maximize voucher utilization and ensure that low income renters are able to rent in place. Consider the following:

- Outreach to property owners and managers, possibly through a landlord liaison position
- Explore tax incentives for renting to low income renters
- Conduct coaching sessions for low income renters

2.v Study Housing Needs and Constraints Specific to West Marin. Identify housing needs and constraints specific to rural and coastal areas of the County. Work with communities on solutions to address needs and constraints identified.

3.a Consider Methods for Improving County's Outreach with Respect to Affordable Housing. Address community opposition to homes for moderate and lower income families through education and outreach. Consider:

- Providing more information in planning documents about standards for affordable housing
- Using visual simulations and imagery from comparable projects
- Conducting interactive public workshops
- Coordinating housing providers and supporters
- Co-sponsoring an event for affordable housing week such as a tour of existing affordable homes

2.5. Administrative Actions

In addition to adoption of the proposed 2015–2023 Housing Element this Addendum to the 2013 SEIR contemplates the following actions as implementing programs and activities. These approvals will be considered and made solely by the Marin County Board of Supervisors and are the following:

- The Countywide Plan will be amended to incorporate the 2015–2023 Housing Element.

2.5.1 Related Marin County Development Code Update

The proposed 2015–2023 Housing Element carries forward programs that include amendments to the Development Code that were previously evaluated in the SEIR. Four new programs were added to the 2015–2023 Housing Element that consider possible amendments to the Development Code; this Addendum contemplates these actions as implementing programs and activities of the 2015–2023 Housing Element. The purpose of the amendments is to make the Development Code consistent with the goals, policies, and programs of the 2015–2023 Housing Element. The Development Code updates contemplated by the new implementing programs would entail increasing the potential for efficient land use by conducting planning studies to evaluate multifamily zoning and density equivalents. Consideration of these Development Code amendments is called for in new Programs 1.b and 1.c, which are listed above in Section 2.4. Because these programs call for planning studies for possible future actions, they are exempt from CEQA review pursuant to Section 15262 of the *CEQA Guidelines*. No other Development Code updates are contemplated by proposed new implementing programs evaluated in this Addendum.

Chapter 3: Environmental Checklist for Addendum to the Supplemental EIR

The purpose of this checklist is to evaluate the [Project] in order to determine, for each environmental resource area, whether any "changed condition" (i.e., changed circumstances, Project changes, or new information of substantial importance) may result in a new or substantially more severe environmental impact. A "no" answer does not necessarily mean that there are no potential impacts relative to that environmental area, but that there is no change in the condition or status of the impact since it was analyzed and addressed (with or without mitigation) in the *Marin County Housing Element Supplement to the CWP EIR Final Supplemental Environmental Impact Report* (State Clearinghouse No. 2012072028, certified September 24, 2014) ("SEIR"). The SEIR consists of three volumes, which are identified in more detail in the next section below: the Draft SEIR, the Final SEIR, and the Final SEIR Amendment. Accordingly, the answer in the checklist may be "no" if the Project does not involve changes that would result in a modification to the conclusion of the prior environmental documents with regard to that particular impact.

3.1 Explanation of Checklist Evaluation Categories

3.1.1 Where Impact was Analyzed

The first column in the checklist, "where impact was analyzed," provides a cross-reference to the specific SEIR document and the impact number, section, or pages in which information and analysis that pertain to the environmental issue listed under each topic may be found. The SEIR consists of the following documents:

- *2012 Draft Marin County Housing Element Supplement to the 2007 Countywide Plan EIR – Draft Supplemental Environmental Impact Report* (December 20, 2012) ("Draft SEIR")

- *Marin County Housing Element Supplement to the 2007 Countywide Plan EIR – Final Supplemental Environmental Impact Report – Responses to Comments to the Draft Supplemental Environmental Impact Report* (May 2013) ("Final SEIR")

- *Marin County Housing Element Supplement to the 2007 Countywide Plan EIR – Final Supplemental Environmental Impact Report – Responses to Comments to the Draft Supplemental Environmental Impact Report AMENDMENT* (June 2013) ("Final SEIR Amendment")

3.1.2 Do Proposed Changes Involve New or Substantially More Severe Significant Impacts?

Pursuant to Section 15162(a)(1) of the State CEQA Guidelines, this checklist column indicates whether the proposed changes in the current Project would result in new significant impacts that have not previously been considered in the SEIR or a substantial increase in the severity of a previously identified significant impact.

3.1.3 Do Any New Circumstances Involve New or Substantially More Severe Impacts?

Pursuant to Section 15162(a)(2) of the State CEQA Guidelines, this checklist column indicates whether there have been circumstances under which the Project is undertaken (e.g., changes to the Project site or the vicinity) that have occurred subsequent to the SEIR, which would result in the current Project having new significant environmental impacts that were not considered in the SEIR or which would substantially increase the severity of a previously identified significant impact.

3.1.4 Any New Information of Substantial Importance Requiring New Analysis or Verification?

Pursuant to Section 15162(a)(3)(A-D) of the State CEQA Guidelines, this column indicates whether new information of substantial importance which was not known and could not have been known with the exercise of reasonable diligence at the time the SEIR was certified as complete is available requiring an update to the analysis of the SEIR to verify that the environmental conclusions remain valid. If the new information shows that: (A) the Project would have one or more significant effects not discussed in the SEIR that would require major revision of the SEIR; or (B) that significant effects previously examined would be substantially more severe than shown in the SEIR and would require major revision of the SEIR; or (C) that mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects or the Project, but the Project proponents decline to adopt the mitigation measure or alternative; or (D) that mitigation measures or alternatives which are considerably different from those analyzed in the SEIR would substantially reduce one or more significant effects on the environment, but the Project proponents decline to adopt the mitigation measure or alternative, then the question would be answered 'Yes' and would either require the preparation of a subsequent or supplemental EIR or a mitigated negative declaration. However, if the additional analysis completed as part of this environmental checklist finds that the conclusions of the SEIR remain the same and no new significant impacts are identified, or identified environmental impacts are not found to be substantially more severe, or additional mitigation is not necessary, then the question would be answered 'No' and no subsequent or supplemental EIR is required pursuant to CEQA Guidelines section 15162 or 15163, and an addendum shall be prepared pursuant to CEQA Guidelines section 15164. New studies completed as part of this environmental checklist are attached to this checklist, or are on file with the Marin County Community Development Agency.

3.1.5 Do Existing SEIR Mitigation Measures Reduce Impacts to a Less-Than-Significant Level?

Pursuant to Section 15162(a)(3) of the State CEQA Guidelines, this column indicates whether the SEIR identified feasible mitigation measures to avoid or minimize the significant impacts of the proposed Project. The mitigation measures that were identified in the SEIR were adopted and incorporated into the Project, and many of them have already been implemented. A "yes" response is provided if previously-adopted mitigation measures would effectively reduce new or more severe impacts of the current Project. A "no" response would indicate that previously-adopted measures are insufficient to reduce new or more severe impacts. If "NA" is indicated,

this Environmental Checklist concludes that the impact does not occur with this Project and therefore no mitigation is needed.

3.2 Discussion and Mitigation Sections

3.2.1 Discussion

A discussion of the elements of this Environmental Checklist is provided under each environmental category in order to clarify the answers. The discussion provides information about the particular environmental issue, how the Project relates to the issue, and the status of any mitigation that may be required or that has already been adopted and, in some cases, implemented.

3.2.2 Mitigation Measures from the CWP EIR and/or SEIR

Previously adopted mitigation measures from the SEIR that will reduce or avoid impacts of the proposed Project are listed under each environmental category. The majority of the SEIR mitigation measures were carried over from the *2007 Countywide Plan EIR* ("CWP EIR"). As noted in the discussions, in some cases the SEIR identified new mitigation measures. Additional new mitigation measures could be included in this Environmental Checklist, if needed, although none have been determined to be needed for the proposed Project. The final text of the previously adopted mitigation measures from the SEIR is included in the "Mitigation Measures" section of each checklist item. In addition, all of the SEIR mitigation measures are consolidated in the revised Mitigation Monitoring and Reporting Program (MMRP) that is available for review at the following website: www.marincounty.org/envplanning.

3.2.3 Conclusions

A discussion of the conclusion relating to the analysis contained in each section.

3.3 Introduction to the Analysis

The Environmental Checklist that follows evaluates the physical effects on the environment that could result from implementation of the proposed 2015–2023 Housing Element. Because the greatest potential for adverse effects would occur with development of the housing sites considered for the 2015–2023 Housing Element, the checklist discussions are focused on this component of the proposed Project. Unless otherwise noted in specific checklist items, the discussions for specific environmental resource areas (.e.g., biological resources, cultural resources, etc.) do not explicitly address the proposed new and revised implementing programs in the Housing Element for the reasons explained below.

All of the new and revised implementing programs (listed in Section 2.4) were reviewed for their potential to cause new environmental impacts not previously evaluated in the SEIR. The proposed new implementing programs consist of conducting planning studies or performing evaluations of existing or contemplated programs. Conducting these studies and evaluations would not result in significant effects on the environment; furthermore, feasibility and planning

studies are statutorily exempt from CEQA review. Section 15262 of the *State CEQA Guidelines* states that feasibility and planning studies for possible future actions, which the presiding agency, board, or commission has not approved, adopted, or funded, do not require preparation of an EIR or Negative Declaration.

The proposed revisions to existing implementing programs consist of (1) deletion of certain subprograms because they have been completed, or (2) minor text changes to provide greater clarification regarding certain programs. In some cases, revised implementing programs call for consideration of amendments to the Development Code. These implementing programs would not directly amend the Development Code, and consideration of possible future amendments does not constitute discretionary action by the County that is subject to CEQA review. Any such future actions would require separate environmental review pursuant to CEQA.

While it is possible that future zoning or Development Code amendments could have potentially significant adverse effects on the environment, such amendments are not part of the proposed Project, and it would be speculative to identify potential impacts. Again, such revisions would be subject to separate environmental review at the time they are proposed.

1. Aesthetics

Environmental Issue Area	Where Impact Was Analyzed in SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
1. Aesthetics. Would the Project:					
a. Have a substantial adverse effect on a scenic vista?	Draft SEIR, pg. 59	No	No	No	n/a
b. Substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	Draft SEIR, pg. 59	No	No	No	n/a
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	Draft SEIR, pg. 59	No	No	No	n/a
d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Draft SEIR, pg. 60	No	No	No	Yes

Discussion

1-a) The SEIR concluded that implementation of the 2007–2014 Housing Element[1] would not authorize or directly result in development of new housing units in excess of the 31,623 units analyzed in the CWP EIR, but found that implementation of Housing Element policies and programs would facilitate future residential development at higher densities in some locations, and at a limited number of new locations than allowed under then-current *Countywide Plan* land use designations. Such development would have the potential to degrade the quality of scenic resources, including scenic vistas. The SEIR determined this previously identified less-than-significant impact would remain less than significant.

New development pursuant to the 2007–2014 Housing Element would be subject to CWP policies and programs that protect scenic vistas. Specifically, the SEIR cited Goal DES-1 (Preservation of Community Character), Policy DES-1.1 (Address Design at the Community Level), DES-1.2 (Protect Rural Character), Program DES-1.a (Add Design Components to Community Plans), Goal DES-3 (New Development in Built Areas), Policy DES-3.1 (Promote

[1] The SEIR referred throughout to the "*2012 Draft Housing Element*," which was subsequently adopted and certified. All SEIR references to the *2012 Draft Housing Element* have been revised in this document to read "2007–2014 Housing Element" to be consistent with usage in the 2015–2023 Housing Element and to reduce confusion.

Infill), Policy DES-3.2 (Promote Green Spaces), Goal DES-4 (Protection of Scenic Resources), Policy DES-4.1 (Preserve Visual Quality), Policy CD-1.3 (Reduce Potential Impacts), and Program CD-1.c (Reduce Potential Impacts) as goals, policies, and programs that would further reduce the impact of new housing development on scenic resources and vistas.

The proposed 2015–2023 Housing Element is a revised version of the 2007–2014 Housing Element. The housing sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. No new housing sites are considered. The total number of housing units considered for the Housing Element has been reduced from 823 units to 801 units. Development of future housing would therefore not have the potential to cause new or more severe impacts on scenic vistas than those previously identified in the SEIR.

1-b) The SEIR stated that there are no designated State Scenic Highways or National Scenic Byways within Marin County, and did not identify any impact on scenic highways. Although Highway 1 is eligible for designation as a State Scenic Highway, it is not currently designated as such.[2] Therefore, there is no potential for the proposed 2015–2023 Housing Element to adversely affect scenic highways.

1-c) The 2007–2014 Housing Element identified housing sites for new housing development, including four properties where all or portions of the sites would be assigned to the AH Combining District, which would result in the housing densities evaluated in the *Countywide Plan* being exceeded. These changes were analyzed in the SEIR. The SEIR also analyzed 14 additional properties that were evaluated for the AH Combining District in the 2014-2022 cycle (2015-2023 Housing Element planning period). The EIR for the *Countywide Plan* had determined in Impacts 4.12-1 (Scenic Resources) and 4.12-2 (Community Character) that provisions of the Development Code and design review of individual projects would preserve and possibly improve the visual character and quality of the housing sites and their surroundings. The 2007–2014 Housing Element included additional policies and programs to protect visual quality, including Program 1.f (Develop Multi-family Design Guidelines) and Policy 1.4 (Design, Sustainability, and Flexibility), that emphasize preservation of natural features, massing, and compatibility with neighboring development. The SEIR noted that any new development resulting from implementation of the 2007–2014 Housing Element would comply with the *Countywide Plan* and Development Code policies and regulations, as well as the implementing programs in the 2007–2014 Housing Element, and development of individual sites would be subject to an evaluation of visual impacts. On this basis, the SEIR concluded that the project would not involve new or substantially more severe significant impacts than those discussed in the *Countywide Plan* EIR.

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[2] California Department of Transportation (Caltrans), Officially Designated State Scenic Highways and Historic Parkways (website), accessed August 12, 2014 at: http://www.dot.ca.gov/hq/LandArch/scenic_highways/.

The number of total housing units considered in the 2015-2023 Housing Element has been reduced from 823 units to 801 units in comparison with the previous Housing Element, and no new sites have been added. The conclusion of the SEIR that additional housing sites would comply with existing policies and development regulations and with proposed implementing programs, and would therefore not involve new or substantially more severe significant impacts, is equally applicable to the implementing programs of the proposed 2015–2023 Housing Element. The proposed project would therefore not cause new or more severe impacts on the visual quality of proposed housing sites and their surroundings than those previously identified in the SEIR.

1-d) The *Countywide Plan EIR* previously identified a significant unavoidable impact from additional sources of nighttime lighting that would result from implementation of the *Countywide Plan*: Impact 4.12-4 (Light Pollution and Nighttime Sky). The SEIR acknowledged that properties proposed for the AH Combined District and other properties identified in the 2007–2014 Housing Element could be developed at higher densities than anticipated in the analysis contained in the 2007 CWP EIR, but concluded that nighttime lighting impacts resulting from potential construction would be minimized because all development projects would be consistent with Countywide Plan Program DES-1.h (Lighting Design Guidelines). The SEIR found that the new development provided for in the 2007–2014 Housing Element would not involve new or substantially more severe impacts. The mitigation for lighting impacts identified in the CWP EIR, listed below, would still apply.

The SEIR analysis summarized above would still apply to the proposed 2015–2023 Housing Element. Overall, the number of housing units considered would be reduced in comparison with the previous Housing Element, and no new housing sites would be added. Although the density at some sites could be increased in the future as the County executes proposed new Implementing Program 1.b (Evaluate Multi-family Land Use Designations), all development projects would still be required to comply with Countywide Plan Program DES-1.h (Lighting Design Guidelines), as previously concluded in the SEIR. Therefore, the proposed project would therefore not cause new or more severe nighttime lighting impacts than those previously identified in the SEIR.

CWP EIR Mitigation Measures

The CWP EIR identified two mitigation measures to reduce identified visual impacts. Both Mitigation Measures 4.12-2 and 4.12-4 were adopted as a part of the *Countywide Plan* and would continue to apply. Mitigation Measure 4.12-4 became Program DES-1.h (Lighting Design Guidelines). Future housing development projects would be subject to these *Countywide Plan* programs.

Mitigation Measure 4.12-2 In order to reduce impacts to the visual character of Marin County's communities to a less-than-significant level, Mitigation Measure 4.12-2 requires the County to obtain funding for Program DES-1.a (Add Design Components to Community Plans) and to revise the time frame of its implementation to the medium-term or sooner. In addition, the Marin

County Community Development Agency would be responsible for revising design guidelines of community plans to be consistent with the *Countywide Plan*.

Mitigation Measure 4.12-4 stated that in order to minimize light trespass, light pollution, and glare, new development and projects that would make significant parking lot improvements or add new lighting would be required to prepare a lighting plan for design review and approval by County staff. Mitigation Measure 4.12-4 added Program DES-1.h to the Built Environment Element of the *Countywide Plan*. Program DES-1.h reads as follows:

> ***Program DES-1.h Lighting Design Guidelines.*** *Amend the Development Code to include lighting design guidelines to be applied through design review and other discretionary permits. Explore the feasibility of amending the Building Code to include lighting specifications. Require new development and major remodel projects that would make significant parking lot improvements or add new lighting to submit a lighting plan consistent with these guidelines for design review by County staff. Lighting design guidelines and/or specifications should address:*
>
> - *Efficiency – Cost effective energy efficient standards for outdoor lighting shall be developed to conserve energy thereby reducing excessive lighting, light pollution, light trespass, and glare;*
> - *Reasonableness of Intensity – Acceptable standards shall be defined for various land uses and development types specifying the maximum allowable total lumens per acre;*
> - *Directional Control – Standards shall be developed to minimize the upward transmission and intensity of light at various distances from its source through the use of full-cutoff lighting, downward casting, shielding, visors etc;*
> - *Signage – Standards with respect to illuminated signs shall be developed that prohibit or limit the size, spacing, design, upward transmission of light, and hours of operation. In addition, signs should be white or light colored lettering on dark backgrounds;*
> - *Night Lighting – Hours of operation for various uses shall be specified in order to prohibit all-night lighting except when warranted for public safety reasons. On demand lighting shall be encouraged;*
> - *Education – A voluntary educational component of this program shall include the distribution of informational materials for use by county residents, developers, and lighting supply retailers. These materials shall provide specific methods and product information necessary for compliance of new development as well as aiding the conversion of existing lighting sources;*
> - *Incentives – The County shall develop incentives for residents and businesses encouraging the conversion of existing lighting sources to compliant ones; and*
> - *Enforcement – These standards shall be incorporated into the County Development Code and design review process for new development.*

The SEIR determined that no additional mitigation measures for aesthetic impacts would be required for the 2007–2014 Housing Element. Based on the discussion above, the proposed 2015–2023 Housing Element would similarly not require any new mitigation measures.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe impacts on aesthetics than those previously evaluated in the 2013 SEIR.

2. Agriculture and Forestry Resources

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
2. Agriculture. Would the Project:					
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	Draft SEIR, pg. 66	No	No	No	n/a
b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Draft SEIR, pgs. 66-67	No	No	No	n/a
c. Conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?	Draft SEIR, pg. 67	No	No	No	n/a
d) Result in the loss of forest land or conversion of forest land, to non-forest use?	Draft SEIR, pg. 67	No	No	No	n/a
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land, to non-forest use?	Draft SEIR, pg. 67	No	No	No	n/a

Discussion

2-a) The SEIR disclosed that the CWP EIR identified a significant unavoidable impact from conversion of agricultural lands to non-agricultural uses, but concluded that the 2007–

2014 Housing Element would not increase the severity of the impact. Implementation of Program 1.c (Establish an Affordable Housing Combining Zoning District) of the 2007–2014 Housing Element would permit designation of up to 3.5 acres of the St. Vincent/Silveira properties, which the State has designated as Farmland of Local Importance, for affordable residential development. However, conversion of Farmland of Local Importance is not considered a significant effect. In addition, this implementing program has already been implemented and has been deleted from the proposed 2015–2023 Housing Element. This less-than-significant impact from the SEIR would therefore no longer apply to the proposed Project. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed 2015–2023 Housing Element does not consider any new housing sites that have not previously been evaluated in the SEIR, and the proposed new and revised implementing programs do not have the potential to result in conversion of agricultural lands to non-agricultural uses. The proposed project would therefore not cause new or substantially more severe impacts on agricultural lands than those previously identified in the SEIR.

2-b) The SEIR stated that the CWP EIR identified a less-than-significant impact from conversion of lands under Williamson Act contract to non-agricultural uses. Although the 2007–2014 Housing Element included the addition of the St. Vincent/Silveira predominantly agricultural properties as a housing site with increased densities, the SEIR found that the St. Vincent/Silveira site was not subject to a Williamson Act contract, and therefore, implementation of Program 1.c (Establish an Affordable Housing Combining Zoning District) of the 2007–2014 Housing Element would not alter land under a Williamson Act contract. The SEIR concluded that the 2007–2014 Housing Element would not substantially increase the severity of the impact on lands under a Williamson Act contract.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed 2015–2023 Housing Element does not consider any new housing sites that have not previously been evaluated in the SEIR, and the proposed new and revised implementing programs do not have the potential to result in conversion of agricultural lands to non-agricultural uses. The proposed project therefore does not have any potential to cause new or substantially more severe impacts related to conversion of lands under Williamson Act contract to non-agricultural uses than those previously identified in the SEIR.

2-c) The CWP EIR did not discuss impacts of timberland resources because it was prepared and certified prior to the inclusion of this topic in the Environmental Checklist, which occurred with the December 2009 amendments to the *CEQA Guidelines*. Although the SEIR addressed impacts due to the loss or conversion of forest land (see Checklist Item 2-d, below), it did not address timberland as a distinct resource. "Timberland" is defined in Public Resources Code Section 4526 as land, other than land owned by the federal

government and land designated by the board as experimental forest land, which is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. By contrast, "forest land" is defined in Public Resources Code Section 12220(g) as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits.

Section II-c of the revised Environmental Checklist contained in Appendix G of the *CEQA Guidelines* also asks whether a project would conflict with zoning of timberland zoned Timberland Production. Government Code Section 51104(g) defines "timberland production zone" or "TPZ" as an area that has been zoned pursuant to Government Code Section 51112 or 51113 and is devoted to and used for growing and harvesting timber, or for growing and harvesting timber and compatible uses, which are defined in Section 51104(h). None of the housing sites in the proposed 2015–2023 Housing Element are zoned Timberland Production, so there is no potential for the Project to conflict with Timberland Production zoning.

Although a few of the housing sites identified in the 2007–2014 Housing Element and considered in the proposed 2015–2023 Housing Element are partially or largely covered with trees, including the Marin City CDC, Easton Point, and Tamarin Lane sites, the SEIR determined that none of the sites are designated as forest land, and concluded that the impact on forest land would be less than significant. As indicated by the definitions cited above, timberland is oriented toward commercial production. None of the housing sites considered in the proposed 2015–2023 Housing Element would be viable for commercial timber production. Therefore, the SEIR conclusion regarding the potential for the previous Housing Element to adversely affect forest land would be equally applicable to timberland. The proposed Project would not lead to the loss of forest land or timberland and would not cause conversion of forest land or timberland to non-forest/timber uses.

2-d) As noted in Checklist Item 2-c, above, the SEIR determined that none of the housing sites are designated as forest land, and implementation of the 2007–2014 Housing Element would not lead to the loss of forest land or conversion of forest land to non-forest use. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Therefore, the proposed Project would similarly have no adverse effect on forest land, nor would any of the proposed new implementing programs have the potential to adversely affect forest land.

2-e) The SEIR referenced two impacts on agricultural lands identified in the *Countywide Plan* EIR, which are Impact 4.8-1 (Conversion of Agricultural Lands to Non-Agricultural Uses), a significant unavoidable impact, and Impact 4.1-3 (Land Use Conflicts between Agricultural

and Urban Uses), a less-than significant impact. The 2007–2014 Housing Element added the St. Vincent's / Silveira properties (housing site 5) to the inventory of housing sites. The SEIR determined that although implementation of the Countywide Plan Policy SV-2.4 (Cluster Development) would allow up to 55 acres of urban development on the site and implementation of Program 1.c would rezone 3.5 acres of the St. Vincent's / Silveira property for affordable housing development, there would be no increase in the severity of impacts associated with conversion of agricultural land or conflicts between agricultural land and urban uses. The SEIR also concluded that because none of the housing sites are designated as forest land or require construction of infrastructure or other development within designated forest land, the 2007–2014 Housing Element would not involve other changes that would lead to conversion of forest land to non-forest use.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The planning studies called for in the proposed new implementing programs would have no effect on agricultural land or forest land. Therefore, the proposed 2015–2023 Housing Element does not have the potential to result in any new or substantially more severe impacts on agricultural and forest land than those previously evaluated in the 2013 SEIR.

CWP EIR Mitigation Measures

The SEIR found that Mitigation Measures 4.8-1 from the *Countywide Plan EIR* was not applicable to the 2007–2014 Housing Element, and the SEIR did not include mitigation for the conversion of agricultural lands to open space uses. The SEIR determined that no additional mitigation measures were required for the 2007–2014 Housing Element related to impacts on agricultural or forest resources. No new or substantially more severe impacts on these resources have been identified for the proposed 2015–2023 Housing Element; therefore, no additional mitigation measures are required for the proposed Project.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe impacts on farmland of Statewide importance or on agricultural or forest resources than those previously evaluated in the 2013 SEIR.

3. Air Quality

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
3. Air Quality. Would the Project:					
a. Conflict with or obstruct implementation of the applicable air quality plan?	Draft SEIR, pgs. 72-74	No	No	Yes	Yes
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	Draft SEIR, pg. 75	No	No	Yes	Yes
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	Draft SEIR, pg. 75	No	No	Yes	Yes
d. Expose sensitive receptors to substantial pollutant concentrations?	Draft SEIR, pgs. 75-77 Final SEIR, pg. 389 Final SEIR Amendment, pg. 132	No	No	Yes	Yes
e. Create objectionable odors affecting a substantial number of people?	Draft SEIR, pg. 78	No	No	No	Yes

Discussion

3-a) The most recent clean air plan is the *Bay Area 2010 Clean Air Plan* (CAP) that was adopted by the Bay Area Air Quality Management District (BAAQMD) in September 2010. The 2010 CAP updates the *Bay Area 2005 Ozone Strategy*, which was the previous clean air plan adopted by the BAAQMD, and was adopted after the CWP EIR was certified. The SEIR contained a discussion of the CAP's emissions control measures, which are intended to directly or indirectly reduce air pollutant emissions in the Bay Area. These include measures to reduce stationary and area sources, mobile source measures, transportation control measures, land use and local impact measures, and energy and climate measures.

In evaluating the consistency of the 2007–2014 Housing Element with the 2010 CAP, the SEIR first determined that the vehicle travel projections under the 2007–2014 Housing Element would be consistent with those contained in the *Countywide Plan* and evaluated

in the CWP EIR. The SEIR then evaluated whether the population and employment projections would exceed those assumed in the CAP, and concluded that they would not. The SEIR found that the 2007–2014 Housing Element would not substantially alter development patterns currently allowed under the *Countywide Plan*, and the number of housing units that could be built following adoption of the 2007-2014 Housing Element would not exceed the number of housing units evaluated in the CWP EIR. Future housing development would also be required to be consistent with the goals and policies of the *Countywide Plan*, including all goals and policies pertaining to air quality. On this basis, the SEIR concluded that implementation of the 2007–2014 Housing Element would not substantially alter the population forecasts made for the CWP EIR.

Although the CWP EIR had found a significant unavoidable impact (Impact 4.3-1) related to inconsistency with the *Bay Area 2005 Ozone Strategy*, the then-current Clean Air Plan, the SEIR determined that implementation of the 2007–2014 Housing Element would not result in a new or substantially more severe impact related to inconsistency with the adopted clean air plan, which at that time (and currently) was the 2010 CAP. Nonetheless, the previously identified impact would still apply to the 2007–2014 Housing Element, and implementation of Mitigation Measure 4.3-1 (which is the same as Mitigation Measure 4.2-1) from the CWP EIR would still be required.

The sites considered in the proposed 2015–2023 Housing Element include 22 fewer housing units than were provided for in the 2007–2014 Housing Element. New housing would be considered at the same housing sites (reduced by one) as contemplated in the previous Housing Element, so the VMT traveled by residents of those sites would not increase. With fewer housing units considered, there would be no potential for County population to increase beyond that previously considered in the SEIR. Consequently, implementation of the 2015–2023 Housing Element would not result in new or substantially more severe impact related to inconsistency with the CAP than was previously evaluated in the SEIR. Impact 4.3-1 from the CWP EIR would still apply to the Project, and implementation of Mitigation Measure 4.3-1 would still be required.

3-b) The SEIR discussed Impact 4.3-4 (Carbon Monoxide Concentrations Along Roadways) from the CWP EIR, noting that the impact from increased carbon monoxide concentrations along roadways was found to be less than significant because traffic increases under the *Countywide Plan* would result in carbon monoxide concentrations that would be below ambient air quality standards at the most congested intersections. The SEIR discussed that, following completion of the CWP EIR, the BAAQMD had updated its CEQA Air Quality Guidelines, which establish a screening threshold for intersections of 44,000 vehicles per hour. Intersections with lower vehicle volumes than this threshold would have a less-than-significant impact with respect to local carbon monoxide impacts. The SEIR found that there are no intersections in Marin County where traffic volumes approach 44,000 vehicles per hour. The SEIR found that because VMT under the 2007–2014 Housing Element would not exceed the VMT previously evaluated in the CWP EIR, Impact 4.3-4 would continue to be less than significant.

With respect to other criteria air pollutants, such as ozone and particulate matter, the SEIR found that, pursuant to BAAQMD CEQA Guidelines, consistency of a proposed plan, like the proposed 2015-2023 Housing Element, with ambient air quality standards criteria pollutants should be addressed through an analysis of the consistency of the plan with the CAP, which is addressed in Checklist Item 3-a, above (and had been previously addressed in the SEIR). That is because there are no quantified emission-based BAAQMD thresholds for criteria pollutants that apply to planning documents such as the Housing Element. The SEIR determined that Impact 4.3-4 would continue to be less than significant under the 2007–2014 Housing Element.

In comparison with the 2007–2014 Housing Element, the severity of Impact 4.3-4 would be reduced under the proposed 2015–2023 Housing Element. Fewer housing units are being considered, with the result that fewer VMT could be generated on these than under the previous Housing Element. Therefore, implementation of the 2015–2023 Housing Element would not result in a new or substantially more severe impact related to violations of air quality standards than was previously evaluated in the SEIR.

3-c) To address this Environmental Checklist question, the SEIR referred back to Checklist Item 3-a, which addressed the consistency of the 2007–2014 Housing Element with the Clean Air Plan. The CAP identifies measures for achieving attainment status for ambient air quality standards for criteria air pollutants, which are inherently cumulative in nature. As stated above, for plan-level analysis of impacts from emissions of criteria air pollutants, a plan is determined to have a less-than-significant impact if it is consistent with the CAP and the projected increase in VMT is less than or equal to the projected increase in population. The SEIR determined that the 2007–2014 Housing Element was consistent with the 2010 CAP, which identifies strategies for achieving attainment with the ambient air quality standards for criteria pollutants. Plan-level impacts on air quality are by their nature cumulative. Since the 2007–2014 Housing Element was determined to have a less-than-significant impact related to consistency with the CAP, it was determined that the 2007–2014 Housing Element would have a less-than-significant cumulative impact on air quality.

Fewer housing units are being considered under the proposed 2015–2023 Housing Element; therefore, there would be fewer VMT generated than under the 2007-2014 Housing Element on these sites. There are no features of the proposed Project with the potential to result in a new or substantially more severe impact related to cumulative emissions of criteria air pollutants than was previously evaluated in the SEIR.

3-d) Following certification of the CWP EIR, the BAAQMD developed new tools and procedures for evaluating impacts to sensitive receptors due to exposure to toxic air contaminants (TACs). Consequently, the SEIR performed screening analysis of each of the proposed sites included in the 2007–2014 Housing Element's housing sites inventory in order to identify any sites where the health risk to sensitive receptors could exceed thresholds of significance. Potential exposure to TACs is particularly increased along highways and other

heavily travelled roadways. Accordingly, the SEIR used BAAQMD's Google Earth Highway Screening Analysis Tool, along with its published Roadway Screening Analysis Tables, which are county-specific tables containing estimates of risk and hazard impacts from busy roadways in the Bay Area, to identify housing sites with increased risk.

Based on this screening analysis, of the 17 housing sites in the previous inventory, the following three sites would expose residents to mobile source TAC emissions that could cause an increased cancer risk of greater than 10 cancers per million population, which is the applicable threshold of significance. These included the following sites:

- Marinwood Plaza, 100 Marinwood Avenue
- California Park, Woodland Avenue
- St. Vincent's & Silveira, St. Vincent's Drive, Silveira Parkway

In addition, the St. Vincent's/Silveira site would potentially be exposed to concentrations of fine particulate matter ($PM_{2.5}$) in excess of the significance threshold of 0.3 micrograms per cubic meter ($\mu g/m^3$).

In addition to the 17 sites included in the 2007–2014 Housing Element, the SEIR also performed a screening analysis on another 35 sites that were at that time anticipated for inclusion in the 2015–2023 Housing Element. However, none of those sites are in fact now included in the housing sites being evaluated for the proposed Project. Therefore, while some of those 35 sites exceeded the screening threshold for TACs, they are not part of the Project, and no further discussion of those sites is warranted.

The screening analysis also evaluated risk from exposure to TACs using BAAQMD's Stationary Source Screening Analysis Tool. Based on the same threshold of significance, the screening analysis identified three housing sites where exposure to TACs from stationary sources, such as dry cleaners, could be significant. The sites are (TAC sources listed in parentheses):

- Marinwood Plaza, 100 Marinwood Avenue (Tesoro gas station)
- Old Chevron Station, 204 Flamingo Road (Shoreline Cleaners)
- Grandi Building, 11101 State Route 1 (AT&T generator)
- Grady Ranch, Lucas Valley Road (Verizon Wireless generator)

The SEIR stated that the sites listed above would require detailed, quantified, project-specific modeling at the time applications for specific projects at these sites are submitted for County review. If project-specific analysis determines that health risks from TAC exposure are significant, then additional measures would be required to reduce impacts to a less-than-significant level, in accordance with Countywide Plan Policy AIR-2.1 (Buffer Emission Sources and Sensitive Land Uses) and Programs AIR-1.b (Evaluate Air Quality Impacts of Proposed Projects and Plans), AIR-2.a (Require Separation Between Air

Pollution Sources and Other Land Uses), AIR-2.b (Protect Sensitive Receptors Near High-Volume Roadways), and AIR-2.c (Health Risk Analysis for Sensitive Receptors). The SEIR found that such measures could include site design, use of appropriate filtration in ventilation systems, vegetative barriers, or a combination of the measures. The SEIR analysis concluded that in order to avoid significant impacts associated with the 2007–2014 Housing Element, Program AIR-2.c would need to be revised to reflect new BAAQMD procedures for evaluating TAC impacts. It also identified a new mitigation measure (Mitigation Measure Air Quality-1) to ensure that the exposure of future residents to TACs would be reduced to a less-than-significant level.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed 2015–2023 Housing Element does not consider any housing sites not previously evaluated in the SEIR. The SEIR discussed changes in BAAQMD procedures for evaluating TAC impacts that had occurred after certification of the CWP EIR. No further changes with potential to affect the proposed project have occurred since certification of the SEIR. Therefore, implementation of the 2015–2023 Housing Element would not result in a new or substantially more severe impact related to exposure of sensitive receptors to hazardous air pollutants than was previously evaluated in the SEIR. Implementation of New SEIR Mitigation Measure Air Quality-1 would continue to be required for the proposed Project.

Sensitive receptors can also be exposed to substantial pollutant concentrations during construction of projects. Construction activities such as demolition, grading, construction worker travel to and from project sites, delivery and hauling of construction supplies and debris to and from the project site, and fuel combustion by on-site construction equipment all generate pollutant emissions. These construction activities would temporarily create emissions of dust, fumes, equipment exhaust, and other air contaminants, which can lead to adverse health impacts. The SEIR concluded that compliance with *Countywide Plan* policies and programs would ensure that construction-related impacts would be less than significant, and would not increase the severity of CWP EIR Impact 4.3-3 (Buffer Zones from Potential Source of Odor/Toxics). The SEIR cited Policies AIR-1.2 (Meet Air Quality Standards) and AIR-1.3 (Require Mitigation of Air Quality Impacts) and Program AIR-1.b (Evaluate Air Quality Impacts of Proposed Projects and Plans), finding that they would require projects to meet air quality standards and ensure that impacts are mitigated. Specific to construction emissions, the SEIR determined that AIR-1.g (Require Control Measures for Construction and Agriculture Activity) would require project sponsors to implement standard fugitive dust control measures recommended by the BAAQMD. These requirements would continue to apply to the proposed 2015–2023 Housing Element, which would not result in increased construction above that previously evaluated in the SEIR. There would be no new or substantially more severe impacts related to exposure of sensitive receptors to hazardous air pollutants during construction of new housing than was previously evaluated in the SEIR

3-e) The SEIR found that CWP EIR Impact 4.3-3 addressed potential odor impacts, and the EIR identified Mitigation Measures 4.3-3(a) and 4.3-3(b) to address these potential impacts. The SEIR concluded that implementation of the 2007–2014 Housing Element would not cause a new significant impact or substantially increase the severity of Impact 4.3-3. The proposed 2015–2023 Housing Element would not create or locate any new point sources of odors, and the only potential sources of construction odors (i.e., new housing sites) were included in the previous Housing Element. There is therefore no potential for the Project to result in new or substantially more severe odor impacts.

CWP EIR Mitigation Measures

The CWP EIR identified several mitigation measures to reduce identified air quality impacts. Mitigation Measures 4.3-1 (which is the same as Mitigation Measure 4.2-1), 4.3-2, and 4.3-3 were adopted as a part of the *Countywide Plan* and would continue to apply. As appropriate, future housing development would be subject to Mitigation Measures 4.2-1, 4.3-2, and 4.3-3, and related *Countywide Plan* policies and programs, identified in the CWP EIR.

Mitigation Measure 4.2-1 (also **Mitigation Measure 4.3-1**) became Policy TR-1.8 (Reduce Vehicle Miles Traveled [VMT]) and Program TR-1.s (VMT Reduction Monitoring and Implementation and Transportation Demand Management Program). They read as follows:

> ***Policy TR-1.8*** *Reduce Vehicle Milles Traveled (VMT). Reduce the rate of increase for total vehicle miles traveled by single-occupant automobile to not exceed the population growth rate.*
>
> ***Program TR-1.s*** *VMT Reduction Monitoring and Implementation and Transportation Demand Management Program Develop and implement a countywide program for monitoring and reducing VMT consistent with State and regional efforts and based on information from State and regional planning agencies. Identify and require in new developments specific transportation demand management (TDM) strategies for reducing the VMT below levels that would otherwise occur. Consider the following types of strategies for inclusion in the VMT Reduction Monitoring and Implementation and Transportation Demand Management Program:*
>
> - *Increased transit.*
> - *All new residential projects consisting of 25 units or more should be located within ½ mile of a transit node, shuttle service, or bus route with regularly scheduled, daily service.*
> - *New multi-family projects consisting of 25 units or more should include TDM measures such as reduced parking for affordable or senior projects, subsidized public transportation passes, or ride-matching programs based on site specific review. For market rate projects, consider TDM programs such as charging parking fees separate from rent.*

- *Safe, convenient connections should be provided to existing pedestrian and bicycle facilities and secure bicycle parking should provide be provided in new nonresidential developments.*
- *TDM should be required for new or expanded projects with 50 employees or more, including programs such as parking cash out, subsidized transit passes, ridesharing incentives, and bicycle storage facilities.*

Mitigation Measure 4.3-2(a) of the CWP EIR added a new program to the Design Section of the Built Environment Element as follows:

> ***Program DES-2.d Require Parking "Cash-Out" Program.*** *Require new office developments with more than 50 parking spaces to offer a Parking "Cash-Out" Program. Consider the feasibility of a parking cash-out program for other new developments located in the City-Centered corridor.*

Mitigation Measure 4.3-2(b) of the CWP EIR required Marin County to identify a funding source, make a higher priority or implement sooner, Programs AIR-3.a (funding source, higher priority, implement sooner), AIR-3.d (higher priority), AIR-3.e (higher priority), TR-2.k (higher priority, implement sooner), TR-1.c (funding sources, higher priority, implement sooner).

Mitigation Measure 4.3-3(a) revised policy AIR-2.1 of the Natural Systems & Agriculture Element to read as follows:

> ***Policy AIR-2.1 Buffer Emission Sources and Sensitive Land Uses.*** *Consider potential air pollution and odor impacts from land uses that may emit pollution and/or odors when locating (a) air pollution sources, and (b) residential and other pollution-sensitive land uses in the vicinity of air pollution sources (which may include freeways, manufacturing, extraction, hazardous materials storage, landfill food processing, wastewater treatment, and other similar uses.)*

Mitigation Measure 4.3-3(b) revised Program AIR-2.a of the Natural Systems & Agriculture Element to read as follows:

> ***Policy AIR-2.a Require Separation Between Air Pollution Sources and Other Land Uses.*** *Only allow (a) emission sources or (b) other uses in the vicinity of air pollution or odor sources if the minimum screening distances between sources and receptors established in the BAAQMD CEQA Guidelines can be met, unless detailed project-specific studies demonstrate compatibility with adjacent uses despite separations that do not meet the screening distance requirements.*

Mitigation Measure 4.3-3(c) added a new program to the Natural Systems & Agriculture Element as follows:

> ***Program AIR-2.c Health Risk Analysis for Sensitive Receptors.*** *Require that projects involving sensitive receptors proposed within 150 feet of freeways shall include an analysis*

of the potential health risks. Mitigation measures which comply with adopted standards of the BAAQMD for control of odor/toxics for sensitive receptors shall be identified in order to reduce these risks to acceptable levels.

NEW/REVISED SEIR MITIGATION MEASURES

The SEIR determined that a new mitigation measure (New Mitigation Measure Air Quality-1), which was adopted and incorporated into the project, was required to ensure that the exposure of future residents to TACs would be a less-than-significant impact. The wording of the mitigation measure was subsequently revised in the Final SEIR Amendment to read as follows:

New Mitigation Measure Air Quality-1 Environmental review for applications for new housing projects that may have potentially significant toxic air contaminant (TAC) exposures, as identified in Exhibits 3.0-4 and 3.0-5 of the Draft SEIR, shall include a detailed analysis of the potential health risks from exposure of future residents to TACs using refined modeling techniques. This analysis shall identify both the level of TAC exposure and measures to reduce unacceptable exposures to a less-than-significant level. Mitigation measures that achieve compliance with the adopted standards of the BAAQMD for residential exposure to TACs shall be incorporated into the design of the project to reduce the risk to an acceptable level. Such measures would include, but are not limited to, site design, use of appropriate filtration in ventilation systems, vegetative barriers, or a combination of the measures.

The SEIR also concluded that a revised mitigation measure (Revised Mitigation Measure Air Quality-2 [Mitigation Measure 4.3-3(c) in the CWP EIR]) was also required to ensure that the exposure of future residents to TACs would be a less-than-significant impact. Revised Mitigation Measure Air Quality-2, also adopted and incorporated into the project, was revised as follows:

Revised Mitigation Measure Air Quality-2 Revise Program AIR-2.c of the *Countywide Plan* as follows:

> ***Program AIR-2.c Health Risk Analysis for Sensitive Receptors.*** ~~*Require that*~~ *Applications for new projects involving* ~~*locating*~~ *sensitive receptors* ~~*proposed within 150 feet of freeways*~~ *near roadways and stationary sources identified as posing potentially significant TAC or PM2.5 exposure using BAAQMD CEQA Analysis Tools, shall include an analysis of the potential health risks. Mitigation measures* ~~*which comply with*~~ *that achieve compliance with the adopted standards of the BAAQMD for* ~~*control of*~~ *exposure of sensitive receptors to odor/toxics* ~~*for sensitive receptors*~~ *shall be identified to reduce these risks to acceptable levels.*

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because the proposed 2015–2023 Housing Element would not result in any new or substantially more severe impacts on air quality than those previously evaluated in the 2013 SEIR, it would not require any additional or modified mitigation measures.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe impacts on air quality than those previously evaluated in the 2013 SEIR.

4. Biological Resources

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
4. Biological Resources. Would the Project:					
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Draft SEIR, pgs. 95-96	No	No	No	Yes
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	Draft SEIR, pgs. 96-97	No	No	No	Yes
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Draft SEIR, pg. 98	No	No	No	n/a
d. Interfere substantially with the movement of any native resident or migratory fish and wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	Draft SEIR, pgs. 98-100	No	No	No	Yes

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
4. Biological Resources. Would the Project:					
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.	Draft SEIR, pg. 100	No	No	No	n/a
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	Draft SEIR, pg. 100	No	No	No	n/a

Discussion

4-a) The SEIR updated information on biological resources presented in the CWP EIR to reflect any changed circumstances or new information relevant to the analysis. All of the housing sites were evaluated by biologists to determine whether they support special-status plant or wildlife species, wetlands or other sensitive natural communities, or any "Protected Trees" present as defined under the Native Tree Preservation and Protection Ordinance (Chapter 22.27 of Marin County Code). The evaluations were based both on field reconnaissance surveys and queries run by County GIS staff. Although no detailed, focused surveys were conducted, the SEIR found that where there is a possibility for sensitive resources to be present that could be affected by a proposed development application, Program BIO-2.a would require that a site assessment be performed prior to approval of the project. If the site assessment found that sensitive biological resources could be adversely affected by the proposed development, mitigation would be required to reduce any impacts to less-than-significant levels.

The SEIR determined the data and mapping in the CWP EIR to still be accurate and applicable to the 2007–2014 Housing Element, but found that the status of some special-status species had changed, requiring reconsideration of whether they could be affected at the housing sites. In addition, the classification system used by the former California Department of Fish and Game (CDFG) (now the California Department of Fish and Wildlife [DFW]) to define sensitive natural communities had been further refined since certification of the CWP EIR, also requiring reevaluation of the housing sites.

For each housing site, the SEIR indicated whether any of the following biological resources were known or likely to be present:

- Land within a County-designated Wetland Conservation Area (WCA);
- Land within a County-designated Stream Conservation Area (SCA);
- Special-status species under the State and/or federal Endangered Species Acts or other regulations; or
- Trees protected under the Native Tree Preservation and Protection Ordinance.

The SEIR also identified the primary vegetation type(s) found on each site. Although the SEIR evaluated 52 housing sites, including the 35 sites that were then anticipated for inclusion in the 2015–2023 Housing Element, this summary only considers the sites being considered for inclusion in the proposed Project evaluated in this Environmental Checklist. Among the 15 housing sites under consideration, 11 of them were found to support protected trees, two were found within a WCA and four others were possibly within a WCA, six were within an SCA and two others were possibly within an SCA, four were known to support special-status plant and/or animal species, and six others possibly supported such species. Although the SEIR found that the potential for occurrence of special-status species at some of the sites is extremely remote, the performance of detailed surveys as part of site assessments required by *Countywide Plan* policies would serve to confirm presence or absence.

Based on these evaluations, the SEIR concluded that implementation of the 2007–2014 Housing Element could cause significant impacts to special-status species, but concluded that compliance with CWP policies and programs would ensure that impacts would remain less than significant after mitigation previously required by the CWP EIR. The SEIR cited the following policies in particular as relevant to the protection of special-status species:

- **BIO-1.1** (Protect Wetlands, Habitat for Special-Status Species, Sensitive Natural Communities, and Important Wildlife Nursery Areas and Movement Corridors)
- **BIO-2.1** (Include Resource Preservation in Environmental Review)
- **BIO-2.2** (Limit Development Impacts)
- **BIO-2.a** (Require Site Assessments)
- **BIO-2.c** (Facilitate Agency Review)
- **BIO-2.5** (Restrict Disturbance in Sensitive Habitat During Nesting Season)
- **BIO-2.8** (Coordinate with Trustee Agencies)
- **BIO-2.9** (Promote Early Consultation with Other Agencies)

The SEIR concluded that Implementation of the 2007–2014 Housing Element would not result in any new or substantially more severe impacts on special-status species than those previously evaluated in the CWP EIR. The SEIR analysis remains valid for the proposed 2015–2023 Housing Element, which would not consider any new housing sites that were not previously evaluated in the SEIR. There have been no regulatory changes with the potential

to affect the Project since certification of the SEIR, nor are there any changes in circumstances or new information of substantial importance that would require new analysis or verification.

4-b) The SEIR referenced and summarized Impact 4.6-2 (Sensitive Natural Communities) from the CWP EIR, which was identified as a significant unavoidable impact on sensitive natural communities, such as valley oak woodlands, riparian scrub, riparian woodland, freshwater marsh, coastal salt marsh, and other wetlands. Impacts could occur where natural communities are converted to accommodate new development or where they become isolated and fragmented to such an extent that they no longer function as a natural community. *Countywide Plan* policies that would minimize impacts to sensitive natural communities include all of the policies cited above in Checklist Item 4-a, along with the following policies:

- **BIO-1.3** (Protect Woodlands, Forests, and Tree Resources)
- **BIO-3.1** (Protect Wetlands)
- **BIO-3.2** (Require Thorough Mitigation)
- **BIO-4.1** (Restrict Land Use in Stream Conservation Areas)
- **BIO-4.2** (Comply with SCA Regulations)
- **BIO-5.1** (Protect the Baylands Corridor)
- **BIO-5.2** (Limit Development and Access)

The SEIR found that only one of the 15 housing sites being evaluated (Easton Point, Paradise Drive) was known to support a sensitive natural community, which in this case is native grassland. (Only two of the 52 sites evaluated in the SEIR had a known occurrence of sensitive natural communities, both with native grasslands.) However, the discussion noted that this small number was likely due to a lack of detailed site assessments and/or an absence of rigorous monitoring by the California Natural Diversity Data Base (CNDDB), and not due to a paucity of sensitive natural communities. The analysis found that areas classified as SCAs or WCAs most likely support sensitive natural communities. As discussed above in Checklist Item 4-a, two of the housing sites being evaluated were found within a WCA, four others were possibly within a WCA, six were within an SCA, and two others were possibly within an SCA. Thus, many of the housing sites under consideration are expected to support one or more sensitive natural communities. However, the SEIR concluded that this impact was addressed in the CWP EIR and adoption of the 2007–2014 Housing Element would not result in any new or substantially more severe impacts on sensitive natural communities than those previously evaluated in the CWP EIR. The impact would continue to be significant and unavoidable, and implementation of Mitigation Measure 4.6-2 would continue to be required.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site

#11: 650 North San Pedro), which was removed from the inventory. The SEIR analysis remains valid for the proposed 2015–2023 Housing Element, which does not consider any new housing sites that were not previously evaluated in the SEIR. There have been no regulatory changes with potential to affect the Project since certification of the SEIR, nor are there any changes in circumstances or new information of substantial importance that would require new analysis or verification.

4-c) The SEIR summarized CWP EIR Impact 4.6-3, which is a less-than-significant impact on wetlands and waters that could result from development and land use activities provided for by the *Countywide Plan*. As discussed above in Checklist Item 4-b), the SEIR found that two of the 15 housing sites being evaluated were found within a Wetland Conservation Area, and four others were possibly within a WCA, based on data mapping prepared as part of the National Wetland Inventory (NWI) and on the field reconnaissance surveys conducted for the SEIR. CWP Policies BIO-3.1 and BIO-3.2 call for protection of wetlands through establishment of a WCA and, where avoidance is not possible, creation of new wetlands at a 2:1 replacement ratio for on-site mitigation and a 3:1 ratio for off-site mitigation. The WCA policies in the *Countywide Plan* require that agency permits be secured before a grading plan is issued by the County, ensuring that the concerns of jurisdictional agencies are fully addressed and appropriate mitigation and monitoring programs are completed before any resource loss occurs. The SEIR concluded that Impact 4.6-3 would still apply to the 2007–2014 Housing Element, and with implementation of Policies BIO-3.1 and BIO-3.2 it would remain less than significant.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. None of the sites have been expanded in area. The proposed new implementing programs call for planning studies that would not have the potential to affect wetlands. Therefore, implementation of the proposed 2015–2023 Housing Element would not result in any new impacts or substantially more severe impacts to wetlands than were identified in the SEIR.

4-d) As summarized in the SEIR, the CWP EIR identified a significant unavoidable impact related to fragmentation of habitat and interference with the movement of native fish and wildlife species (Impact 4.6-4 [Wildlife Habitat and Movement Opportunities]). Typical development removes or disrupts natural habitat to accommodate structures, pavements, and utilities. In addition to the impacts on sensitive biological resources discussed in Checklist Items 4-a through 4-c, above, development adversely affects common wildlife habitats often found in urban and suburban areas. On an individual basis, conversion of these common habitats is generally considered insignificant unless a particular project would obstruct a known movement corridor for terrestrial or aquatic species, such as the last opportunity for wildlife movement through an otherwise urbanized area, or the creation of a drop structure or other physical obstruction along a stream channel that would prevent movement of fish and other aquatic life. However, the CWP EIR determined that the cumulative effect of developing the 5,491 housing units and the 1,236,781 square feet of non-residential uses

projected by the Countywide Plan was considered substantial enough to be considered a significant impact on wildlife habitat and movement opportunities. Because there is no viable way to provide replacement habitat for the natural cover and common wildlife habitat converted to development on a countywide basis, the CWP EIR found the impact to be significant and unavoidable.

The SEIR determined that all of the housing sites identified in the 2007–2014 Housing Element were already designated for residential or other urban uses, so their potential development would not increase the magnitude of Impact 4.6-4. The SEIR found that the 2007–2014 Housing Element would not result in new or substantially more severe significant impacts on wildlife habitat or movement opportunities than were previously evaluated in the CWP EIR, but Impact 4.6-4 would remain a significant unavoidable impact. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because all of the housing sites being considered for the proposed 2015–2023 Housing Element were also included in the housing sites inventory of the 2007–2014 Housing Element, the potential impacts of developing the housing sites under the proposed Project were previously evaluated in the SEIR. None of the proposed new implementing programs in the 2015–2023 Housing Element have the potential to affect wildlife corridors. Therefore, implementation of the proposed 2015–2023 Housing Element would not result in any new impacts or substantially more severe impacts on the movement of native wildlife species or on migratory wildlife corridors than were identified in the SEIR.

4-e) The SEIR did not directly address CWP EIR Impact 4.6-4 (Conflict with Local Policies or Ordinances) but, similar to the CWP EIR, found that potential development and land use activities associated with the 2007–2014 Housing Element would have a less-than-significant impact related to conflicts with local policies or ordinances. The SEIR noted that most of the housing sites (including 11 of the 15 sites considered for the 2015–2023 Housing Element) support “protected trees” subject to the County’s Native Tree Preservation and Protection Ordinance, and future development of these sites would have to comply with the provisions of the Ordinance through avoidance or any required mitigation.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed new implementing programs call for planning studies that would not have the potential to conflict with local policies or ordinances. Therefore, implementation of the proposed 2015–2023 Housing Element would not result in any new impacts or substantially more severe impacts related to conflicts with policies or ordinances protecting biological resources than were identified in the SEIR.

4-f) No conservation plans have been adopted encompassing all or portions of Marin County and, therefore, the SEIR concluded there would be no impact due to a conflict with an

adopted habitat conservation plan. However, it noted that Marin County is participating in the FishNet4C program, which is a county-based, regional salmonid protection and restoration effort intended to meet the requirements of the Federal Endangered Species Act in protecting anadromous salmonids and their habitats. *Countywide Plan* Program BIO-2.e calls for the County to continue to actively participate in the FishNet4C program and work cooperatively with participating agencies to implement recommendations to improve and restore aquatic habitat for listed anadromous fish species and other fishery resources. In June of 2014, the California Court of Appeal invalidated the Fishnet 4C program as a mitigation measure for the CWP EIR within the San Geronimo Valley only. Since none of the housing sites considered in the proposed 2015–2023 Housing Element are located within San Geronimo Valley, this court ruling does not affect the proposed Project.

The conclusion of the SEIR would still be valid for the proposed 2015–2023 Housing Element, which would have no impacts related to conflicts with an adopted habitat conservation plan.

CWP EIR Mitigation Measures

The CWP EIR identified three mitigation measures to reduce identified biological resources impacts. Mitigation Measures 4.6-1, 4.6-2, and 4.6-4 were adopted as a part of the *Countywide Plan* and would continue to apply. (As noted above, the June 2014 Court of Appeal ruling on the Fishnet 4C program as a mitigation measure for the CWP EIR would not apply to the proposed Project.) The SEIR stated that, as applicable to specific project sites, future housing development would be subject to these mitigation measures as well as relevant *Countywide Plan* goals and programs.

Mitigation Measure 4.6-1 became Program BIO-2.e (Participate in FishNet4C Program) to state:

> ***Program BIO-2(e) Participate in FishNet4C Program.*** *Continue to actively participate in the FishNet4C program and work cooperatively with participating agencies to implement recommendations to improve and restore aquatic habitat for listed anadromous fish species and other fishery resources.*

Mitigation Measure 4.6-2 required the County to revise the priority of Program BIO-1.b (Develop Habitat Monitoring Programs) to medium priority, and improve the timeframe of its implementation to the medium-term or sooner.

Mitigation Measure 4.6-4 required expansion of the minimum boundaries for the proposed Baylands Corridor on the St. Vincent's / Silveira properties, and required the *Countywide Plan* to ensure implementation of essential programs necessary to identify and protect important wildlife habitat and movement opportunities.

Mitigation Measure 4.6-4(a) required expansion of the boundaries for the proposed Baylands Corridor on the St. Vincent's / Silveira properties to Option 2 on Map 2-5a of the *Countywide Plan* to provide for greater consideration of the remaining sensitive biological features on larger

undeveloped properties including the St. Vincent's / Silveira properties and in the vicinity of Gnoss Field. The expanded corridor would ensure protection of essential linkages between areas of permanently protected habitat, and allow for future restoration and enhancement of baylands in the corridor, among other benefits.

Mitigation Measure 4.6-4(b) called for the County to obtain additional funding for Program BIO-2.b (Conduct Habitat Connectivity Assessment) and revise the timeframe of its implementation to the medium-term or sooner.

The SEIR reported that Maps 2.5-a and 2.5-b- of the *Countywide Plan* had been revised as necessary to implement Mitigation Measure 4.6-4.

The SEIR determined that no additional mitigation measures for impacts to biological resources would be required for the 2007–2014 Housing Element. Based on the discussion above, the proposed 2015–2023 Housing Element also would not require any new mitigation measures.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or more severe impacts on biological resources than those previously evaluated in the 2013 SEIR.

5. Cultural Resources

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
5. Cultural Resources. Would the Project:					
a. Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	Draft SEIR, pg. 112	No	No	No	Yes
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Draft SEIR, pg. 113	No	No	No	n/a
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Draft SEIR, pg. 113	No	No	No	n/a
d. Disturb any human remains, including those interred outside the formal cemeteries?	Draft SEIR, pg. 113	No	No	No	n/a

Discussion

5-a) The SEIR summarized Impact 4.11-1 (Historical Resources) from the CWP EIR, which found that new development and redevelopment consistent with the *Countywide Plan* could disturb historical resources due to demolition, destruction, alteration, or structural relocation. The impact was determined to be significant, but it would be reduced to a less-than-significant level through Mitigation Measure 4.11-1, which calls for expedited funding and implementation of Programs HAR-1.g (Create a County Historical Commission), HAR1.l (Adopt Preservation Guidelines), and HAR-1.m (Require Design Compatibility). The SEIR found that implementation of Countywide Plan policies and programs, such as Policy HAR-1.3 (Avoid Impacts to Historical Resources) and Policy SV-4.1 (Preserve Historic Sites), would reduce the impact on historic resources to a less-than-significant level. It found that Impact 4.11-1 would still apply, but concluded that potential new residential development that could occur pursuant to the adoption and implementation of the 2007–2014 Housing Element would be required to comply with these policies, and would therefore not result in any new or substantially more severe significant impacts than what was identified in the CWP EIR. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Potential impacts to historic resources that could result from implementation of the proposed Project were therefore previously evaluated in the SEIR. The proposed new implementing programs call for planning studies that would not have the potential to adversely affect historic resources. Therefore, implementation of the proposed 2015–2023 Housing Element would not result in any new impacts or substantially more severe impacts on historic resources than were identified in the SEIR.

5-b) The SEIR referenced the prior CWP EIR analysis of impacts to archaeological and paleontological resources, which concluded that implementation of *Countywide Plan* policies and programs intended to preserve and protect these resources would ensure that impacts to the resources would be less than significant. The SEIR cited specific policies pertinent to the 2007–2014 Housing Element, including Policy SV-4.1 (Preserve Historic Sites) and Policy SV-4.2 (Preserve Archaeological Sites), which would preserve historic resources known to be present on the St. Vincent's/Silveira properties. The SEIR concluded that potential new development pursuant to the implementation of the 2007–2014 Housing Element would not result in new or substantially more severe significant impacts on archaeological resources.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory.. The new implementing programs proposed as part of the 2015-2023 Housing Element would involve conducting planning studies, which would not have any potential to adversely affect archaeological resources. Therefore, the proposed 2015–2023 Housing Element would not result in any new impacts or substantially more severe impacts on archaeological resources than were previously evaluated in the SEIR.

5-c) As summarized in the SEIR, the County's Community Development Agency has cultural resources sensitivity maps that identify areas of the County with high potential for significant archeological or paleontological resources to be adversely affected by development activities. As established by *Countywide Plan* Policy HAR-1.d (Require Archaeological Surveys for New Development), if a proposed development project is located within an area designated on the maps as a potential resource location, an archeological or paleontological survey is required prior to development of the site. If paleontological resources are found, *Countywide Plan* policies require their preservation and protection. The SEIR cited Policies HAR-1.f (Involve Appropriate Authorities) and Policy HAR-1.3 (Avoid Impacts to Historical Resources) as policies that would protect paleontological resources. It concluded that the less-than-significant impact on paleontological resources identified in the CWP EIR would remain less-than-significant under the 2007–2014 Housing Element. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because the proposed 2015–2023 Housing Element housing inventory does not include any new housing sites that were not previously evaluated in the SEIR, and because the proposed new implementing programs would involve conducting planning studies and, therefore, would not have any potential to adversely affect paleontological resources, the analysis in the SEIR does not need to be revised for the proposed 2015–2023 Housing Element, and no new or substantially more severe impacts would occur with implementation of the Project.

5-d) As discussed in the SEIR, the CWP EIR identified a less-than-significant impact related to disturbance of human remains during construction activities. The SEIR concluded that the 2007–2014 Housing Element would not create any new or substantially more severe impacts on human remains. It found that every discretionary development project must undergo environmental review and, in the event that human remains were discovered during construction, would require implementation of standard mitigation measures defined in *CEQA Guidelines* Section 15064.5(e). The SEIR conclusion remains valid for the proposed 2015–2023 Housing Element, which would not increase the severity of the impact related to disturbance of human remains.

CWP EIR Mitigation Measures

The CWP EIR identified one mitigation measure to reduce impacts to historical resources to a less-than-significant level. Mitigation Measure 4.11-1 of the CWP EIR was adopted as a part of the Countywide Plan and would continue to apply.

Mitigation Measure 4.11-1 required Marin County to obtain additional funding for programs HAR-1.g (Create a County Historical Commission), HAR1.l (Adopt Preservation Guidelines), and HAR-1.m (Require Design Compatibility) and to revise the time frame of their implementation to the medium-term or sooner.

The SEIR determined that no additional mitigation measures would be required for the 2007–2014 Housing Element. Based on the discussion above, the proposed 2015–2023 Housing Element would not require any new mitigation measures.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or more severe impacts on cultural resources than those previously evaluated in the 2013 SEIR.

6. Geology and Soils

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
6. Geology and Soils. Would the Project:					
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. ii. Strong seismic ground shaking? iii. Seismic-related ground failure, including liquefaction? iv. Landslides?	Draft SEIR, pg. 118	No	No	No	Yes
b. Result in substantial soil erosion or the loss of topsoil?	Draft SEIR, pg. 119	No	No	No	Yes
c. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the Project, and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Draft SEIR, pg. 119	No	No	No	Yes

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
6. Geology and Soils. Would the Project:					
d. Be located on expansive soil, as defined in Table 18- 1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	Draft SEIR, pg. 120	No	No	No	Yes
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	Draft SEIR, pg. 120	No	No	No	Yes

Discussion

6-a) The SEIR summarized significant unavoidable seismic hazards impacts identified in the CWP EIR, including Impact 4.7-1 (Surface Fault Rupture), Impact 4.7-2 (Seismic Ground Shaking), Impact 4.7-3 (Seismic Related Ground Failure), and Impact 4.7-4 (Landsliding). CWP EIR Mitigation Measures 4.7-1 thru 4.7-4 modified *Countywide Plan* policies and programs that govern new development so as to minimize potential seismic impacts. Policies cited in the SEIR include policies EH-2.1 (Avoid Hazard Areas) and EH-2.3 (Ensure Seismic Safety of New Structures). Programs cited in the SEIR include programs EH-2.a (Require Geotechnical Reports), EH-2.b (Require Construction Observation and Certification), EH-2.c (Prohibit Structures in Active Fault Traces), EH-2.d (Limit Building Sites in Alquist-Priolo Zones), and EH-2.f (Avoid Known Landslides Areas). Although the SEIR determined that three housing sites were located within the Alquist-Priolo Earthquake Fault Zone, none of these sites are included in this evaluation for the inventory of the proposed 2015–2023 Housing Element. While adoption of the 2007–2014 Housing Element did not directly authorize new residential development, the SEIR evaluated the future development that could occur on each of the housing sites after adoption of the Housing Element and following environmental review and approval of specific development applications for the individual sites. Such developments would be subject to the policies and programs referenced above, which would reduce the impacts of minor to moderate geologic events to a less-than-significant level, but impacts resulting from a high magnitude seismic event would remain significant and unavoidable. These impacts were previously evaluated in the CWP EIR, and the SEIR concluded that implementation of the 2007–2014 Housing Element would not result in any new or substantially more severe seismic impacts than had previously been disclosed to the public.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Therefore, implementation of the proposed 2015–2023 Housing Element would not result in any new or substantially more severe impacts related to seismic hazards.

6-b) The SEIR discussed two CWP EIR impacts related to erosion and sedimentation, Impact 4.5-2 (Water Quality – Soil Erosion and Downstream Sedimentation Related to Construction) and Impact 4.5-4 (Drainage – On-Site and Downstream Erosion and Sedimentation). Impact 4.5-2 was found to be less than significant, while Impact 4.5-4 was significant, but would be reduced to a less-than-significant level with implementation of Mitigation Measure 4.5-4.

The SEIR found that future construction that could occur pursuant to the 2007–2014 Housing Element would be required to comply with the requirements of Marin County stormwater ordinances, such as Marin County Code Section 23.18.093, which requires preparation and implementation of a stormwater management plan that incorporates best management practices for any grading and construction permits for new development and redevelopment projects. Depending on the extent of any development, a project may also be required to prepare and implement a stormwater pollution prevention plan (SWPP) that addresses permanent post-construction measures that control erosion and sedimentation (Marin County Code Section 24.04.627). The SEIR found that compliance with these requirements would reduce the adverse effects of soil erosion from construction and grading activities to a less-than-significant level, and concluded that implementation of the 2007–2014 Housing Element would not create a new significant impact or substantially increase the severity of a previously identified significant impact.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Furthermore, the proposed 2015–2023 Housing Element considers 1,537 fewer housing units than were evaluated in the SEIR, which would potentially reduce the amount of area that would be disturbed at some sites, thereby reducing the potential for erosion impacts. No physical development would occur from the proposed new implementing programs. Therefore, implementation of the proposed 2015–2023 Housing Element would not result in any new or substantially more severe erosion impacts than were evaluated in the SEIR.

6-c) The SEIR found that 37 of the housing sites evaluated, including 10 of the sites considered for the proposed 2015–2023 Housing Element, have soils with a high or very high potential for liquefaction. In addition, 27 housing sites, including seven of the sites considered for the proposed 2015–2023 Housing Element, have landslides present. In addition to the CWP EIR impacts cited in Checklist Item 6-a, above, the SEIR identified Impact 4.7-5 (Subsidence and Settlement) as an impact related to unstable soils that would be applicable to the 2007–2014 Housing Element. Implementation of Mitigation Measure 4.7-5 would reduce the impact to a less-than-significant level. The other seismic impacts related to soil stability

listed above in Checklist Item 6-a would remain significant and unavoidable. However, the SEIR concluded that implementation of the 2007–2014 Housing Element would not substantially increase the severity of these impacts or result in new significant impacts. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because the proposed 2015–2023 Housing Element considers fewer housing units and would not include any housing sites that weren't previously evaluated in the SEIR, the 2015–2023 Housing Element would also not substantially increase the severity of these impacts or result in new significant impacts.

6-d) CWP EIR Impact 4.7-6 (Expansive Soils) addressed impacts from soils expanding and shrinking in response to changes in moisture content, which can result in structural damage. The SEIR reported that 14 of the 52 housing sites evaluated had expansive soils. (The 52 sites included sites considered for the 2015–2023 Housing Element, all of which have now been removed from the inventory for this proposed Housing Element.) Of the 15 housing sites evaluated for the 2015–2023 Housing Element, three of them (St. Vincent's & Silveira, Golden Gate Seminary, and Grady Ranch) were identified as having expansive soils. Impact 4.7-6 was identified as a significant impact, which would be reduced to less than significant with implementation of Mitigation Measure 4.7-6. The SEIR stated that future development of the sites with expansive soils would require compliance with *Countywide Plan* policies and programs, such as programs EH-2.a (Require Geotechnical Reports), EH-2.b (Require Construction Observation and Certification), and EH-1.c (Improve Soils Information). It concluded that compliance with County policies and programs would ensure that Impacts resulting from structures exposed to expansive soils would remain less than significant for the 2007–2014 Housing Element.

6-e) The SEIR summarized Impact 4.7-7 (Septic Suitability of Soils) from the CWP EIR, which was identified as a significant impact that would be reduced to less than significant with implementation of Mitigation Measure 4.7-7. The SEIR noted that there are no favorable soils in Marin County for septic systems. Many variables affect the suitability of soils for septic system use, including soil type, topography, soil thickness, percolation rates, and depth to bedrock. While septic systems can be developed with limitations in some portions of the County, other areas are incapable of supporting septic systems. Such limitations can apply to size and location of leach fields, or can involve special site or design features or increased maintenance requirements. Nine of the housing sites evaluated in the SEIR, including one site (Grandi Building) considered for the proposed 2015–2023 Housing Element, would require a septic system or other alternative wastewater disposal system because they are outside of a sanitary district and sewer hookups would not be feasible. Impact 4.7-7 would apply at these sites.

The SEIR referenced numerous *Countywide Plan* policies and programs that would reduce the adverse effects of septic systems on water quality, particularly on sites with unsuitable soils. These included policies PFS-3.1 (Reduce Toxics in Wastewater) and PFS-3.2 (Promote

Alternative Wastewater Systems) and Programs PFS-3.c (Update Septic Standards), PFS-3.d (Enforce Regulations), PFS-3.e (Explore Wastewater Disposal Alternatives), WR-2.c (Research and Implement Safe and Effective Alternative Waste Options), WR-2.d (Continue Alternative Septic/Waste System Monitoring), WR-2.e (Continue Providing High-Priority Inspections), WR-2.f (Continue Alternative Septic System Monitoring), WR-2.h (Establish Additional County Service Areas), and WR-2.i (Establish a Septic Inspection, Monitoring, and Maintenance District). The SEIR determined that compliance with these policies and with implementation of Mitigation Measure 4.7-7, which calls for the County to obtain funding for no-cost inspections of septic systems in high-priority areas, would reduce this impact to a less-than-significant level. The SEIR concluded that the 2007–2014 Housing Element would not increase the severity of this impact or result in new significant impacts.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Impact 4.7-7 and Mitigation Measure 4.7-7 would continue to apply to the proposed Project, but implementation of the 2015–2023 Housing Element would not have any new or substantially more severe impacts due to the need for a septic system or other alternative wastewater disposal system than were previously disclosed in the SEIR.

CWP EIR Mitigation Measures

The CWP EIR identified several mitigation measures to reduce geology and soils impacts. Mitigation Measures 4.7-1(a), 4.7-1(b), 4.7-2, 4.7-3, 4.7-4, 4.7-5, 4.7-6, 4.7-7 and 4.5-4 of the CWP EIR were adopted as a part of the *Countywide Plan* and would continue to apply.

Mitigation Measure 4.7-1(a) revised Policy EH-2.2 (Comply with the Alquist-Priolo Act) and Program EH-2.d (Limit Building Sites in Alquist-Priolo Zones) of the Natural Systems as follows:

> ***Policy EH-2.2 Comply with the Alquist-Priolo Act.*** *Continue to implement and enforce the Alquist-Priolo Earthquake Fault Zoning Act.*
>
> ***Program EH-2.d Limit Building Sites in Alquist-Priolo Zones.*** *Prohibit new building sites in any Alquist-Priolo Earthquake Fault Zone, unless a geotechnical report prepared by a professional geologist establishes that the development will comply with all applicable State and County earthquake standards and regulations.*

Mitigation Measure 4.7-1(b) added a new program to the Natural Systems and Agriculture Element as follows:

> ***Program EH-2.l Reliability of Lifelines and Access (Evacuation) Routes.*** *In cooperation with utility system providers, emergency management agencies, and others, assist in the development of strategies to reduce adverse effects of geologic hazards, especially fault surface rupture and landslides to critical public lifelines and access (i.e., evacuation) routes in an emergency.*

Mitigation Measure 4.7-1(c) requires continual implementation of County ordinances requiring geological assessment (e.g., Preliminary Soils, Soils Investigation, and Geologic / Geotechnical Reports) for new subdivisions and grading permits to identify the presence of surface fault rupture.

Mitigation Measure 4.7-2(a) revised Policy EH-2.3 (Ensure Safety of New Structures) and Programs EH-2e (Retrofit County Buildings) of the Natural Systems and Agriculture Element, and PS-3.f (Promote Structural Safety), and PS-3.g (Locate Emergency Services Facilities Appropriately) of the Built Environment Element as follows:

> ***Policy EH-2.3 Ensure Seismic Safety of New Structures.*** *Design and construct all new buildings to be earthquake resistant. The minimum level of design necessary would be in accordance with seismic provisions and criteria contained in the most recent version of the State and County Codes. Construction would require effective oversight and enforcement to ensure adherence to the earthquake design criteria.*
>
> ***Program EH-2.e Retrofit County Buildings and Critical Facilities.*** *Identify and remedy any County-owned structures and critical facilities in need of seismic retrofit or other geotechnical / structural improvements, including eliminating any potentially hazardous features, and / or relocating services if necessary.*
>
> ***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 shutoff valves in buildings. Encourage retrofit of older buildings and securing nonstructural elements of a building to prevent the falling or throwing of objects.*
>
> ***Program PS-3.g Locate Emergency Services Facilities Appropriately.*** *Locate and design emergency buildings and vital utilities, communication systems, and other public facilities so that they remain operational during and after an emergency or disaster. Encourage that these structures and facilities are designed to be earthquake proof to ensure continuous operation even during extreme seismic ground shaking.*

Mitigation Measure 4.7-2(b) added Program EH-2.n To the Natural Systems and Agriculture Element as follows:

> ***Program EH-2.n Post-earthquake Damage Assessment.*** *Undertake immediate damage assessment of essential service buildings and facilities and then other buildings as part of the County's emergency response planning in response to a damaging earthquake.*

Mitigation Measure 4.7-2(c) requires funding for the revised Program EH-2.e (Retrofit County Buildings and Critical Facilities) and revises the time frame of its implementation to the medium-term or sooner.

Mitigation Measure 4.7-2(d) requires continual implementation of County ordinances to ensure new construction utilizes California Building Code seismic design requirements, seismic shut-off devices, and anchoring of liquid petroleum gas tanks as well as require geological assessment (e.g., Soils Investigation and Geologic / Geotechnical reports) for grading permits to determine the effects of seismic ground shaking on proposed grading.

Mitigation Measure 4.7-3(a) revised Programs EH-2.a (Require Geotechnical Reports) and EH-2.b (Require Construction Certification) of the Natural Systems and Agriculture Element as follows:

> ***Program EH-2.a Require Geotechnical Reports.*** *Continue to require any applicant for land division, master plan, development approval, or new construction in a geologic hazard area to submit a geotechnical report prepared by a State-certified Engineering Geologist or a Registered Geotechnical Engineer that:*
>
> - *Evaluates soil, slope, and other geologic hazard conditions;*
> - *Commits to appropriate and comprehensive mitigation measures sufficient to reduce risks to acceptable levels, including post-construction site monitoring, if applicable;*
> - *Addresses the 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.*
>
> ***Program EH-2.b Require Construction Observation and Certification.*** *Require any work or construction oversight undertaken to correct slope instability or mitigate other geologic hazard conditions be supervised and certified by a geotechnical engineer and / or an engineering geologist.*

Mitigation Measure 4.7-3(b) added a new program to the Natural Systems and Agriculture Element that reads as follows:

> ***Program EH-2.o Geologic Hazard Areas.*** *Update Geologic Hazard Area maps as updated information becomes available. These maps should be used to determine the need for geologic and geotechnical reports for proposed development or redevelopment.*

Mitigation Measure 4.7-3(c) requires continual implementation of County ordinances requiring geological assessment (e.g., Preliminary Soils, Soils Investigation, and Geologic / Geotechnical reports) for new subdivisions and grading permits to identify hazards associated with seismic-related ground failure.

Mitigation Measure 4.7-4(a) reduces adverse effects from the exposure of people and structures to landslides to a less-than-significant level, the County would adopt and implement revised programs (i.e., Programs EH-2.a [Require Geotechnical Reports] and EH-2.b [Require Construction

Observation and Certification]) and the new program (i.e., EH-2.o [Geologic Hazard Areas]) in Mitigation Measure 4.7-3 of Impact 4.7-3 Seismic-Related Ground Failure.

Mitigation Measure 4.7-4(b) requires continued implementation of County ordinances requiring a Stability Report for new construction in specified areas on County slope stability maps, assessment of storm related landslide damage, limits to slope steepness. In addition, continue to implement County ordinances requiring geological assessment (e.g., Preliminary Soils, Soils Investigation, and Geologic / Geotechnical reports) for new subdivisions and grading permits to identify hazards associated with landsliding.

Mitigation Measure 4.7-5(a) reduces adverse effects from the exposure of people and structures to subsidence and settlement to a less-than-significant level, the County would adopt and implement the revised programs (i.e., Programs EH-2.a [Require Geotechnical Reports] and EH-2.b [Require Construction Observation and Certification]) and the new program (i.e., EH-2.o [Geologic Hazard Areas]) in Mitigation Measure 4.7-3 of Impact 4.7-3 Seismic-Related Ground Failure.)

Mitigation Measure 4.7-5(b) revises the timeframe of implementation of Program EH-2.g (Identify Compressible Soil Potential) to the medium-term or sooner.

Mitigation Measure 4.7-5(c) requires continued implementation of County ordinances that provide guidelines for subsidence evaluations of land that are or could be prone to subsidence as well as requiring geological assessment (e.g., Preliminary Soils, Soils Investigation, and Geologic / Geotechnical reports) for new subdivisions and grading permits to identify hazards associated with subsidence and settlement.

Mitigation Measure 4.7-6(a) reduces adverse effects from the exposure of structures to expansive soils to a less-than-significant level by requiring the County adopt and implement the revised programs (i.e., Programs EH-2.a [Require Geotechnical Reports] and EH-2.b [Require Construction Observation and Certification]) and the new program (i.e., EH-2.o [Geologic Hazard Areas]) in Mitigation Measure 4.7-3 of Impact 4.7-3 Seismic-Related Ground Failure.

Mitigation Measure 4.7-6(b) requires continued implementation of County ordinances that provide soil classification guidelines and design considerations for development in areas of expansive soils as well as requiring geological assessment (e.g., Preliminary Soils, Soils Investigation, and Geologic / Geotechnical reports) for new subdivisions and grading permits to identify hazards associated with expansive soils.

Mitigation Measure 4.7-7 reduces adverse effects from septic system use in unsuitable soils to a less-than-significant level, by obtaining funding for Program WR-2.e (Continue Providing High-Priority Inspections) in order to continue no-cost inspections of septic systems in high priority areas.

Mitigation Measure 4.5-4 is described in Environmental Checklist Section 9.

The SEIR determined that no additional mitigation measures would be required for the 2007–2014 Housing Element. Based on the discussion above, the proposed 2015–2023 Housing Element would not require any new mitigation measures.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe geology and soils impacts than those previously evaluated in the 2013 SEIR.

7. Greenhouse Gas Emissions

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
7. Greenhouse Gas Emissions. Would the Project:					
a. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Draft SEIR, pgs. 137-138	No	No	No	Yes
b. Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Draft SEIR, pg. 138	No	No	No	Yes

Discussion

7-a) Following certification of the CWP EIR, the Bay Area Air Quality Management District (BAAQMD) adopted updated CEQA Air Quality Guidelines in May 2011 that include an operational threshold of significance for plan-level impacts from greenhouse gas (GHG) emissions. (Separate thresholds were adopted for project-specific GHG impacts, including construction impacts. No construction threshold was adopted for plan-level impacts.) The SEIR provided detailed information about the nature of GHGs and how they are generated, the State's current inventory of GHGs, and the federal, State, and local regulatory structure pertaining to GHGs. The SEIR also provided information about a legal challenge by the California Building Industry Association to BAAQMD's 2011 adoption of GHG and air quality thresholds of significance that resulted in the Alameda County Superior Court setting aside the thresholds until BAAQMD conducts CEQA review of the thresholds. However, on August 13, 2013, the First District Court of Appeal ordered the trial court to reverse the judgment and upheld the BAAQMD's CEQA Guidelines. *California*

Building Industry Ass'n v. Bay Area Air Quality Mgmt. Dist., Case No. A135335 & A136212 (Court of Appeal, First District, August 13, 2013).[3] Furthermore, because the thresholds were developed based on substantial scientific evidence, the County exercised its discretionary authority in applying BAAQMD's thresholds of significance to the analysis in the SEIR, finding that they are supported by substantial evidence, as provided for in Section 15064.7 of the CEQA Guidelines.

The CWP EIR had identified a significant unavoidable impact from an increase in emissions of GHGs that would occur from new land uses and development allowed under the *Countywide Plan*. Although implementation of Mitigation Measures 4.3-6(a) and 4.3-6(b) would reduce the impact, it would remain significant and unavoidable. The SEIR analyzed GHG emissions from construction and operation of all of the housing units in the housing sites inventory included in the 2007–2014 Housing Element in order to determine whether the magnitude of the CWP EIR impact had increased. The analysis used the California Emissions Estimator Model, Version 2011.1.1 (CalEEMod), adjusted to reflect PG&E's projected 2020 carbon dioxide (CO_2) emissions per megawatt of electricity produced, which is 289.85 pounds of CO_2. The results indicated that for the 17 housing sites in the 2007–2014 Housing Element, annual emissions of GHGs would be 7,032.89 metric tons of CO_2 equivalent (CO_2e). Based on the service population, this would be equivalent to 3.2 metric tons of CO_2e per capita per year. Compared to the significance threshold of 4.6 metric tons of CO_2e per capita per year, the SEIR concluded that the impact would not be substantially more severe than previously evaluated in CWP EIR, nor would there be any new significant impacts. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because the proposed 2015–2023 Housing Element considers fewer housing units than evaluated in the SEIR, and the same housing sites, minus one, the proposed Project would not result in new or substantially more severe GHG impacts than those evaluated in the SEIR.

7-b) The SEIR reported that BAAQMD's thresholds of significance for GHGs were based on GHG emissions projections for the region, which were derived from projections of population growth contained in local land use plans. Because the 2007–2014 Housing Element was consistent with the population and vehicle travel projections used in the *Countywide Plan*, the SEIR concluded that the 2007–2014 Housing Element would not conflict with BAAQMD's emission reduction approach used in its CEQA program. The SEIR also cited *Countywide Plan* policies and programs that would reduce or minimize GHG emissions, including Goal AIR-4 (Minimization of Contributions to Greenhouse Gases) and Programs

[3] On November 26, 2013, the California Supreme Court granted review on the issue of whether the toxic air contaminants thresholds are consistent with CEQA; specifically, whether CEQA requires analysis of exposing project residents or users to existing environmental hazards. Briefing was completed on May 27, 2014, but the hearing has not yet been set. The County finds that the science and reasoning contained in the BAAQMD 2011 CEQA Air Quality Guidelines provide the latest state-of-the-art guidance available. For that reason, substantial evidence supports continued use of the BAAQMD 2011 CEQA Air Quality Guidelines.

AIR-4.a (Reduce Greenhouse Gas Emissions Resulting from Energy Use in Buildings), AIR-4.b (Reduce Greenhouse Gas Emissions Resulting from Transportation), AIR-4.c (Reduce Methane Emissions Released from Waste Disposal), AIR-4.d (Reduce Greenhouse Gas Emissions from Agriculture), and AIR-4.e (Reduce County Government Contributions to Greenhouse Gas Emissions). Implementation of these programs would achieve reductions in GHG emissions from energy use in buildings, transportation, waste disposal, agriculture, and from government contributions. The SEIR found this to be a less-than-significant impact.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because the proposed 2015–2023 Housing Element considers fewer housing units than evaluated in the SEIR, and the same housing sites, minus one, the proposed Project would not result in new or substantially more severe impacts related to conflicts with plans, policies, or regulations for reducing GHG emissions than those evaluated in the SEIR.

CWP EIR Mitigation Measures

The CWP EIR identified two mitigation measures to reduce identified greenhouse gas impacts.

Mitigation Measure 4.3-6(a) revised Program AIR-4.f (Establish a Climate Change Planning Process, to state:

> ***Program AIR-4.f Establish a Climate Change Planning Process.*** *Continue implementation of the approved Marin County Greenhouse Gas Reduction Plan. Integrate this plan into long range and current planning functions and other related agencies. Establish and maintain a process to implement, measure, evaluate, and modify implementing programs, using the Cities for Climate Protection Campaign as a model.*

Mitigation Measure 4.3-6(b) implements proposed State programs to reduce greenhouse gas emissions including the Renewable Portfolio Standards, California Fuel Efficiency (CAFÉ) standards and a carbon cap and trade programs.

The SEIR discussed Mitigation Measures 4.3-6(a) and 4.3-6(b), which were adopted as a part of the *Countywide Plan*, and that future housing projects will need to comply with these measures as appropriate, and concluded that no additional mitigation measures related to greenhouse gas emissions would be necessary for adoption and implementation of the 2007–2014 Housing Element. Mitigation Measures 4.3-6(a) and 4.3-6(b) would continue to apply to the proposed Project.

Because the proposed 2015–2023 Housing Element would not increase or add to the GHG impacts discussed in the SEIR, no additional mitigation would be required for the Project.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe greenhouse gas impacts than those previously evaluated in the 2013 SEIR.

8. Hazards and Hazardous Materials

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
8. Hazards and Hazardous Materials. Would the Project:					
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Draft SEIR, pg. 149	No	No	No	Yes
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Draft SEIR, pg. 149	No	No	No	Yes
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Draft SEIR, pg. 149	No	No	No	Yes
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Draft SEIR, pgs. 149-150	No	No	No	Yes
e. For a Project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the	Draft SEIR, pg. 150	No	No	No	n/a

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
8. Hazards and Hazardous Materials. Would the Project:					
Project area?					
f. For a Project within the vicinity of a private airstrip, would the Project result in a safety hazard for people residing or working on the Project area?	Draft SEIR, pg. 150	No	No	No	n/a
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Draft SEIR, pgs. 150-151	No	No	No	n/a
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	Draft SEIR, pg. 151	No	No	No	n/a

Discussion

8-a) The SEIR stated that while implementation of the 2007–2014 Housing Element could lead to future housing development where household hazardous materials are routinely used, transported, and disposed, this would not constitute a significant hazard, because *Countywide Plan* policies and programs are in place to educate the public on proper handling and disposal of household hazardous waste. The SEIR determined that implementation of the 2007–2014 Housing Element would not result in a new significant impact or substantially increase the severity of an impact previously disclosed in the CWP EIR. Similarly, implementation of the 2015–2023 Housing Element would not result in a new significant impact or substantially increase the severity of an impact previously disclosed in the SEIR. Any physical development that could occur on the housing sites considered for the 2015–2023 Housing Element was previously evaluated in the SEIR.

8-b) The SEIR discussed Impact 4.10-1 (Release of Hazardous Materials) from the CWP EIR, which addressed hazards resulting from the accidental release of hazardous materials during transport, use, or disposal. Although the potential for residential development to result in the accidental release of hazardous materials to the environment is low, the SEIR concluded that there was some potential for this to occur as a consequence of future housing development that would be authorized by the 2007–2014 Housing Element. The SEIR

determined that, due to existing protective policies and programs, the impact would be less than significant. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Under the proposed 2015–2023 Housing Element, no new housing sites would be considered and the number of residential units considered on the sites would not increase above those previously evaluated in the SEIR. The proposed Project would therefore not result in a new or substantially more severe impact from the accidental release of hazardous materials to the environment.

8-c) While the CWP EIR identified a significant unavoidable impact (Impact 4.10-2) from potential emissions of hazardous materials or waste near school sites, the SEIR determined that the 2007–2014 Housing Element did not authorize any new activities that would increase emissions of or the amount of hazardous waste or hazardous materials near any school sites. Accordingly, the SEIR found that approval and implementation of the 2007–2014 Housing Element would not increase the risks of school site exposure to hazardous materials, and therefore would not increase the severity of this significant and unavoidable cumulative impact or result in a new significant impact. Implementation of the proposed 2015–2023 Housing Element would not increase the amount, type, or location of school sites beyond that previously evaluated in the SEIR, nor would it increase land uses that emit hazardous materials or hazardous waste near school sites. The 2015–2023 Housing Element would not substantially increase the severity of the impact from potential emissions of hazardous materials or waste near school sites and would not result in any new impacts not previously addressed in the SEIR.

8-d) The SEIR performed regulatory database searches to identify known hazardous waste or hazardous materials release sites that were located in proximity to the housing sites listed in the 2007–2014 Housing Element. The search encompassed the California Department of Toxic Substances Control's (DTSC) EnviroStor Database, the State Water Resources Control Board's (SWRCB) GeoTracker Database, and other Cortese List resources identified by the California Environmental Protection Agency. The 52 housing sites evaluated in the SEIR were not listed in most of the databases searched, with the exception that five of the sites were listed by GeoTracker as having onsite historical releases of hazardous materials. Three of those sites (Marinwood Plaza, Oak Manor, and Old Chevron Station) are evaluated for the housing sites inventory for the proposed 2015–2023 Housing Element. Although each of the five (total) housing sites have been issued a No Further Action letter (NFA) from the SWRCB, issuance of the NFAs assumed continued commercial or industrial uses of the properties, not conversion to residential uses. In addition, at the site of a former dry cleaner on the Marinwood Plaza site remediation of soil and groundwater is still ongoing as of September 2014.

As stated in the SEIR, any application for development on a site on the Cortese List must comply with the notification requirements of the Cortese Act. Future applications for development of individual housing sites would also trigger review by County staff for

compliance with requirements for mitigating environmental hazards, which would involve consultation with and sign-off by outside regulatory agencies, including SWRCB and DTSC. The SEIR concluded that the 2007–2014 Housing Element would not result in a new or substantially more severe impact from proximity to a hazardous materials release site.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. No new sites have been identified, and the number of anticipated housing units has decreased. None of the proposed new implementing programs have the potential to result in physical impacts on the environment. Therefore, implementation of in the proposed 2015–2023 Housing Element would not result in a new or substantially more severe impact from proximity to a hazardous materials release site.

8-e) The SEIR disclosed that new housing development considered in the 2007–2014 Housing Element would be developed in proximity to airports in some cases. It cited 13 housing sites that are within 2 miles of the Richardson Bay Heliport, three of which (Golden Gate Seminary, Marin City CDC, and Armstrong Nursery) are considered for the inventory of the proposed 2015–2023 Housing Element. The SEIR also reported that 12 of the 52 housing sites considered were within 2 miles of the San Rafael Airport; these included two sites on the currently proposed inventory: Marinwood Plaza and St. Vincent's/Silveira. New housing developed in proximity to an airport would be required to comply with the applicable airport land use plan. The SEIR concluded that no new or substantially more severe impact from proximity to an airport would result from implementation of the 2007–2014 Housing Element. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Therefore, the proposed 2015–2023 Housing Element would not result in a new or substantially more severe impact from proximity to an airport.

8-f) The SEIR stated that none of the housing sites included in the 2007–2014 Housing Element were located in proximity to a private airstrip, and there would therefore be no impact from locating housing in proximity to a private airstrip. For the reasons set forth in Checklist Item 8-e, above, the proposed 2015–2023 Housing Element would not result in a new or substantially more severe impact from proximity to a private airstrip.

8-g) The SEIR stated that the CWP EIR concluded that the *Countywide Plan* would not impair an adopted emergency response plan or emergency evacuation plan. The SEIR found that there was nothing in the 2007–2014 Housing Element that would change the previous CWP EIR analysis, and concluded that this impact would remain insignificant. The proposed 2015–2023 Housing Element considers construction of fewer housing units and does not consider any new housing sites that were not previously evaluated in the SEIR. Therefore, the proposed 2015–2023 Housing Element would therefore not result in a new or substantially

more severe impact related to interference with an adopted emergency response plan or emergency evacuation plan.

8-h) The CWP EIR found that implementation of the *Countywide Plan* would have a less-than-significant impact due to exposure of people or structures to wildland fire hazards (Impact 4.10-10 [Wildland Fire Hazards]). The SEIR determined that housing development considered under the 2007–2014 Housing Element would be consistent with the *Countywide Plan*, and the 2007–2014 Housing Element would therefore not have any new or substantially more severe impacts related to wildland fire hazards than had previously been evaluated in the CWP EIR. The housing sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Therefore, the proposed 2015-2023 Housing Element would not result in a new or substantially more severe wildland fire hazard impact.

CWP EIR Mitigation Measures

The CWP EIR identified three mitigation measures to reduce identified hazards and hazardous materials. Mitigation Measures 4.10-1, 4.10-2 and 4.10-3 in the CWP EIR were adopted as a part of the Countywide Plan and would continue to apply.

Mitigation Measure 4.10-1(a) added a new program to the Socioeconomic Element that reads as follows:

> ***Program PS-4.h Hazardous Materials Education.*** *Continue to educate the public about the safe use, transport, and disposal of hazardous materials and encourage (e.g., through incentive programs) the use of less-toxic substances in residential and County operations.*

Mitigation Measure 4.10-1(b) added a new program to the Socioeconomic Element that reads as follows:

> ***Program PS-4.i Hazardous Materials Disposal.*** *Promote, educate, and encourage the public and businesses to properly dispose of any hazardous materials or waste at the Marin County's permanent household hazardous waste collection facility.*

Mitigation Measure 4.10-2(a) revised Policy EJ-1.1 of the Socioeconomic Element to read as follows:

> ***Policy EJ-1.1 Identify and Target Impacted Areas.*** *Use available measurement data to map locations with known toxins and other health-threatening pollutants.*

Mitigation Measure 4.10-2(b) requires revised time frame for implementation of Program PS-4.a (Regulate Development Near Waste Sites), Program EJ-1.g (Deny Pollution-Source Proposals), and Program EJ-1.h (Require Pollution Analysis) to the medium-term or sooner.

Mitigation Measure 4.10-3 is the same as Mitigation Measure 4.10-2(a).

The SEIR determined that no additional mitigation measures related to hazards and hazardous materials would be necessary for adoption and implementation of the 2007–2014 Housing Element. Because the proposed 2015–2023 Housing Element would not result in any new or substantially more severe hazards or hazardous materials impacts than those previously evaluated in the SEIR, no additional mitigation measures would be required for the Project.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe hazards or hazardous materials impacts than those previously evaluated in the 2013 SEIR.

9. Hydrology and Water Quality

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
9. Hydrology and Water Quality. Would the Project:					
a. Violate any water quality standards or waste discharge requirements?	Draft SEIR, pgs. 174-175	No	No	Yes	Yes
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?	Draft SEIR, pgs. 175-176	No	No	Yes	Yes
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	Draft SEIR, pg. 176	No	No	Yes	Yes
d. Substantially alter the	Draft SEIR, pg. 177	No	No	Yes	Yes

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
9. Hydrology and Water Quality. Would the Project:					
existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?					
e. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	Draft SEIR, pg. 178	No	No	Yes	Yes
f. Otherwise substantially degrade water quality?	Draft SEIR, pg. 178	No	No	Yes	Yes
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	Draft SEIR, pg. 177 and pgs. 178-181	No	No	Yes	Yes
h. Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	Draft SEIR, pg. 181	No	No	Yes	Yes
i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	Draft SEIR, pg. 181	No	No	Yes	Yes
j. Inundation by seiche, tsunami, or mudflow?	Draft SEIR, pg. 181	No	No	No	Yes

Discussion

9-a) Urban development and the impervious surfaces associated with it (pavements, buildings, etc.) increase the pollutant load of heavy metals and other contaminants in stormwater runoff, which can impair water quality in downstream receiving waters. San Francisco Bay,

the ultimate destination of a large portion of Marin County's stormwater runoff, is listed by the U.S. Environmental Protection Agency (EPA) as an impaired water body. Richardson Bay, Tomales Bay, and Walker Creek are other Marin water bodies included on EPA's 303(d) List of Impaired Water Bodies, compiled in compliance with the federal Clean Water Act. This designation indicates that a water body contains one or more pollutants that exceed protective water quality standards.

Placement of a water body on the 303(d) list initiates development of a Total Maximum Daily Load (TMDL) for each pollutant that exceeds water quality standards. TMDLs are action plans to restore water quality. They examine sources of listed contaminants, identify the mechanisms and pathways by which they affect downstream water bodies, and recommend actions to control contaminant sources and reduce contaminant loading in receiving waters.

The SEIR summarized two regulatory changes since certification of the CWP EIR relevant to potential violations of water quality standards and waste discharge requirements. The first pertains to EPA's 303(d) List of Impaired Water Bodies, which was updated in 2010. (Another update to the list that will not affect the San Francisco Bay Area is currently being reviewed by EPA.) When the CWP EIR was prepared, only one TMDL—for the pesticide diazinon and other pesticides—had been prepared for Marin County waterways. This TMDL, titled *Urban Creeks Pesticide Toxicity*, applies to all urban creeks in the San Francisco Bay Area. Since that time, additional TMDLs have been prepared for mercury in San Francisco Bay, Tomales Bay, and Walker Creek. They have also been prepared for pathogens in Richardson Bay and Tomales Bay, and for polychlorinated biphenyls (PCBs) in San Francisco Bay. Another change since publication of the SEIR is the addition of a Fine Sediment TMDL for the Lagunitas Creek Watershed, which took effect on June 11, 2014.

The second relevant regulatory change was adoption by the San Francisco Bay Regional Water Quality Control Board (RWQCB) of updated National Pollutant Discharge Elimination System (NPDES) requirements for protecting water quality in stormwater runoff from new development sites. In September 2009 the RWQCB adopted the NPDES General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ) (the "Construction General Permit").[4] The Construction General Permit, which took effect on July 1, 2010, applies to all development projects in the San Francisco Bay Area that would create or modify 10,000 square feet or more of impervious surfaces. Among other requirements, projects subject to the permit must include on-site low-impact development (LID) measures to treat stormwater runoff. These requirements are reinforced by Marin County's own updated stormwater requirements for new and redevelopment projects, promulgated in its Stormwater Pollution Prevention

[4] State Water Resources Control Board, Division of Water Quality, *National Pollutant Discharge Elimination System General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities, Order No. 2009-0009-DWQ, NPDES No. CAS000002*, September 2, 2009.

Program (the "MCSTOPPP"), adopted in conformance with its Phase II NPDES permit for municipal separate storm sewer systems (MS4s).[5]

Since publication of the SEIR, there have been further changes to NPDES requirements that affect new development in Marin County. The RWQCB adopted a revised Phase II Small MS4 General Permit that took effect on July 1, 2013 (the "2013 Phase II Permit").[6] The 2013 Phase II Permit requires all grading permit projects and certain projects with building, encroachment, and other permits with significant soil disturbance during construction to implement an approved Erosion and Sediment Control Plan. The plan must follow the MCSTOPPP's Construction Erosion and Sediment Control Plan.

In addition, certain projects that add or replace impervious surface must comply with 2013 Phase II Permit's post-construction stormwater management requirements. In Marin County, all projects subject to the 2013 Phase II Permit's Section E.12 requirements must follow the Bay Area Stormwater Management Agencies Association (BASMAA) Post Construction Manual.[7] Single-family home projects that are not part of a larger plan of development and that add or replace 2,500 square feet or more of impervious surface, and small projects adding/replacing 2,500-4,999 square feet of impervious surface, must follow the instructions in the BASMAA Post Construction Manual Appendix C and must implement an approved Stormwater Control Plan for a Single-Family Home or Small Project. Projects, other than single-family home projects, that add or replace 5,000 square feet of impervious surface must follow the BASMAA Post Construction Manual and must implement an approved Stormwater Control Plan for a Regulated Project (using the template in Appendix D of the manual). These more stringent stormwater quality requirements are now applied to such projects by both the County of Marin and the majority of its member municipalities.

The SEIR determined that implementation of the 2007–2014 Housing Element could result in properties included in the AH Combining District being developed at higher densities than were anticipated in the CWP EIR, which would likely increase the area of impervious surfaces that would be developed. Of the 52 housing sites evaluated in the SEIR, 34 were likely to involve increased density and associated impervious surfaces. Of those 34 sites, seven are considered for the housing sites inventory of the proposed 2015–2023 Housing Element. They are the California Park, Old Chevron Station, Manzanita Mixed-Use, Marin City CDC, Armstrong Nursery, Grady Ranch, and Roosevelt Street sites. However, all but two of the 52 sites are located in existing urban areas, including all of the sites in the currently proposed inventory. Although the SEIR found that the increased density on the two non-urban housing sites (Site #s 44 and 45) could potentially increase the amount of impervious surfaces on the sites by 10 percent, the total area of the sites is 11.2 acres, which is less than

5 Marin County Public Works Department, *Marin County Stormwater Pollution Prevention Program, Action Plan 2010: Stormwater Management Plan*, May 2005.

6 State Water Resources Control Board, Division of Water Quality, *Water Quality Order No. 2013-0001-DWQ, National Pollutant Discharge Elimination System (NPDES) General Permit No. CAS000004, Waste Discharge Requirements (WDRs) for Storm Water Discharges from Small Municipal Separate Storm Sewer Systems (MS4s) (General Permit)*, February 5, 2013.

7 Available at www.basmaa.org (currently under Board and Committees, Phase II, Projects and Programs).

0.1 percent of the 14.5-square-mile Olema Creek watershed in which they are located, and the impact was determined to be less than significant. In addition, these sites are not being evaluated for inclusion in the proposed 2015-2023 Housing Element.

Based on RWQCB's *Water Quality Control Plan—San Francisco Bay*, the SEIR reported that degradation of water quality with heavy metals and other contaminants can occur when the degree of urbanization in the watershed exceeds 30 to 40 percent. With the exception of the two non-urban sites referenced above, development of the housing sites would be infill development that does not significantly change the percentage of urbanization within a given watershed. On this basis, the SEIR concluded that implementation of the housing sites listed in the 2007–20014 Housing Element would have a less-than-significant impact on water quality and water quality standards. Moreover, the fortified water quality protection measures and low-impact development design practices mandated for residential and commercial construction by the Phase II NPDES requirements for Marin County and other operators of MS4s would further reduce potential adverse effects on water quality. The SEIR found that the 2007–2014 Housing Element would not substantially increase the severity of the impacts previously identified in the CWP EIR and would not cause any new impacts.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Therefore, there is no potential for the proposed 2015–2023 Housing Element to result in a new or substantially more severe impact on water quality, including violations of water quality standards, than was disclosed in the SEIR.

9-b) While any impervious surface restricts direct percolation to groundwater, groundwater recharge also varies with local conditions, and the effects from interference with groundwater recharge also vary locally. For example, some sensitive plants depend on seasonal or perennial groundwater, as does stream habitat for Coho salmon and California Central Coast steelhead. Because of this, the SEIR evaluated the potential for the housing sites included in the 2007–2014 Housing Element to adversely affect local groundwater recharge. The analysis determined that four housing sites, none of them being considered for the proposed housing sites inventory, would cumulatively affect 17.6 acres of the Corte Madera Creek watershed. Two other sites, also not in the current evaluation, would affect a total of 15.6 acres in the Miller Creek watershed.

The analysis also determined that 4.6 acres of the Lagunitas Creek and Olema Creek watersheds would potentially be affected by reduced groundwater recharge, but did not identify any specific housing sites that would contribute to these effects. However, Exhibit 3.0-18 of the SEIR lists each of the 15 housing sites considered for the proposed 2015–2023 Housing Element and evaluates the potential for development at each site to have a significant effect on groundwater recharge, among other potential impacts. None of these 15 housing sites is located within the Olema Creek watershed and only one—the Grandi Building site—is located in the Lagunitas Creek watershed. Exhibit 3.0-18 indicates that this

2.5-acre site would not have a potentially significant impact on groundwater recharge. Based on the evaluation presented therein, the SEIR concluded that the 2007–2014 Housing Element would not adversely affect local groundwater recharge due to the introduction of increased impervious surfaces. It found that future development of the Grandi building will require submittal of planned uses for the entire parcel (APN 119-234-01), pursuant to *Countywide Plan* Community Plan Policy CL-4.3.

The SEIR found that development of housing sites included in the 2007–2014 Housing Element would not substantially increase the severity of the significant impact on groundwater recharge that was identified in the CWP EIR. New development on the sites would be required to comply with the regulations in the updated Phase II NPDES permit and MCSTOPPP requirements discussed above in Checklist Item 9-a, which would require on-site collection and/or infiltration of rainfall and stormwater runoff from impervious surfaces on development sites. New development projects would be required to comply with Stream Conservation Area policies that mandate maintaining undeveloped streamside buffers (see Policy BIO-4.2 Comply with SCA Regulations), particularly in less developed watersheds, wherein additional groundwater recharge would occur. New development would also be subject to regulatory oversight by the RWQCB, the US Army Corps of Engineers (Department of Army Fill permits), and California Department of Fish and Game (Section 1600 Lake and Streambed Alteration program).

As discussed in Checklist Item 9-a, above, the Phase II NPDES permit requirements for small MS4s have been updated since preparation of the SEIR. The changes to the Phase II NPDES permit require conformance with the BASMAA Post Construction Manual, which requires preservation of natural areas to the extent feasible and minimization of impervious surfaces, among other requirements. These changes could only have the effect of reducing, not increasing, adverse effects on groundwater recharge. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Therefore, implementation of the proposed 2015–2023 Housing Element would not result in a new or substantially more severe impact on groundwater recharge than was previously analyzed in the SEIR.

9-c) Erosion and downstream sedimentation was also addressed in Checklist Item 6-b. Construction and grading activities for residential and commercial development can result in erosion and downstream sedimentation that could adversely affect water quality in Marin County waterways. Soil exposed by grading and earthmoving activities is susceptible to entrainment in stormwater runoff, and is a substantial component of nonpoint source pollution. The SEIR found that residential development implemented in accordance with the 2007–2014 Housing Element would result in greater development densities on some of the housing sites than were anticipated in the *Countywide Plan*. This would create more impervious surfaces, which would increase the potential for soil erosion.

The SEIR also stated that nine of the housing sites in the 2007–2014 Housing Element were within or partially within a Stream Conservation Area (SCA), including seven sites evaluated for the inventory for the proposed 2015–2023 Housing Element (California Park,[8] St. Vincent's/Silveira, Easton Point, Indian Valley, Marin City CDC, Armstrong Nursery, and Grady Ranch). On these sites, ground disturbance during grading and construction could create increased erosion that could increase the sediment load in the adjacent creek or stream, which could adversely affect the sensitive biotic habitats in some County streams. However, the analysis determined that compliance with *Countywide Plan* policies governing creek setbacks in SCAs and required inspection of erosion control measures during construction and following installation would minimize transport of sediment to adjacent streams. The July 2010 amendments to the NPDES Phase II General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No. 2009-0009-DWQ), discussed above in Checklist Item 9-a, contain numerous requirements that would further minimize the potential for adding to stream sedimentation. The SEIR cited the effluent monitoring and reporting for pH and turbidity mandated by the permit at construction sites that disturb one acre of land or more, and noted that numerical limits for effluent turbidity and pH that have been established for certain high risk sites. The revised General Construction Permit also requires preparers of stormwater pollution prevention plans (SWPPPs) to be trained and certified. In addition, construction sites are inspected to monitor compliance with the approved SWPPP.

Under the recently amended NPDES Phase II Permit, Section E.10 requires more stringent construction waste control and erosion and sediment control on projects that disturb less than one acre of soil. To comply with the new Phase II Permit, Marin County and the municipalities in the County require projects to implement more effective Best Management Practices by following MCSTOPPP's Construction Erosion Sediment Control Plan Applicant Package by preparing and submitting a detailed Erosion and Sediment Control Plan.

The SEIR concluded that these provisions and compliance with the water quality policies and programs contained in the *2007 Countywide Plan*, which include Policy BIO-4.2 (Comply with SCA Regulations), Policy BIO- 4.11 (Promote Riparian Protection), Policy WR-2.1 (Reduce Toxic Runoff), and Policy BIO-4.15 (Reduce Wet Weather Impacts), the erosion and sedimentation impacts of the 2007–2014 Housing Element would remain less-than-significant after mitigation. Implementation of the 2007–2014 Housing Element would not substantially increase the severity of the CWP EIR impact related to soil erosion and downstream sedimentation.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. On some sites, the number of units proposed has been reduced, which could potentially result in a smaller

[8] The California Park and Easton Point sites were identified as possibly being within an SCA.

development footprint and would incrementally reduce the potential for soil erosion on those sites. Furthermore, compliance with the more stringent water quality protection and monitoring measures adopted by the RWQCB and Marin County as part of the NPDES Phase II permit requirements would ensure that these impacts would remain less than significant after mitigation. Therefore, implementation of the proposed 2015–2023 Housing Element would not result in a new or substantially more severe erosion and sedimentation impact than was disclosed in the SEIR.

9-d) The SEIR identified two planning-level changes since certification of the CWP EIR that were relevant to the discussion of potential flooding impacts, in addition to the NPDES permit changes discussed in Checklist Item 9-a. First, in 2009 the Federal Emergency Management Agency (FEMA) issued an updated Flood Insurance Study (FIS) and associated Flood Insurance Rate Maps (FIRMs) for Unincorporated Marin County and its incorporated cities and towns that amended the mapping of Special Hazard Flood Areas (SHFAs) for the 100-year flood, based on revised flooding analyses and updated urbanization and channel conditions. Updated FIRMs for portions of the City of Mill Valley and Ross Valley were subsequently published on March 17, 2014. Although these revised maps indicate that the California Park, Old Chevron Station, Manzanita Mixed Use, and Armstrong Nursery sites are located wholly or partially within a designated SHFA, the SEIR had previously disclosed that the sites were within SHFAs, as were two others that are considered for the inventory of the proposed Project: the St. Vincent's/Silveira and Grandi Building sites.

The other planning change discussed in the SEIR was the San Francisco Bay Conservation and Development Commission's (BCDC) October 2011 adoption of an amended *San Francisco Bay Plan*, reflecting its assessment of potential flooding impacts resulting from climate-induced sea level rise. The BCDC assessment includes sub-regional maps of predicted tidal inundation produced by the U.S. Geological Survey (USGS), based on hydrodynamic modeling of two sea level rise scenarios for San Francisco Bay: a 16-inch rise in sea level by 2050 and a 55-inch sea level rise by 2099. The SEIR relied on the 2050 interim assessment to determine the risk of tidal flooding at each of the 52 housing sites evaluated in the SEIR and found that 18 sites were susceptible to tidal inundation under this scenario. This included five housing sites (California Park, Old Chevron Station, Manzanita Mixed Use, Grandi Building, and Armstrong Nursery) that are part of the housing sites inventory considered for the 2015–2023 Housing Element. The SEIR explained that the BCDC assessment accounts for storm surge effects, based on monthly high tide data, but not the effects of storm-induced wave action, nor the combined effects of higher tide levels and coincident watershed flooding. Flooding is further discussed in Checklist Item 9-g.

The SEIR found that implementation of the 2007–2014 Housing Element would result in increases in development density and impervious surface cover on some sites, which would increase the volume and peak flow rates of stormwater runoff. This could exacerbate hillside or channel/floodplain erosion, channel instability, and downstream sedimentation in receiving surface waters. The SEIR noted that all of the housing sites except for those in the Lagunitas and Olema Creek watersheds are located within watersheds that are fully or

almost fully urbanized. In addition, with the exception of three sites that are not included in the currently proposed inventory, all of the bayside sites drain to urban storm drain systems, tidal sloughs, embayments (e.g. lower Gallinas Creek, Richardson Bay), or concrete-lined segments of major creeks, such as Corte Madera Creek. On these infill sites, there would be minimal increases in development density that would not cause a discernible increase in peak flows in the watershed.

The SEIR concluded that with implementation of mitigation measures included in the CWP EIR along with the MSCTOPPP design guidelines for LID and the SCA setback policies, implementation of the 2007–2014 Housing Element would have a less-than-significant impact due to increased peak flow rates. Compliance with the BASMAA Post Construction Manual would further reduce adverse effects. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Reduced densities on some sites could incrementally reduce the amount of impervious surfaces on those sites, which would have a beneficial effect (i.e., reduced) on peak stormwater discharge. Therefore, the SEIR previously analyzed potential drainage impacts that could occur with implementation of the proposed 2015–2023 Housing Element. The Project would not cause any new or substantially more severe impacts than were previously disclosed.

9-e) The SEIR found that Implementation of the 2007–2014 Housing Element would increase peak stormwater flow rates from some sites and could exceed the capacities of receiving drainageways and/or downstream storm drain systems, particularly at sites with increased development densities in small sub-watersheds upgradient of major urban channels that are subject to backwater flooding during high-magnitude rainstorms (i.e., >50-year recurrence frequency). It cited five sites in the Corte Madera Creek watershed as being most likely to cause local nuisance flooding; none of those sites are included in the sites being evaluated for the proposed inventory.

The SEIR found that on housing sites located outside of areas of existing clusters of development, the potential impacts on storm drainage systems would be less than significant given compliance with the MCSTOPPP LID design guidelines and with existing Countywide Plan SCA policies such as Policies BIO-4.1 (Restrict Land Use in Stream Conservation Areas), Policy BIO-4.2 (Comply with SCA Regulations), BIO-4.3 (Manage SCAs Effectively), BIO-4.14 (Reduce Road Impacts in SCAs), and BIO-4.18 (Promote the Use of Permeable Surfaces When Hardscapes Are Unavoidable in the SCA and WCA). Compliance with the BASMAA Post Construction Manual would further reduce adverse effects. In the developed, urbanized areas, implementation of LID design guidelines and project-level engineering review of drainage calculations and development plans by Marin County Department of Public Works would be sufficient to mitigate any increases in local site peak flows and runoff volumes. The SEIR concluded that this impact would remain less than significant after mitigation.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because the proposed 2015–2023 Housing Element only considers housing sites that were previously evaluated in the SEIR, and development of the sites would not increase the amount of impervious surfaces on the sites, the rate and volume of stormwater runoff from the Project would not increase in comparison with the 2007–2014 Housing Element. Therefore, implementation of the 2015–2023 Housing Element would not result in a new or substantially more severe impact related to stormwater drainage.

9-f) Potential impacts on water quality are discussed above in Checklist Item 9-a.

9-g) The SEIR found that 19 of the 52 affordable housing sites evaluated were located in whole or in part within a Special Flood Hazard Area (SFHA), as designated on the updated Flood Insurance Study (FIS) and Flood Insurance Rate Maps (FIRMs) for Marin County (see Checklist Item 9-d, above), including six sites evaluated for the currently proposed inventory (California Park, Old Chevron Station, St. Vincent's/Silveira, Manzanita Mixed Use, Grandi Building, and Armstrong Nursery). It explained that most of the sites are outside of actual floodways, but are located in the adjacent flood plains.

The SEIR also discussed potential flooding from sea level rise; this topic is discussed above in Checklist Item 9-d. The SEIR concluded that the potential risk of flooding to low-lying sites from current watershed and/or coincident watershed and tidal flooding, or from future tidal inundation due to sea level rise, constitutes a significant impact. It identified *Countywide Plan* policies and implementing programs intended to address future sea level rise and adapt to climate change, including Policy EH-3.3 (Monitor Environmental Change) and Programs EH-3.k. (Anticipate Sea Level Rise) and EH-3.n (Plan for Sea Level Rise). These implementing programs require Marin County to work with the U.S. Geological Survey, San Francisco Bay Conservation and Development Commission, and other monitoring agencies in mapping areas subject to future inundation from sea level rise, and require development of new construction standards for areas subject to increased flooding.

The SEIR cited CWP EIR Impact 4.5-7 (Exposure of People or Structures to Flood Hazards), which was identified as significant and unavoidable. Although this impact would remain significant and unavoidable with implementation of the 2007–2014 Housing Element, the SEIR identified four new mitigation measures to further reduce the magnitude of the impact (see section on Mitigation Measures, below). The SEIR concluded that implementation of the 2007–2014 Housing Element would not substantially increase the severity of Impact 4.5-7.

Potential development of the housing sites considered for the proposed 2015–2023 Housing Element would not increase impervious surfaces in comparison with the previous Housing Element, and therefore would not have the potential to exacerbate the flooding impact previously discussed in the SEIR.

9-h) Potential impacts from locating housing within a Special Hazard Flood Areas (SHFA) are addressed in Checklist Items 9-d and 9-g, above.

9-i) The SEIR found that five housing sites, including one (Grandi Building) considered for the currently proposed inventory, are located within mapped inundation zones downstream of Alpine, Peters, and Nicasio Dams in the Lagunitas Creek watershed. Several other sites are located within the inundation zones of Phoenix Dam (in the Corte Madera Creek watershed) or Stafford Dam (in the Novato Creek watershed), but none of those sites are in the currently proposed inventory. Although there are *Countywide Plan* policies and programs addressing potential dam failure impacts, including Policy EH-3.3 (Monitor Environmental Change), and programs EH-3.i (Update Dam Inundation Maps) and EH-3.j (Review and Inspect Dams), the SEIR determined that these existing policies were insufficient to address any potential hazards due to flooding triggered by levee or dam failure, and additional mitigation would be required to reduce this impact to a less-than-significant level. The proposed 2015–2023 Housing Element would not have the potential to substantially increase the severity of the impact discussed in the SEIR or result in a new significant impact.

9-j) The SEIR found that although the updated 2009 FEMA FIS for Marin County and its incorporated areas incorporated earlier predictions of tsunami run-up developed by the U.S. Army Corps of Engineers (USACE), an update of the USACE predictions was needed to incorporate the influence of predicted sea level rise. Some of the housing sites included in the 2007–2014 Housing Element would be affected by updated tsunami run-up estimates. Potential tsunami impacts were found to be far more significant than seiche impacts, because prevailing wind and storm patterns on San Francisco Bay do not produce significant seiche effects along the County's bay shoreline.

The SEIR also found that development of the housing sites in the 2007–2014 Housing Element would not substantially increase the impact from mudslides identified in the CWP EIR. Mudslides, landslides and other geotechnical hazards would be addressed by *Countywide Plan* policies requiring pre-development geotechnical studies and project-level engineering review by the County Department of Public Works. Such policies include Policy EH-2.1 (Avoid Hazard Areas), Policy EH-2.3 (Ensure Seismic Safety of New Structures), and Policy DES-1.1 (Address Design at the Community Level).

The SEIR concluded that implementation of the 2007–2014 Housing Element would not cause any new significant impacts or substantially increase the severity of the seiche, tsunami, and mudslide impacts previously identified in the CWP EIR. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed Project would not cause a new or substantially more severe impact from seiche, tsunami, and mudslide than was previously analyzed in the SEIR.

CWP EIR Mitigation Measures

The CWP EIR identified several mitigation measures to reduce hydrology and water quality impacts. Mitigation Measures 4.5-1, 4.5-3, 4.5-4, 4.5-5, 4.5-6, 4.5-7 and 4.7-8 of the Countywide Plan EIR were adopted as a part of the Countywide Plan and would continue to apply.

Mitigation Measure 4.5-1(a) revised Program WR-2.i to state:

> ***Program WR-2.i Establish a Septic Inspection, Monitoring, and Maintenance District.*** *Establish a countywide Septic Inspection Monitoring and Maintenance District that would include all or portions of unincorporated areas with septic systems. Modify applicable codes to enable the inspection and monitoring of on-site septic systems in a risk-based, comprehensive, cost effective way. Establishment requires a petition or election to put the district in place.*

Mitigation Measure 4.5-1(b) requires Marin County to continue to implement County ordinances addressing nonpoint source pollution, erosion and sediment control, and surface runoff pollution control plans to ensure that project related and cumulative impacts to water quality standards are minimized or avoided through conditions on project approval as required by the ordinances.

Mitigation Measure 4.5-3(a) requires Marin County to revise the timeframe of implementation of Program PFS-2.o (Assess Project Impacts to Surface Water and Groundwater) to the medium-term or sooner.

Mitigation Measure 4.5-3(b) requires Marin County to continue to implement County ordinances that maintain continued groundwater recharge, require surface runoff pollution control plans and best management practices for new developments and redevelopments to ensure that project related and cumulative impacts to groundwater recharge are minimized or avoided through conditions on project approval as required by the ordinances.

Mitigation Measure 4.5-4(a) became policy BIO-4.19 that reads as follows:

> ***Policy BIO-4.19 Maintain Channel Stability.*** *Applicants for development projects may be required to prepare a hydraulic and/or geomorphic assessment of on-site and downstream drainageways that are affected by project area runoff. This assessment should be required where evidence that significant current or impending channel instability is present, such as documented channel bed incision, lateral erosion of banks (e.g. sloughing or landsliding), tree collapse due to streambank undermining and/or soil loss, or severe in-channel sedimentation, as determined by the County.*
>
> *Characteristics pertinent to channel stability would include hillslope erosion, bank erosion, excessive bed scour or sediment deposition, bed slope adjustments, lateral channel migration or bifurcation, channel capacity and the condition of riparian vegetation. The hydraulic and / or geomorphic assessment shall include on-site channel or drainageway segments over which the applicant has control or access. In the event that project development would result in or further exacerbate existing channel instabilities, the*

applicant could either propose his/her own channel stabilization program, or defer to the mitigations generated during the required environmental review by the County for the project, which could include maintenance of peak flows at pre- and post-project levels, or less. Proposed stabilization measures shall anticipate project-related changes to the drainageway flow regime.

All project improvements should be designed to minimize flood hydrograph peak flow or flood volume increases into drainage courses. To this end, design features such as porous pavement, pavers, maximizing overall permeability, drainage infiltration, disconnected impervious surfaces, swales, biodetention, green roofs, etc., should be integrated into projects as appropriate. For projects subject to discretionary review the applicant may be required, as appropriate, to submit a pre- and post- project hydrology and hydraulic report detailing the amount of new impervious surface area and accompanying surface runoff from all improvement areas including driveways - with a goal of zero increase in runoff (no net increase in peak off-site run-off). The applicant may be required to participate in a peak stormwater runoff management program developed pursuant to new Program (sic) BIO-4.20.

Mitigation Measure 4.5-4(b) requires Marin County to continue to implement NPDES Phase II permit requirements relating to peak flow controls to ensure that project related and cumulative impacts to peak flows are minimized or avoided through conditions on project approval as required by the ordinances.

Mitigation Measure 4.5-4(c) is the same as Mitigation Measures 4.5-1(b) and 4.5-3(b).

Mitigation Measure 4.5-5 is the same as Mitigation Measures 4.5-1(b),4.5-3(b) and 4.5-4(b).

Mitigation Measure 4.5-6 is the same as Mitigation Measures 4.5-1(b), 4.5-3(b), and 4.5-4(b).

Mitigation Measure 4.5-7(a) is the same as Mitigation Measures 4.5-3(b), 4.5-4(a) and 4.5-4(b).

Mitigation Measure 4.5-7(b) requires County staff to amend the Marin County Development Code to include construction standards for areas threatened by future sea level rise.

Mitigation Measure 4.5-7(c) requires Marin County to continue to implement County ordinances that regulate floodplain development to ensure that project related and cumulative impacts to flooding are minimized or avoided through conditions on project approval as required by the ordinances.

Mitigation Measure 4. 7-8(a) revised Policy EH-2.4 and Programs EH-3.a and EH-3.g as follows:

Policy EH-2.4 Protect Coastal Areas from Tsunamis. *When inundation maps become available, address tsunami wave run-up and inundation when reviewing proposed development along coastal areas of Marin County.*

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 be more resistant to damage from flooding, tsunamis, seiches, and related water-borne debris, and to be located so that buildings and features such as docks, decking, floats, and vessels would be more resistant to damage.*

Program EH-3.g Locate Critical Facilities Safely. *Amend the Development Code to prohibit placement of public safety structures within tsunami inundation nor flood-prone areas.*

NEW SEIR MITIGATION MEASURES

The SEIR identified the following five new mitigation measures, which were adopted and incorporated into the project, to reduce the impacts discussed above:

New Mitigation Measure Hydrology, Water Quality and Flooding Hazard-1 The County shall obtain BCDC's GIS files for Marin County tidal inundation mapping for both the mid-century (2050) and end-of-century (2099) projected sea level rise scenarios and develop GIS layers that can be viewed through the MarinMaps web portal. If the available map data from BCDC and USGS are of insufficient resolution to inform planning efforts, the County shall prepare its own mapping based on the predicted tidal elevations and enhanced topographic data. For applications to build new housing units, the location of the proposed housing site shall be compared to this information to determine the suitability of the site for residential use and the need for design measures or other measures to reduce flooding risks. Implement Mitigation Measure Hydrology, Water Quality and Flooding Hazard-2, if applicable.

New Mitigation Measure Hydrology, Water Quality and Flooding Hazard-2 On housing sites for which refined inundation mapping verifies that the site's location is within a 2050 tidal inundation zone, building pads shall be raised to a level that results in finished floor elevations one foot higher than a combination of the projected inundation elevation plus an estimate of wave runup given the particular weather (i.e., wind patterns and velocities) and hydraulic conditions at each site.

New Mitigation Measure Hydrology, Water Quality and Flooding Hazard-3 The County shall coordinate with the Federal Emergency Management Agency to incorporate current projections of mid-century sea level rise and potential changes to precipitation characteristics associated with climate change into future flood insurance studies and the Flood Insurance Rate Maps for Marin County and Incorporated Area as new information is developed by the USACE and other federal agencies (e.g. NOAA) involved in climate change monitoring and adaptation.

New Mitigation Measure Hydrology, Water Quality and Flooding Hazard-4 The County shall adopt the regional policies addressing adaptation to predicted sea level rise recently adopted by BCDC as part of its San Francisco Bay Plan and coordinate with other Bay Area counties and regional planning agencies in developing appropriate changes to development codes and flood protection strategies.

New Mitigation Measure Hydrology, Water Quality and Flooding Hazard- 5 The County shall adopt and implement a new Countywide Plan policy that addresses new development in mapped dam failure inundation areas that is substantially similar to the following:

> ***Policy EH-(new)*** *Incorporate flood inundation resulting from upstream dam failures when assessing flood hazards for new development and redevelopment projects and implementing associated programs within the County.*

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because the proposed 2015–2023 Housing Element would not result in any new or substantially more severe hydrology and water quality impacts than those previously evaluated in the 2013 SEIR, it would not require any additional or modified mitigation measures.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe hydrology and water quality impacts than those previously evaluated in the 2013 SEIR.

10. Land Use and Planning

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
10. Land Use and Planning. Would the Project:					
a. Physically divide an established community?	Draft SEIR, pg. 195	No	No	No	n/a
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	Draft SEIR, pgs. 195-196	No	No	Yes	n/a
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	Draft SEIR, pg. 196	No	No	No	n/a

Discussion

10-a) The CWP EIR found that implementation of the *Countywide Plan* would not have a significant impact with regard to physically dividing an established community. The SEIR determined that although the exact development footprint of housing constructed in accordance with the 2007–2014 Housing Element was unknown at the time, compliance with existing County policies and programs intended to promote compatibility between new and existing development and maintain manageable infrastructure service levels (such as *Countywide Plan* Policy CD-1.1 and Program CD-1.a) would ensure that implementation of the 2007–2014 Housing Element would have a less-than-significant effect on established communities, and would not cause the physical division of an established community. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because no new housing sites or residential units are considered under the proposed 2015–2023 Housing Element than those that were previously analyzed in the SEIR, the SEIR conclusion would remain valid for the proposed Project.

10-b) The SEIR reported that Marin County was then in the process of updating its Local Coastal Program (LCP), which is intended to ensure that the land use authorized by local governments meet the requirements of the 1976 California Coastal Act. The LCP regulates the locations, types, densities, and other aspects of land use development within the Coastal Zone, which generally extends inland 1,000 yards and seaward 3 miles from the mean high tide line of the ocean. The LCP, which addresses the landward portion of the Coastal Zone, contains policies that require protection and expansion of public access to shoreline and recreational opportunities, protection of environmentally sensitive habitats, protection of agricultural lands, and establishment of urban-rural boundaries. It directs new housing and other development into areas with adequate services to avoid urban sprawl. The Board adopted the LCP Amendment on July 30, 2013, and it is now awaiting certification by the California Coastal Commission.

Only one of the housing sites considered in the proposed 2015–2023 Housing Element is located within the Coastal Zone and would be subject to the LCP: the Grandi Building site at 11101 State Route 1. It is located within the planning area of the Point Reyes Station Community Area, and is therefore subject to community-specific policies for that area. This includes new Policy C-PRS-1 (Community Character of Point Reyes Station), which calls for maintaining the existing mix of residential and small-scale commercial and visitor-serving development and small-scale, historic community character in Point Reyes Station. Policy C-PRS-5 (Criteria for New Development in Point Reyes Station) has been modified to specify native and non-invasive plant species similar to native species in the area as permissible plants for landscaping. Other policy changes for the Point Reyes Station Community Area would not apply to development of the Grandi Building site or are very minor in nature and would not introduce new environmental issues not previously addressed in the SEIR.

New development of the Grandi Building site also would be subject to a variety of other LCP policies, particularly those pertaining to the built environment. In general, the new and modified policies would not alter the conclusions of the SEIR. A new provision of LCP Water Resources Policy C-WR-14 (Design Standards for High-Impact Projects) could potentially apply to development of this site. The policy calls for discharge to a sanitary sewer system of particularly polluted runoff that cannot be readily treated by best management practices (BMPs). Compliance with this policy would be environmentally beneficial, and would not cause any new or substantially more severe impacts than those addressed in the SEIR.

The SEIR found that the 2007–2014 Housing Element would support and be consistent with *Countywide Plan* policies intended to encourage a diversity of housing, especially affordable housing. The policies are Policy CD-2.1 (Provide a Mix of Housing), Policy CD-2.10 (Expand Countywide Efforts to Increase Workforce Housing Rather Than Full Commercial Build-Out), Policy CD-2.11 (Promote Diverse Affordable Housing Strategies), Program CD-2.a (Increase the Affordable Housing Supply), and Program CD-2.b (Provide a Variety of Housing Types and Prices). New development would occur in areas already designated in the *Countywide Plan* for residential or commercial development. The SEIR concluded that Housing Element policies and programs are consistent with the *Countywide Plan* and Marin County Development Code, and that implementation of the 2007–2014 Housing Element would not increase the significance of the less-than-significant impact related to conflicts with plans and policies previously identified in the CWP EIR. The current analysis also finds that the proposed 2015–2023 Housing Element would not substantially increase the significance of this impact or result in a new significant impact.

9-c) As was the case at the time the SEIR was certified, there is no adopted Habitat or Natural Community Conservation Plan in Marin County.

CWP EIR Mitigation Measures

There were no mitigation measures for land use and planning impacts in either the *CWP EIR* or in the SEIR, and no new mitigation measures are required for the proposed 2015–2023 Housing Element.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe land use and planning impacts than those previously evaluated in the 2013 SEIR.

11. Mineral Resources

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
11. Mineral Resources. Would the Project:					
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Draft SEIR, pg. 198	No	No	No	n/a
b. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	Draft SEIR, pg. 198	No	No	No	n/a

Discussion

11-a) The SEIR reported that the CWP EIR found that implementation of the Countywide Plan would have a less-than-significant impact on the availability of known mineral resources that would be of value to the region and residents of the State. It determined that no housing sites designated in the 2007–2014 Housing Element are located within a Mineral Resources Overlay Zone, and concluded that the 2007–2014 Housing Element would not cause a new impact on mineral resources or increase the severity of the impact identified in the CWP EIR. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Therefore, implementation of the proposed 2015–2023 Housing Element would not result in any new or substantially more severe impacts on mineral resources.

11-b) The SEIR determined that adoption and implementation of the 2007–2014 Housing Element would have no impact on a mineral resource recovery site. Because all of the potential housing sites considered in the proposed 2015–2023 Housing Element were previously evaluated in the SEIR, the proposed Project would not cause any new or substantially more severe impacts on mineral resources than were previously evaluated in the SEIR.

CWP EIR Mitigation Measures

There were no mitigation measures for impacts on mineral resources in either the *CWP EIR* or in the SEIR, and no new mitigation measures are required for the proposed 2015–2023 Housing Element.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or more severe mineral resources impacts than those previously evaluated in the 2013 SEIR.

12. Noise

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
12. Noise. Would the Project result in:					
a. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Draft SEIR, pgs. 205-206	No	No	No	n/a
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	Draft SEIR, pgs. 206-207	No	No	No	Yes
c. A substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project?	Draft SEIR, pgs. 207-208	No	No	No	n/a
d. A substantial temporary or periodic increase in ambient noise levels in the Project vicinity above levels existing without the Project?	Draft SEIR, pg. 208	No	No	No	Yes
e. For a Project located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project expose people residing or working in the Project area to excessive noise levels?	Draft SEIR, pg. 208	No	No	No	n/a
f. For a Project within the vicinity of a private airstrip, would the Project expose people residing or working in the Project area to excessive noise levels?	Draft SEIR, pgs. 208-209	No	No	No	n/a

Discussion

12-a) The SEIR evaluated the existing noise environment at each of the 52 potential housing sites, identifying the predominant noise sources and quantifying the noise exposure from transportation sources, including freeways and arterial roadways, the Sonoma Marin Area Rail Transit (SMART) corridor, and operations at public and private airports. Noise levels were determined by noise contour maps or, where noise contours were unavailable, by short-term noise measurements. Existing ambient noise levels were compared to Marin County's Noise and Land Use Compatibility Standards for single-family and multi-family residential land uses. The "normally acceptable" noise standards for these two land uses are 60 dBA L_{dn}[9] and 65 dBA L_{dn}, respectively. The higher standard for multi-family uses reflects that noise levels are typically mitigated with building design and construction.

The existing ambient noise exposure at most of the 52 housing sites evaluated in the SEIR exceeded the 60-dBA threshold for single-family residential use, while the results were more mixed in comparison with the multi-family threshold. Of the 15 sites considered for the proposed 2015–2023 Housing Element, the threshold for multi-family residential use was exceeded at four sites: Marinwood Plaza, California Park, St. Vincent's/Silveira, and Manzanita Mixed Use. The primary noise source at each location was U.S. Highway 101, with other sources contributing.

Where exterior noise levels exceed 60 dBA L_{dn} in new residential development areas, interior levels may exceed 45 dBA L_{dn}, the limit for interior noise levels for residential use established by State regulations. While this could be a potentially significant impact, interior noise standards can be met with appropriate construction methods, which may include a forced air mechanical ventilation system and/or windows and doors with high Sound Transmission Class (STC) ratings. Both the CWP EIR and the SEIR found that implementation of applicable *Countywide Plan* policies and programs, the impact from exposure of people to noise levels in excess of adopted noise standards would be less than significant. The SEIR indicated that Policy NO-1.1 (Limit Noise from New Development), and Programs NO-1.a (Enforce Allowable Noise Levels), NO-1.b (Comply with Acceptable Noise Levels), NO-1.d (Set Additional Limits for Housing), NO-1.f (Review Projects Near Gnoss Field), and NO-1.h (Anticipate Additional Rail Noise) would require that the compatibility standards would be met at new residential development sites, and noted that acoustical analyses would be required when appropriate in order to maintain consistency with the *Countywide Plan* noise standards.

While ambient noise levels at some of the housing sites in the currently proposed inventory could have changed somewhat since the noise contour maps were prepared or the 2010 noise measurements were conducted, any such changes would not alter the analysis presented in the SEIR. As noted above, the primary noise source at the four housing sites

9 Noise levels are reported in A-weighted decibels (dBA) that reflect the fact that human hearing is less sensitive at low and extremely high frequencies. The day/night average sound level (L_{dn}) is weighted 10 dB higher between the hours of 10:00 p.m. and 7:00 a.m. to account for greater human sensitivity to night noise levels.

where the “acceptable” noise level for multi-family residential use was exceeded was Highway 101. Traffic volumes on a roadway must double to produce an increase in the noise level generated by the traffic that is detectable to human ears, i.e., an increase of 3 dBA. There is no substantial evidence that traffic volumes on U.S. Highway 101 have doubled since the SEIR was certified. It is therefore very unlikely that perceptible changes in ambient noise levels have occurred at any of the proposed housing sites since publication of the SEIR. In any event, the *Countywide Plan* policies and programs listed above would still apply to any new residential development proposed on housing sites considered for the 2015–2023 Housing Element. New housing development would be required to demonstrate compliance with the local and State noise standards. This would therefore remain a less-than-significant impact and no new mitigation would be required.

12-b) The SEIR found that vibration generated during construction of housing units by activities such as drilling, the use of jackhammers, rock drills and other high-power or vibratory tools, and rolling stock equipment (tracked vehicles, compactors, etc.) could be perceptible, but would be far below thresholds established to prevent structural damage. Construction-related vibration would be intermittent and of short duration, even during the phases that have the highest potential of producing vibration, for example when jackhammers or other high-power tools are in use. The SEIR concluded that established administrative controls, such as restrictions on construction work hours, would ensure that vibration generated during construction would be a less-than-significant impact.

The SEIR also found that future residents at the California Park and St. Vincent’s/Silveira housing sites could be exposed to excessive groundborne vibration levels from trains traveling along the SMART corridor. Although the locations of buildings and their specific sensitivity to vibration were not known, housing located in close proximity to the SMART tracks could be exposed to ground vibration levels exceeding Federal Transit Administration (FTA) guidelines, which the SEIR cited as 0.01 inches per second root mean square (RMS) vibration velocity. The SEIR found that there were no policies or programs in the *Countywide Plan* to reduce vibration impacts from SMART, and determined that a new mitigation measure (New Mitigation Measure Noise-1) was required to ensure that program-level vibration impacts are reduced to a less-than-significant level, which is set forth below, under New/Revised SEIR Mitigation Measures. The SEIR also stated that the County will require individual development projects adjacent to the SMART corridor to undergo project-specific environmental review, and if project-level significant vibration impacts are identified, specific mitigation measures will be required under CEQA. The new mitigation measure requires the County to use the Federal Transit Administration (FTA) vibration impact criteria to evaluate the compatibility of sensitive uses proposed along the SMART corridor using the best available information (e.g., 2005 SMART DEIR) or site-specific measurements and analyses. Developers of sensitive uses will be required to demonstrate that the potential impacts of existing or potential vibration levels have been reduced to levels that are less than or equal to the FTA vibration impact thresholds.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed 2015–2023 Housing Element does not consider any housing sites that were not previously evaluated in the SEIR, and the proposed new implementing programs, which consist of conducting planning studies, do not have the potential to result in physical effects such as vibration impacts. Therefore, implementation of the proposed 2015–2023 Housing Element would not result in any new or substantially more severe vibration impacts than were previously evaluated in the SEIR.

12-c) As discussed above in Checklist Item 12-a, traffic volumes on a roadway must double to produce a perceptible increase in the traffic-generated noise level of 3 dBA. The SEIR determined that the increased traffic that could occur as a result of implementing the 2007–2014 Housing Element would occur incrementally over time, but would make up a small percentage of the total traffic along County roadways. The significance thresholds established in the *Countywide Plan* indicate that a project would have a significant noise impact if it would:

- raise the L_{dn} by more than 5 dBA;
- raise the L_{dn} by more than 3 dBA and exceed the Normally Acceptable standard; or
- raise the L_{dn} by more than 3 dBA where the Normally Acceptable standard is already exceeded.

The SEIR concluded that implementation of the 2007–2014 Housing Element would result in increased noise levels of less than 1 dBA L_{dn}, which would not be measurable or perceptible, and would be a less-than-significant impact. Noise resulting from adoption of the 2007–2014 Housing Element would not substantially increase the severity of the previously identified less-than-significant noise impacts from the CWP EIR (Impacts 4.4-1, 4.4-3, and 4.4-4).

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Therefore, the noise impacts of the proposed Project were previously analyzed and the Project would not result in any new or substantially more severe noise impacts than were previously evaluated in the SEIR.

12-d) The CWP EIR found that construction activities associated with new land uses consistent with the *Countywide Plan* would temporarily elevate noise levels at adjacent noise sensitive land uses. Although the magnitude of the impact would be reduced by implementation of Mitigation Measure 4.4-18, it would remain significant and unavoidable because construction noise would continue to exceed 60 dBA L_{eq} or 80 dBA L_{max} at sensitive receptors. The SEIR concluded that Implementation of the 2007–2014 Housing Element would not result in new or substantially more severe significant impacts. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites

inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because the proposed 2015–2023 Housing Element does not consider any new development that was not previously contemplated in the 2007–2014 Housing Element, the proposed Project would not result in any new or substantially more severe temporary noise impacts than were previously evaluated in the SEIR. Implementation of Mitigation Measure 4.4-18 would continue to be required.

12-e) The SEIR determined the distances to Marin County's airports (Gnoss Field, San Rafael Airport, and Richardson Bay Heliport) from each of the 52 housing sites evaluated in the SEIR. Of the 15 housing sites evaluated for the proposed 2015–2023 Housing Element, several are within 2 miles of one of the airports. The Marinwood Plaza and St. Vincent's/Silveira sites are approximately 2 miles north-northwest of San Rafael Airport and the Roosevelt Street site is approximately 2 miles south of this airport. The Old Chevron Station site is about 1 mile west and the Manzanita Mixed Use site is about 1.5 miles west of the Richardson Bay Heliport. To the south of the heliport at the Marin City CDC site (1 mile) and the Armstrong Nursery site (less than 1 mile). None of the 15 sites currently being considered are within 2 miles of Gnoss Field.

The SEIR determined that CWP EIR Impact 4.4-2 (Increased Noise from Airports and Heliports) would remain less-than-significant with implementation of the 2007–2014 Housing Element. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because the proposed 2015–2023 Housing Element does not consider any new development that was not previously contemplated in the 2007–2014 Housing Element, the proposed Project would not result in any new or substantially more severe impacts from exposure to airport noise than were previously evaluated in the SEIR.

12-f) Although the San Rafael Airport is a private use airport, the potential impact from exposure to noise from operations at this airport are addressed above in Checklist Item 12-e.

CWP EIR Mitigation Measures

The CWP EIR identified one mitigation measure to reduce temporary construction noise impacts.

Mitigation Measure 4.4-5 revised Program NO-1.i to state,

> ***Program NO-1.i Regulate Noise Sources.*** *Sections 6.70.030(5) and 6.70.040 of the Marin County Code establish allowable hours of operation for construction-related activities. As a condition of permit approval for projects generating significant construction noise impacts during the construction phase, construction management for any project shall develop a construction noise reduction plan and designate a disturbance coordinator at the construction site to implement the provisions of the plan.*

Mitigation Measure 4.4-5 of the CWP EIR was adopted as a part of the Countywide Plan, and as appropriate, future housing projects will need to comply with Mitigation Measure 4.4-5.

NEW/REVISED SEIR MITIGATION MEASURES

The SEIR determined that a new mitigation measure (Mitigation Measure Noise-1) was required to reduce significant impacts that would result from the exposure of persons to groundborne vibration generated by SMART operations. This mitigation measure was adopted and incorporated into the project.

New Mitigation Measure Noise-1 The County shall use the Federal Transit Administration (FTA) vibration impact criteria to evaluate the compatibility of sensitive uses proposed along the SMART corridor using the best available information (e.g., 2005 SMART DEIR) or site-specific measurements and analyses (assuming active operations). The FTA thresholds for residences are 80 VdB for frequent events (more than 70 vibration events from the same source per day), 75 VdB for occasional events (30 to 70 vibration events from the same source per day), and 72 VdB for infrequent events (fewer than 30 vibration events from the same source per day). Developers of sensitive uses shall demonstrate that the potential impacts of existing or potential vibration levels have been reduced to levels that are less than or equal to the FTA vibration impact thresholds. The implementation of this measure would reduce the impact to a less-than-significant level.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe noise and vibration impacts than those previously evaluated in the 2013 SEIR.

13. Population and Housing

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
13. Population and Housing. Would the Project:					
a. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Draft SEIR, pg. 219	No	No	No	No
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing	Draft SEIR, pgs. 219-220	No	No	No	n/a

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
13. Population and Housing. Would the Project:					
elsewhere?					
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	Draft SEIR, pg. 220	No	No	No	n/a

Discussion

13-a) The SEIR summarized information from the CWP EIR on population, and reported that total Countywide population in 2012 was 254,790 persons, with 67,737 of them residing in unincorporated areas. ABAG projections for 2030 were 270,900 persons total, with 73,000 in unincorporated areas. In 2012 the unincorporated County had 25,569 housing units, with another 81,864 units in cities and towns, for a total of 111,433 units. Under buildout conditions, the County was projected to have 120,755 housing units (89,132 in cities/towns and 31,623 in unincorporated areas). The CWP EIR found a significant unavoidable impact on population (Impact 4.1-2 [Growth and Concentration of Population]), but Mitigation Measure 4.1-2 would help reduce the magnitude of the impact. The SEIR determined that implementation of the 2007–2014 Housing Element would not substantially increase the severity of this impact.

Population growth under the proposed 2015–2023 Housing Element would not exceed the level of growth previously evaluated in the SEIR, because it considers fewer residential units than were considered in the 2007–2014 Housing Element. Therefore, the proposed Project would not result in any new or substantially more severe population impacts than were previously disclosed in the SEIR.

13-b) The SEIR cited Housing Element policies intended to protect existing housing, including Policy 2.4 (Protect Existing Housing), Program 2.t (Assist in Maximizing Use of Rehabilitation Programs), and Program 3.g (Preserve Existing Housing Stock). It acknowledged that there are existing dwellings on several of the sites identified for housing in the 2007–2014 Housing Element, some (not all) of which could be displaced, but implementation of the plan would result in a net gain in housing units. On some of the housing sites, the very low existing residential densities would be increased through redevelopment. The SEIR concluded that the impact from displaced housing would be a less than significant. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed 2015–2023 Housing Element does not consider any housing sites that were

not previously evaluated in the SEIR. Therefore, the proposed Project would not result in any new or substantially more severe impacts on housing than were previously disclosed in the SEIR.

13-c) This impact is addressed above under Checklist Item 13-b.

CWP EIR Mitigation Measures

The CWP EIR identified one mitigation measure to reduce identified population and housing impacts. Mitigation Measure 4.1-2 of the CWP EIR was adopted as a part of the Countywide Plan and would continue to apply.

Mitigation Measure 4.1-2 added the following policies and programs to the Community Development Section of the Built Environment Element.

> ***Policy CD-5.2 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 (See TR-1.e);*
> >
> > *b. Any circulation improvements or programs needed to maintain the level of service standard have been programmed and funding has been committed;*
> >
> > *c. Environmental review of needed circulation improvement projects or programs has been completed;*
> >
> > *d. The time frame for completion of the needed circulation improvements or programs will not cause the established level of service standard to be exceeded.*
> >
> > *e. Wastewater, water (including for adequate fire flows) and other infrastructure improvements will be available to serve new development by the time the development is constructed.*
>
> ***Program CD-5.a Review and Correlate Countywide Growth and Infrastructure.*** *Work with the proposed City-County Committee or a similar collaborative venue (to be established pursuant to Policy CD-4.f) to review the countywide growth, planned land use and traffic and service capacity. As warranted by the monitoring information, encourage all jurisdictions to amend their respective general plans and zoning from allowing "theoretical full buildout" of non-residential uses to allowing "realistic buildout" to ensure correlation of planned land uses and traffic capacity and the capacity of all essential public services.*
>
> ***Program CD-5.k Monitor Growth and Circulation.*** *At least every five years review the unincorporated County's growth, planned land use, traffic capacity, funded traffic improvements, traffic mitigation list and traffic fees. Assess growth assumptions and*

modify land use and circulation policies as needed to ensure adequate circulation capacity to serve development.

Program CD-5.l Provide Adequate Infrastructure Capacity. *Plan the circulation system and public infrastructure and services to provide capacity for the unincorporated County's realistic buildout.*

Program CD-5.m Development Review. *Ensure that policy provisions are evaluated and implemented through the development and environmental review processes. If required by statute or case law, the County Review Authority may waive or modify policy requirements determined to have removed all economically viable use of the property.*

The SEIR determined that no additional mitigation measures for population and housing impacts would be required for the 2007–2014 Housing Element. Based on the discussion above, the proposed 2015–2023 Housing Element would not require any new mitigation measures.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe population and housing impacts than those previously evaluated in the 2013 SEIR.

14. Public Services

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
14. Public Services.					
Would the Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any the public services:					
Fire protection?	Draft SEIR, pgs. 227-228	No	No	No	n/a
Police protection?	Draft SEIR, pg. 228	No	No	No	n/a
Schools?	Draft SEIR, pgs. 227-228	No	No	No	n/a
Parks?	Draft SEIR, pgs. 227-228	No	No	No	n/a
Other public facilities?	Draft SEIR, pgs. 228-229	No	No	No	n/a

Discussion

14-a) The SEIR summarized findings from the CWP EIR, which determined that although construction of new fire stations or expansion of existing stations was anticipated by the Marin County Fire Department and by some of the other local fire protection districts in

the County, with implementation of applicable *Countywide Plan* policies and programs, construction-related impacts would be less than significant. These policies include BIO-4.1 (Restrict Land Use in Stream Conservation Areas), BIO-4.2 (Comply with Stream Conservation Area (SCA) Regulations), WR-2.1 (Reduce Toxic Runoff), WR-2.2 (Reduce Pathogen, Sediment, and Nutrient Levels), WR-2.3 (Avoid Erosion and Sedimentation), WR-2.4 (Design County Facilities to Minimize Pollutant Input), AIR-1.3 (Require Mitigation of Air Quality Impacts), NO-1.1 (Limit Noise from New Development), and NO-1.3 (Regulate Noise Generating Activities). Implementation of the 2007–2014 Housing Element would not increase the number of housing units above what was projected for *Countywide Plan* buildout, and would therefore not substantially increase demand for fire protection services beyond what was contemplated in the *Countywide Plan*. The SEIR concluded that the less-than-significant impact on fire protection services previously identified in the CWP EIR would remain less than significant.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The 2015–2023 Housing Element also considers fewer total housing units than were anticipated in the 2007–2014 Housing Element. Therefore, the proposed Project would not cause a new or substantially more severe impact on fire protection services than was evaluated in the SEIR.

14-b) The SEIR reported that the Marin County Sheriff's Office, responsible for law enforcement in the unincorporated areas of the County, was planning to relocate to a former commercial building located at 1600 Los Gamos Drive, along with the County's 911/Communication Center and Emergency Operations Center. This move was completed following certification of the SEIR, and the 1600 Los Gamos Drive location is now the base of operations for the Sheriff's Office. Other police facility expansions were also anticipated in the SEIR. Similar to the discussion on fire protection services, the SEIR determined that with implementation of the *Countywide Plan* policies listed above in Checklist Item 14-a, construction-related impacts would be less than significant. Because implementation of the 2007–2014 Housing Element would not increase the number of housing units above what was projected for *Countywide Plan* buildout, the SEIR determined that the less-than-significant impact on police protection services previously identified in the CWP EIR would remain less than significant.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed 2015–2023 Housing Element does not consider any housing sites or housing units that were not previously evaluated in the SEIR. Therefore, the proposed Project would not cause a new or substantially more severe impact on police protection services than was evaluated in the SEIR.

14-c) As explained in the SEIR, Senate Bill (SB) 50 (Government Code § 65955 *et seq*. and Education Code § 17629 *et seq*.) establishes fees for the impacts of new development on the need for schools, and when a development project pays the SB 50 fees, no other CEQA mitigation for impacts on schools may be required. Thus, although the CWP EIR found that future growth would require new or expanded school facilities in the County, the impact was determined to be less than significant. The *Countywide Plan* policies listed above in Checklist Item 14-a would ensure that construction-related impacts would be less than significant. The SEIR concluded that the impact on schools identified in the CWP EIR would remain less than significant. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because implementation of the 2015–2023 Housing Element considers fewer housing units than contemplated in the 2007–2014 Housing Element and does not consider any housing sites not previously evaluated in the SEIR, the proposed Project would not cause a new or substantially more severe impact on schools than was evaluated in the SEIR.

14-d) The CWP EIR found that increased demand for park and recreational services and facilities upon implementation of the *Countywide Plan* would be a less-than-significant impact. The *Countywide Plan* policies listed above in Checklist Item 14-a would ensure that impacts from construction of new park facilities would be less than significant. The SEIR determined that new development considered under the 2007–2014 Housing Element would not increase the severity of this impact. Implementation of the 2015-2023 Housing Element would allow for less population growth than the 2007-2014 Housing Element because it considers fewer housing units. Therefore, the demand for park services and facilities would be less than the demand that was evaluated in the SEIR, and the potential for physical impacts related to construction of new park and recreation facilities would be reduced. Consequently, the proposed 2015–2023 Housing Element would not cause a new or substantially more severe impact on park and recreational services and facilities than was evaluated in the SEIR.

14-e) The SEIR found that new housing developed in accordance with the 2007–2014 Housing Element would not increase the demand for use of other public facilities, such as libraries, to the extent where construction of new or expanded facilities would be needed. The impact on other public facilities was determined to be less than significant. As discussed above in Impact 14-d, the proposed 2015–2023 Housing Element considers fewer housing units, and therefore would allow for less population growth than was analyzed in the SEIR. Therefore, the proposed 2015–2023 Housing Element would not cause a new or substantially more severe impact on other public facilities than was evaluated in the SEIR.

CWP EIR Mitigation Measures

No significant impacts on public services were identified in the CWP EIR or the 2013 SEIR; therefore, no mitigation measures were required. Because the proposed 2015–2023 Housing

Element would not cause a significant impact on public services, it would not require any new mitigation measures.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe public services impacts than those previously evaluated in the 2013 SEIR.

15. Recreation

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
15. Recreation.					
a. Would the Project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Draft SEIR, pgs. 236-237	No	No	No	n/a
b. Does the Project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	Draft SEIR, pg. 237	No	No	No	n/a

Discussion

15-a) The SEIR found that the 2007–2014 Housing Element could result in development of some housing properties at higher densities than were contemplated in the *Countywide Plan*, which could lead to increased demand on existing neighborhood and regional parks. It cited two housing sites, both considered for the currently proposed inventory, where the substantial number of housing units envisioned in the 2007–2014 Housing Element could impact local parks. Development of the St. Vincent's/Silveira and Grady Ranch sites could create approximately 460 new housing units (including up to 340 affordable units), which would increase demand on the existing 61 acres of local parks in the Las Gallinas planning area in which the sites are located.

The SEIR concluded that the 2007-2014 Housing Element would not lead to substantial physical deterioration of recreational facilities; therefore, this impact would be less than significant with continued implementation of *Countywide Plan* policies. This discussion of

this impact in the SEIR references Policy PK-1.1 (Conduct and Coordinate Park Planning) and programs PK-1.a (Update the Parks Master Plan) and PK-1.b (Assess User Needs). The SEIR noted that subsequent to adoption of the *Countywide Plan*, the County published its Parks and Open Space Strategic Plan in June 2008.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed 2015–2023 Housing Element considers a smaller total number of housing units. Therefore, the impacts of the Project were previously evaluated in the SEIR, and the project would not cause a new or substantially more severe impact on neighborhood and regional parks than was evaluated in the SEIR.

15-b) The SEIR found that adoption of the 2007–2014 Housing Element would not allow for more housing units than were anticipated in the *Countywide Plan*, but stated that it could lead to higher residential densities on some sites. However, this would not lead to construction or expansion of any parks or recreational facilities beyond those anticipated in the CWP EIR. There would therefore be no potential for the construction of such facilities to have an adverse physical effect on the environment. The SEIR also concluded that the increased demand for parks or other recreational facilities that could be generated by new housing allowed by the 2007–2014 Housing Element would not exceed the demand anticipated in the CWP EIR. It concluded that implementation of the 2007–2014 Housing Element would not substantially increase the severity of CWP EIR Impact 4.10-13 (Increased Demand for Park and Recreation Services and Facilities), which would remain less than significant.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed 2015–2023 Housing Element does not consider any housing sites that were not previously included in the SEIR evaluation, and it considers fewer total housing units. Therefore, demand for recreational facilities would not exceed the demand anticipated in the SEIR, and the proposed 2015–2023 Housing Element would not substantially increase the severity of the impact on recreational facilities analyzed in the SEIR.

CWP EIR Mitigation Measures

No significant impacts on recreational facilities were identified in the CWP EIR or the 2013 SEIR; therefore, no mitigation measures were required. Because the proposed 2015–2023 Housing Element would not cause a significant impact on recreational facilities, it would not require any new mitigation measures.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe recreation impacts than those previously evaluated in the 2013 SEIR.

16. Transportation/Traffic

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
16. Transportation/Traffic. Would the Project:					
a. Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ration on roads, or congestion at intersections)?	Draft SEIR, pgs. 248-255	No	No	No	Yes
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	Draft SEIR, pg. 255	No	No	No	Yes
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	Draft SEIR, pg. 255	No	No	No	Yes
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Draft SEIR, pg. 255	No	No	No	Yes
e. Result in inadequate emergency access?	Draft SEIR, pg. 255	No	No	No	Yes
f. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	Draft SEIR, pg. 255	No	No	No	Yes

Discussion

16-a) The SEIR reported that since certification of the CWP EIR, Marin County had adopted an improved Countywide traffic model that incorporates Association of Bay Area Governments (ABAG) *Projections 2009* and assumptions from the Metropolitan Transportation Commission's (MTC) *Regional Transportation Plan 2035*. The SEIR updated the CWP EIR traffic analysis utilizing the updated model in order to assess traffic impacts that could result from implementation of the 2007–2014 Housing Element.

The traffic analysis modeled two future scenarios: a 2035 cumulative baseline without the project and a 2035 cumulative baseline with the addition of traffic that would be generated as a result of adopting and implementing the 2007–2014 Housing Element. The analysis focused on the same locations previously evaluated in the CWP EIR: 19 key roadway locations, called screenlines, and eight roadway intersections. The screenlines included ten roadway segments that were "grandfathered" by the *2005 Marin County Congestion Management Program*. Level of service (LOS) was calculated using the Highway Capacity Manual (HCM) for the screenlines and TRAFFIX software (version 8.0) for the intersections. In addition, volume-to-capacity ratios were calculated for the roadway segments and delays were determined for the intersections. Results were compared to the Alternative 4 (Mitigated Alternative) 2030 results from the CWP EIR, using the same thresholds of significance.

Although seven screenline locations would operate unacceptably at LOS E or F in the AM peak hour and ten locations would operate unacceptably in the PM peak hour, the SEIR determined that the conditions would be similar or improved in comparison with the CWP EIR analysis. Although the conditions would represent significant cumulative impacts, these impacts were identified in the CWP EIR and the 2007–2014 Housing Element would not result in new significant or substantially more severe impacts. The SEIR reached the same conclusion for the intersection impacts, where significant cumulative impacts were found at three intersections in the AM peak hour (and in the PM peak hour at one of the intersections), which was fewer intersections than identified with significant impacts in the CWP EIR. It also explained that the analysis was conservative, because it did not account for the fact that affordable housing units have lower trip generation characteristics than are reflected in the Countywide traffic model. Although the mitigation measures identified in the CWP EIR would still be required, no additional mitigation was required.

The SEIR also found that, based on its analysis with an updated traffic model, four impacts identified in the CWP EIR as significant and unavoidable would no longer occur. The impacts at one screenline location and three intersections that would no longer occur were at the following locations:

Impact 4.2-11 South Novato Boulevard from U.S. 101 to Sunset Parkway (Screenline #17)

Impact 4.2-15 Intersection of Second Street and Grand Avenue (Intersection D) (cumulative conditions)

Impact 4.2-16 Intersection of Third Street and Grand Avenue (Intersection E) (cumulative conditions)

Impact 4.2-17 Intersection of Miller Creek Road and Las Gallinas Avenue (Intersection F) (cumulative conditions)

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. No sites have been added that were not previously evaluated in the SEIR, and the total number of housing units has been reduced. Therefore, the proposed Project would not cause any new or substantially more severe significant impacts on traffic than those previously evaluated in the SEIR. Implementation of the mitigation measures identified in the CWP EIR would still be required.

16-b) The analysis summarized above in Checklist Item 16-a was based in part on Marin County's Congestion Management Program (CMP) which, as noted in the SEIR, was updated in 2011. The SEIR analysis utilized the updated CMP level of service standards for CMP roadways. Based on the analysis summarized in Checklist Item 16-a, the SEIR found that the 2007–2014 Housing Element would not cause a new or substantially more severe significant impact on road segments and intersections, including CMP roadways, than those previously evaluated in the CWP EIR. Similarly, for the reasons set forth above in Checklist Item 16-a, the proposed 2015–2023 Housing Element would not cause a new or substantially more severe significant impact on road segments and intersections, including CMP roadways, than those previously evaluated in the SEIR.

16-c) The SEIR determined that implementation of the 2007–2014 Housing Element would not substantially increase air traffic levels or cause a change in location that could create substantial air safety risks. It concluded that the impact on air traffic safety would be less than significant. The proposed Project only considers housing sites previously evaluated in the SEIR, and would therefore not substantially increase the severity of this impact or cause any new impacts on air safety.

16-d) The SEIR found that none of the housing sites included in the 2007–2014 Housing Element affects a transportation facility, and all new transportation facilities that would be constructed would comply with all applicable federal, State, and local design and safety requirements. It determined that the traffic hazard impact of the 2007–2014 Housing Element would be less than significant. The proposed Project only considers housing sites previously evaluated in the SEIR, and therefore would not substantially increase the severity of this impact or cause any new impacts on traffic safety.

16-e) The CWP EIR did not identify any significant impacts due to inadequate emergency access, and the SEIR made the same determination for the 2007–2014 Housing Element. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The site-specific design of individual projects is not currently known, but future development proposals would be subject to project-specific environmental review that would determine whether any potential constraints on emergency access could result from the proposal and, if so, would identify appropriate design changes to resolve the problem. At the programmatic level of review of the SEIR and this Environmental Checklist, the proposed 2015–2023 Housing Element would not substantially increase the severity or cause a new significant impact related to inadequate emergency access than was previously addressed in the SEIR.

16-f) The SEIR reviewed CWP EIR Impact 4.2-26 (Increased Demand for Bicycle and Pedestrian Facilities and Impacts on Safety and Access) and Impact 4.2-27 (Increased Demand for Public Transit Services) and found that residential development that could occur under the 2007–2014 Housing Element would not have any impacts on the demand for bicycle and pedestrian facilities, on bicycle or pedestrian safety and access, or on the demand for public transit services. The SEIR determined that implementation of *Countywide Plan* policies would ensure that the 2007–2014 Housing Element would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities. It concluded that the impact on alternative transportation would be less than significant. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed 2015–2023 Housing Element only considers housing sites previously evaluated in the SEIR, and the proposed new implementing programs would entail conducting planning studies that in themselves would have no potential to adversely affect alternative transportation. The proposed Project would therefore not substantially increase the severity of this impact or cause any new impacts on alternative transportation modes.

CWP EIR Mitigation Measures

The SEIR listed the following previously adopted mitigation measures from the CWP EIR that would reduce the severity of significant impacts identified at numerous screenline and intersection locations: Mitigation Measures 4.2-1, 4.2-2, 4.2-4, 4.2-5, 4.2-6, 4.2-8, 4.2-9, 4.2-10, 4.2-11, 4.2-12, 4.2-13, 4.2-14, 4.2-15, 4.2-16, 4.2-17, 4.2-18, 4.2-19, 4.2-20, 4.2-21, 4.2-22, and 4.2-23. Mitigation Measure 4.2-1 calls for developing a new *Countywide Plan* policy and program to reduce growth in vehicle miles traveled (VMT) by single-occupant automobile to not exceed the population growth rate. Mitigation Measure 4.2-2 refers to *Countywide Plan* Goal TR-3, which seeks to expand affordable public transportation service countywide. Mitigation Measures 4.2-4 through 4.2-16 and Mitigation Measures 4.2-20(d) through 4.2-23 require creation of one or more new travel lanes on the affected roadways to expand capacity and

thereby improve level of service. Mitigation Measures 4.2-17 through 4.2-20(c) require signalization of the affected intersections.

However, the impacts would remain significant and unavoidable after implementation of the mitigation measures for the following reasons:

- Mitigation Measure 4.2-1: due to the political and economic difficulties of implementing the full package of programs;
- Mitigation Measure 4.2-2: it would be dependent on implementation of enhanced transit services and other initiatives that are not currently planned or funded;
- Mitigation Measures 4.2-4 through 4.2-14 and 4.2-21(b) through 4.2-2: funding for the mitigation measures is not currently available and, therefore, it was unlikely or uncertain whether the improvement could be completed within the timeframe of the *Countywide Plan*;
- Mitigation Measures 4.2-15, 4.2-16, and 4.2-21: the affected intersections would still operate at unacceptable levels of service even following implementation of the mitigation measures;
- Mitigation Measures 4.2-18 and 4.2-19: fair-share funding provided by new development under the County's Transportation Improvement Fee Ordinance would not be sufficient to fully fund the improvements required by the mitigation measure;
- Mitigation Measure 4.2-20: Impact 4.2-20 identified impacts at three screenline locations and three intersections.

The SEIR did not find any new significant impacts or a substantial increase the magnitude of significant impacts previously identified in the CWP EIR; therefore, no new mitigation measures were required. Similarly, the proposed 2015–2023 Housing Element would not cause any new or substantially more severe traffic and transportation impacts than were previously evaluated in the SEIR, so no new mitigation measures are required or recommended. The previously adopted mitigation measures would continue to apply to the proposed Project.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe traffic and transportation impacts than those previously evaluated in the 2013 SEIR.

17. Utilities and Service Systems

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
17. Utilities and Service Systems. Would the Project:					
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	Draft SEIR, pg. 266	No	No	No	n/a
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Draft SEIR, pg. 266	No	No	No	n/a
c. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	Draft SEIR, pgs. 266-267	No	No	No	n/a
d. Have sufficient water supplies available to serve the Project from existing entitlements and resources, or are new or expanded entitlements needed?	Draft SEIR, pg. 267	No	No	No	No
e. Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's Projected demand in addition to the provider's existing commitments?	Draft SEIR, pgs. 266-267	No	No	No	n/a
f. Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?	Draft SEIR, pg. 268	No	No	No	n/a
g. Comply with federal, state, and local statutes and regulations related to solid waste?	Draft SEIR, pg. 268	No	No	No	n/a

Discussion

17-a) The SEIR briefly summarized the findings of the CWP EIR with respect to wastewater treatment impacts, which found that the 20 sanitary districts in Marin County sending wastewater to eight wastewater treatment plants all had sufficient capacity to accommodate increases in wastewater that would result from implementation of the *Countywide Plan*, with exception of the Bolinas Community Public Utility District (BCPUD), where Impact 4.10-4 (Increased Wastewater Treatment Demand) was determined to be a significant impact. However, none of the housing sites in the 2007–2014 Housing Element or those considered for the proposed 2015–2023 Housing Element are located in the BCPUD. The SEIR obtained updated information on available excess capacity at the other treatment plants in the County and determined that all of the housing sites are located in areas where there is adequate wastewater treatment capacity.

The SEIR acknowledged that on some housing sites, implementation of the 2007–2014 Housing Element could lead to residential development at higher densities than were analyzed in the CWP EIR, which would lead to increased demand for wastewater treatment from those sites. However, because the total number of housing units would not exceed the housing numbers anticipated following buildout of the *Countywide Plan* and analyzed in the CWP EIR, and because this increased demand would be within the treatment capacities of the various districts, the SEIR concluded that the impact of the 2007–2014 Housing Element on wastewater treatment capacity would remain less than significant. The SEIR also found that *Countywide Plan* policies and programs, such as Policy CD-5.2e (Correlate Development and Infrastructure), Policy PFS-1.4 (Reduce Demand on Public Facilities), and programs PFS-1.b **(**Plan for Service Expansion**)**, PFS-1.d (Reduce Demand on Public Facilities), and PFS-2.d (Support Water Demand Planning) would help reduce wastewater treatment demand.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Therefore, there is no potential for the proposed Project to result in greater demand for wastewater treatment than was previously evaluated in the SEIR, and the impact would remain less than significant.

17-b) As discussed in Checklist Item 17-a, above, there is adequate existing wastewater treatment capacity to serve new development on housing sites considered in the 2015–2023 Housing Element, so no construction or expansion of wastewater treatment facilities would be required due to the proposed Project.

17-c) The SEIR discussed CWP EIR Impact 4.5-6, which determined that buildout under the *Countywide* Plan would require expansion of stormwater drainage systems and could result in secondary impacts to hydrology and water quality. Although this impact was determined to be significant, it would be reduced to less than significant through implementation of Mitigation Measures 4.5-1, 4.5-3(b), and 4.5-4(b). The SEIR identified

two rural housing sites that are not served by existing storm drainage facilities, but the sites are not included in the housing sites inventory of the proposed 2015–2023 Housing Element. The SEIR found that the rest of the residential development that could occur under the 2007–2014 Housing Element would occur as infill development, and would therefore not require either the construction of new storm drainage facilities or expansion of existing storm drainage facilities. The SEIR concluded that the 2007–2014 Housing Element would not cause any new or substantially more severe impacts on stormwater drainage systems.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Because the proposed 2015–2023 Housing Element considers only housing sites that were previously evaluated in the SEIR, and development of the sites would not increase the amount of impervious surfaces on the sites, the rate and volume of stormwater runoff from the Project would not increase in comparison with the 2007–2014 Housing Element. Therefore, implementation of the 2015–2023 Housing Element would not result in a new or substantially more severe impact related to stormwater drainage capacity.

17-d) As discussed in the SEIR, the CWP EIR identified four significant unavoidable impacts on water supply: Impact 4.9-1 (Adequacy of Water Supply During a Normal Year), Impact 4.9-2 (Adequacy of Water Supply During a Drought and Multi Drought Years), Impact 4.9-4 (Impacts to Groundwater Supply), and Impact 4.9-5 (Interference with or Degradation of Water Supply). The SEIR stated that the two principal water service providers in the County—the Marin Municipal Water District (MMWD) and the North Marin Water District (NMWD)—have planned for and would continue to provide adequate water supplies within their service areas. The SEIR explained that the Grady Ranch housing site would need to be annexed into the MMWD for water service. The SEIR determined that the 2007–2014 Housing Element would not substantially increase the severity of the significant unavoidable CWP EIR impacts on water supply.

The impact of the proposed 2015–2023 Housing Element on water supplies would be comparable to, although somewhat less than, the impact of the 2007–2014 Housing Element evaluated in the SEIR. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Therefore, the proposed Project would not result in a new or substantially more severe impact on water supply than was previously disclosed in the SEIR.

17-e) Based on updated wastewater treatment capacities of the main Marin County wastewater treatment agencies, the SEIR found that the agencies continue to have available capacity to accommodate new growth, most of which would occur within the City–Centered Corridor. While it was acknowledged that future expansion of treatment capacity could be constrained by funding limitations, permit restrictions, and environmental requirements,

existing *Countywide Plan* policies and programs would ensure that potential future impacts on wastewater treatment capacity would be mitigated to a less-than-significant level. These include policies PFS-1.4 (Reduce Demand on Public Facilities) and CD-5.2e (Correlate Development and Infrastructure) and programs PFS-1.d (Reduce Demand on Public Facilities) and PFS-2.b (Minimize Demand for Water in New Development). The SEIR also explained that the Marin Municipal Code (i.e., Chapters 18.04, Sewage Disposal Permits; 18.06, Individual Sewage Disposal Systems; and 18.07, Alternative Sewage Disposal Systems) require new development to mitigate its demand on wastewater infrastructure. It concluded that the less-than-significant impact identified in the CWP EIR would remain less than significant.

The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. Therefore, there is no potential for the proposed Project to result in greater demand for wastewater treatment than was previously evaluated in the SEIR, and the impact would remain less than significant.

17-f) The SEIR stated that the landfill capacity of Redwood Landfill, which provides waste disposal for the entire County, is sufficient to accommodate the County's waste disposal needs until 2028, which is beyond the planning period of the 2007–2014 Housing Element; it is also beyond the planning period of the proposed 2015–2023 Housing Element. The CWP EIR identified a less-than-significant impact on landfill capacity from buildout of the *Countywide Plan*: Impact 4.10-6 (Increased Solid Waste Disposal Demand). The SEIR noted that future development pursuant to the 2007–2014 Housing Element would be required to comply with federal, State, and local statutes related to solid waste disposal, and concluded that with implementation of the Housing Element the previously identified less-than-significant impact on solid waste disposal capacity would remain less than significant. The sites under consideration for the proposed 2015–2023 Housing Element include the same housing sites inventory as the 2007–2014 Housing Element, except for one site (Site #11: 650 North San Pedro), which was removed from the inventory. The proposed 2015–2023 Housing Element considers fewer total housing units than were evaluated in the SEIR; therefore, the demand for solid waste disposal capacity would be reduced. The proposed Project would not increase the severity of this previously identified impact or result in any new impacts related to solid waste disposal.

17-g) This impact was addressed under Checklist Item 17-f, above.

CWP EIR Mitigation Measures

The SEIR listed Mitigation Measures 4.5-6, 4.9-1, and 4.10-4 from the CWP EIR that were adopted as a part of the *Countywide Plan*. Mitigation Measure 4.10-4 only applies to the Bolinas Community Public Utilities District where no new housing sites are proposed and is therefore not listed below. The other mitigation measures would continue to apply.

Mitigation Measure 4.9-1(a) revised Programs PFS-2.c, PFS-2.d, PFS-2.g, PFS-2.h, PFS-2.j, PFS-2.m, PFS-2.o, PFS-2.p, PFS-2.q, WR-2.k, and WR-3.b as follows:

> ***Program PFS-2.c Promote Ahwahnee Principles for Water Supply.*** *Support guidelines for local water providers to enact programs that promote the Ahwahnee Principles for water supply. These should include investigations of new sustainable sources such as groundwater, surface water, recycled water, graywater or desalination facilities that match water quantity and quality to the beneficial uses and the perfection or securing of additional water rights for the water purveyors.*
>
> ***Program PFS-2.d Support Water Demand Planning.*** *Provide Countywide Plan buildout information in the form of letters to water supply purveyors to use in the development of their respective Urban Water Management Plans (UWMPs). Assist the water purveyors in the preparation of these UWMPs by reviewing these documents and providing comments. Initiate discussion with or letters to small water systems, which are not required by the California Water Code to prepare UWMPs because they have fewer than 3,000 connections, urging them to adopt use of the UWMP format for planning. The water shortage contingency plan portion of the UWMP would provide the means to identify shortages on a consistent basis, to define water shortage stages and appropriate response measures, and to develop relevant ordinances, resolutions, or rules to manage water shortages.*
>
> ***Program PFS-2.g Promote Xeriscaping and Native Plants.*** *Amend the Development Code to require site appropriate, drought-tolerant, low water use, native landscaping and ultra-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 be prepared in strict conformance with the County's list of appropriate plants. Limit the amount of water intensive landscaping, particularly lawn area allowed, in order to reduce the amount of water needed for irrigation.*
>
> ***Program PFS-2.h Promote Site Appropriate, Low-water Use and Drought Tolerant Native Plants in Public Facilities.*** *Restore and promote the native plants garden at the Civic Center and the development of similar landscaping for all public facilities. Create a Landscaping Master Plan for Public Facilities that specifies appropriate species, methods, and technologies for water-wise landscaping.*
>
> ***Program PFS-2.j Upgrade West Marin Systems.*** *Promote assistance to water service providers to upgrade the water delivery systems in West Marin to reduce the incidence of saltwater intrusion and leakage by reviewing plans and initiating discussion among West Marin water providers of viable programs. The County should promote the upgrade and improvement of water supply development (e.g., wells), water treatment, water delivery and water storage facilities for the purpose of providing supplemental and backup water supplies for peaking and emergency purposes. Upgrade of water systems should be consistent with the Ahwahnee Principles for water supply that*

encourage a diverse water portfolio, matching of water supply with intended use, protection of natural systems and water resources, and evaluation of the multiple benefits of a water system upgrade program, among others.

Program PFS-2.m Promote Onsite Rainwater Capture and Retention. *Encourage use of onsite rainwater capture, storage, and infiltration for irrigation and other non-potable uses, and work with Environmental Health Services and water service providers to establish standards for rainwater quality and use. Ensure that catchments do not adversely affect habitat dependent on in-stream flow.*

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

Program PFS-2.p Investigate and Consider Appropriate Small-Scale Wastewater Reduction, Treatment Use Technologies. *Work with water agencies to resolve conflicting regulations regarding pre-treated septic drip dispersal systems and appropriate graywater use, to evaluate the potential of small-scale portable graywater converter systems as possible sources for landscaping water, and to modify regulations as necessary to encourage safe graywater use (such as dual systems that employ graywater to support landscaping). (Also see Water Resource policies and programs). Evaluate the potential to use waterless urinals, NSF-approved composting toilets, and other appropriate water saving technologies.*

Program PFS-2.q Adopt Tiered Billing Rates. *Encourage all Marin County water agencies to adopt the California Urban Water Conservation Council's Best Management Practice of tiered billing rates to encourage water conservation. Encourage the establishment of tiers that are based on conserving levels of per capita water use, rather than those based on historical non-conserving levels. Offer comprehensive conservation incentive programs to assist customers to achieve conserving levels of use.*

Program WR-2.k Establish Educational Partnerships to Protect Water Quality. *Initiate discussions with the Regional Water Quality Control Boards, Marin Resource Conservation District, University of California Cooperative Extension, Natural Resources Conservation Service, Marin County Stormwater Pollution Prevention Program, watershed groups, the public, stakeholders and other interested parties to develop and implement public education programs and provide technical assistance to find alternatives and minimize erosion and sedimentation, pathogen and nutrient, and chemical sources of water pollution. This would begin with letters to establish a lead agency to direct the effort. It would include soliciting input from local, State, and federal recreation management agencies to educate boaters and other recreational groups regarding proper management and disposal of human waste.*

Program WR-3.b Support and Integrate Water District Conservation Efforts. *Assist the efforts of the water districts to reduce waste and increase reuse through integrated planning of programs and complementary land use and building regulations. Assess and remove barriers to integrated water planning and mitigate the demand for water in new development. Assess the degree of demand hardening. (Also, see policies and programs under Goals AG-1 in the Agricultural and Food section of this Element, and PFS-2 in the Public Facilities and Services section of the Built Environment Element).*

Mitigation Measure 4.9-1(b) Added the following programs to the Public Facilities and Services section of the Built Environment Element.

Program PFS-2.r Offset New Water Demand. *In water districts where there is insufficient water to serve new development, construction or uses requiring an additional water meter or increased water supply as determined by the district or Marin County, the County shall require new construction or uses development to offset demand so that there is no net increase in demand. One or more of the following measures may be required to achieve no net increase in demand: 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 and shall serve as evidence that an adequate, long-term, and sustainable water supply is available to serve the project.*

Program PFS-2.s Require Sustainable Water Supply. *No new development project construction or uses requiring an additional water meter or increased water supply as determined by the appropriate district shall be approved without a specific finding, supported by facts in the administrative record, that an adequate, long-term, and sustainable water supply is available to serve the project. These measures should be achieved in partnership with the applicable water district.*

Mitigation Measure 4.9-1(c) required Marin County to obtain funding for Programs PFS-2.e, PFS-2.k, PFS- 2.n, PFS-2.p, WR-2.k, WR-3.a, and WR-3.b, set the priority of PFS-2.k and WR-2.k to "medium" or higher, and revise the time frame of implementation of PFS-2.f, PFS-2.n, PFS-2.o, and WR-2.k to the medium-term or sooner.

Mitigation Measure 4.5-6 is the same as Mitigation Measures 4.5-1(b), 4.5-3(b), and 4.5-4(b). See Checklist Section 9 (Hydrology, Water Quality and Flooding Hazard).

The SEIR did not find new or substantially more severe impacts on utilities and service systems, so no additional mitigation measures were required. Similarly, adoption and implementation of the proposed 2015–2023 Housing Element would not cause new or substantially more severe utilities and service systems than were previously evaluated in the SEIR, and therefore no additional mitigation measures would be required.

Conclusion

Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe utilities and service systems than those previously evaluated in the 2013 SEIR.

18. Mandatory Findings of Significance

Environmental Issue Area	Where Impact Was Analyzed in the SEIR.	Do Proposed Changes in the Project Involve New Significant Impacts or Substantially More Severe Impacts?	Any Changed Circumstances Involving New Significant Impacts or Substantially More Severe Impacts?	Any New Information of Substantial Importance Requiring New Analysis or Verification?	Do Previously Adopted SEIR Mitigation Measures Address/ Resolve Impacts?
18. Mandatory Findings of Significance.					
a. Does the Project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	SEIR sections 3.4.4 (Biological Resources) and 3.4.5 (Cultural Resources)	No	No	No	Yes
b. Does the Project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a Project are considerable when view in connection with the effects of past Projects, the effects of other current Projects, and the effects of probable future Projects)?	SEIR sections 3.4.1 through 3.4.17	No	No	Yes	Yes
c. Does the Project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	SEIR sections 3.4.1 through 3.4.17	No	No	Yes	Yes

Discussion

18-a) Based on the discussions presented in Checklist Sections 4 and 5 (and in SEIR Sections 3.4.4 and 3.4.5), adoption and implementation of the 2015–2023 Housing Element would not

result in new significant impacts or substantially more severe impacts to biological resources or cultural resources.

18-b) The SEIR referenced the discussion of cumulative impacts presented in Chapter 6 of the CWP EIR, which identified significant direct, indirect, and cumulative impacts associated with the *Countywide Plan* in the areas of land use, population and housing, transportation, air quality, noise, hydrology, water quality and flood hazards, biological resources, geology, agriculture, water supply and demand, public services, and visual resources. The SEIR noted that many of these impacts would remain significant even after implementation of mitigation measures identified in the CWP EIR. The SEIR concluded that, under the 2007–2014 Housing Element, the cumulative impacts would remain significant and unavoidable, but would not be substantially more severe than the impacts analyzed in the CWP EIR. The proposed 2015–2023 Housing Element would not substantially increase the severity of any of the impacts, including cumulative impacts, identified in the SEIR, and would not cause any new significant impacts.

18-c) The SEIR identified new significant impacts related to air quality; hydrology, water quality and flood hazard; and noise that could occur with implementation of the 2007–2014 Housing Element, all of which could have adverse effects on human beings. These included exposure of new residents to significant concentrations of toxic air contaminants (TACs), locating housing sites within mapped dam inundation areas, and exposure of people to groundborne vibration generated by SMART train operations. The SEIR identified New Mitigation Measures, which were adopted and incorporated into the Countywide Plan on September 24, 2013, and would continue to apply to the 2015-2023 Housing Element, to reduce the impacts of the proposed Project to a less-than-significant level. Based on the analyses presented in Checklist Sections 1 through 17 (and in SEIR Sections 3.4.1 through 3.4.17), the proposed 2015–2023 Housing Element would not substantially increase the severity of any of these impacts and would not cause any new significant impacts that would adversely affect human beings, either directly or indirectly.

CWP EIR Mitigation Measures

Mitigation measures have been identified in the topical sections of the Environmental Checklist that are necessary to reduce impacts that could result from adoption and implementation of the 2015–2023 Housing Element to less-than-significant levels. The majority of the mitigation measures were identified in the *CWP EIR* and were adopted and incorporated into the Countywide Plan. The remainder of the mitigation measures were identified as "new" mitigation measures in the 2013 SEIR and were adopted and incorporated into the Countywide Plan in 2013. No new or substantially more severe impacts have been identified in this Environmental Checklist, and no new mitigation measures are required.

Conclusion

As discussed in this Environmental Checklist, implementation of the proposed 2015–2023 Housing Element has the potential to cause adverse effects on special-status species and sensitive natural

communities, to have a cumulative impact on wildlife movement corridors, and to eliminate important examples of the major periods of California history or prehistory. It has the potential to result in cumulatively considerable impacts and to have substantial adverse effects on human beings. However, Implementation of the 2015–2023 Housing Element would not result in any new or substantially more severe impacts than those previously evaluated in the SEIR, and no new mitigation measures are required.

Summary Findings of Checklist

This environmental checklist review analyzes the proposed Project and compares the potential impacts to the conclusions of the 2013 SEIR. This analysis was completed to determine the requirement for further environmental documentation pursuant to State CEQA Guidelines sections 15162, 15163, and 15164. This analysis has identified no new or substantially more severe impacts of the Project compared to those identified and evaluated in the SEIR.

Previously adopted mitigation measures identified in the SEIR would be applied to the Project, as proposed, to reduce or avoid significant impacts. The topic areas in which SEIR mitigation measures would apply are the following: Aesthetics, Air Quality; Biological Resources; Cultural Resources; Geology and Soils; Greenhouse Gases; Hazards and Hazardous Materials; Hydrology and Water Quality; Noise; Population and Housing; Transportation/Traffic; and Utilities and Service Systems. With the application of these previously-identified mitigation measures, summarized below and reproduced in full in the Environmental Checklist, no new significant impacts or substantial increases in the severity of previously identified impacts requiring revisions to the SEIR would occur. No new mitigation measures are required for the adoption and implementation of the proposed Project.

Aesthetics

Previously adopted CWP EIR Mitigation Measure 4.12-2 expedites the implementation of *Countywide Plan* Implementing Program DES-1.a (Add Design Components to Community Plans). CWP EIR Mitigation Measure 4.12-4 requires new development and projects that would make significant parking lot improvements or add new lighting to prepare a lighting plan for design review and approval by County staff and adds a new implementing program to develop and add lighting design guidelines to the Development Code. Previously adopted Mitigation Measure 3.6.2b would reduce potential impacts from new sources of nighttime lighting. These mitigation measures would continue to apply to the proposed 2015–2023 Housing Element. No new mitigation measures were added by the SEIR.

Air Quality

The CWP EIR identified several mitigation measures to reduce identified air quality impacts. Mitigation Measure 4.3-1 (which is the same as Mitigation Measure 4.2-1) became *Countywide Plan* Policy TR-1.8 and Program TR-1.s, which are intended to reduce vehicle miles (VMT) traveled by single-occupant automobiles and establish a program to monitor progress on VMT reduction. Mitigation Measure 4.3-2 adds a new *Countywide Plan* program requiring new office

developments with more than 50 parking spaces to offer a Parking "Cash-Out" Program and expedites implementation of other programs. Mitigation Measure 4.3-3(a) revised policy AIR-2.1 of the Natural Systems & Agriculture Element and Mitigation Measure 4.3-3(b) revised Program AIR-2.a, while Mitigation Measure 4.3-3(c) added a new program to the Natural Systems & Agriculture Element requiring projects involving sensitive receptors proposed within 150 feet of freeways to conduct a health risk assessment. The SEIR added a new mitigation measure (New Mitigation Measure Air Quality-1), which was adopted and incorporated into the project to ensure that the exposure of future residents to toxic air contaminants (TACs) would be a less-than-significant impact. All of these mitigation measures were adopted as a part of the *Countywide Plan* and would continue to apply to the proposed 2015–2023 Housing Element.

Biological Resources

CWP EIR Mitigation Measure 4.6-1 became Program BIO-2.e (Participate in FishNet4C Program), calling for participation in the FishNet4C Program and cooperation with participating agencies to implement aquatic habitat improvements. Mitigation Measure 4.6-2 increased the priority of Program BIO-1.b (Develop Habitat Monitoring Programs). Mitigation Measure 4.6-4 required expansion of the boundaries for the proposed Baylands Corridor on the St. Vincent's / Silveira properties, and required the *Countywide Plan* to implement programs necessary to identify and protect important wildlife habitat, while Mitigation Measures 4.6-4(a) and 4.6-4(b) provided more detailed direction for implementation of Mitigation Measure 4.6-4. These mitigation measures would continue to apply to the proposed 2015–2023 Housing Element. No new mitigation measures were added by the SEIR.

Cultural Resources

The CWP EIR identified one mitigation measure to reduce impacts to historical resources to a less-than-significant level. Mitigation Measure 4.11-1 required Marin County to obtain additional funding for programs HAR-1.g (Create a County Historical Commission), HAR1.l (Adopt Preservation Guidelines), and HAR-1.m (Require Design Compatibility) and to expedite their implementation. This mitigation measure was adopted as a part of the *Countywide Plan* and would continue to apply to the proposed 2015–2023 Housing Element. No new mitigation measures were added by the SEIR.

Geology and Soils

The CWP EIR identified several mitigation measures to reduce geology and soils impacts. Mitigation Measure 4.7-1(a) revised Policy EH-2.2 (Comply with the Alquist-Priolo Act) and Program EH-2.d (Limit Building Sites in Alquist-Priolo Zones) of the Natural Systems and Agriculture Element of the *Countywide Plan*. Mitigation Measure 4.7-1(b) added a new Program EH-2.l (Reliability of Lifelines and Access (Evacuation) Routes) to the Natural Systems and Agriculture Element. Mitigation Measure 4.7-1(c) requires continual implementation of County ordinances requiring geological assessments for new subdivisions and grading permits to identify the presence of surface fault rupture. Mitigation Measure 4.7-2(a) revised Policy EH-2.3 (Ensure Safety of New Structures) and Programs EH-2e (Retrofit County Buildings) of the Natural Systems

and Agriculture Element, and PS-3.f (Promote Structural Safety), and PS-3.g (Locate Emergency Services Facilities Appropriately) of the Built Environment Element. Mitigation Measure 4.7-2(b) added new Program EH-2.n (Post-earthquake Damage Assessment) to the Natural Systems and Agriculture Element. Mitigation Measure 4.7-2(c) requires funding for the revised Program EH-2.e (Retrofit County Buildings and Critical Facilities) and expedites its implementation. Mitigation Measure 4.7-2(d) requires continual implementation of County ordinances to ensure new construction utilizes California Building Code seismic design requirements and complies with other seismic safety requirements. Mitigation Measure 4.7-3(a) revised Programs EH-2.a (Require Geotechnical Reports) and EH-2.b (Require Construction Certification) of the Natural Systems and Agriculture Element. Mitigation Measure 4.7-3(b) added new Program EH-2.o (Geologic Hazard Areas) to the Natural Systems and Agriculture Element. Mitigation Measure 4.7-3(c) requires continual implementation of County ordinances requiring geological assessments for new subdivisions and grading permits to identify hazards associated with seismic-related ground failure.

Mitigation Measure 4.7-4(a) requires the County to adopt and implement *Countywide Plan* programs revised as part of Mitigation Measure 4.7-3. Mitigation Measure 4.7-4(b) requires continued implementation of County ordinances requiring a Stability Report for new construction in specified areas on County slope stability maps. Mitigation Measure 4.7-5(a) requires the County adopt and implement the revised programs identified in Mitigation Measure 4.7-3. Mitigation Measure 4.7-5(b) expedites implementation of Program EH-2.g (Identify Compressible Soil Potential). Mitigation Measure 4.7-5(c) requires continued implementation of County ordinances requiring geological assessments for new subdivisions and grading permits to identify hazards associated with subsidence and settlement. Mitigation Measure 4.7-6(a) requires the County to adopt and implement the revised programs identified in Mitigation Measure 4.7-3. Mitigation Measure 4.7-6(b) requires continued implementation of County ordinances requiring geological assessments for new subdivisions and grading permits to identify hazards associated with expansive soils. Mitigation Measure 4.7-7 obtains funding for Program WR-2.e (Continue Providing High-Priority Inspections) in order to continue no-cost inspections of septic systems in high priority areas. Mitigation Measure 4.5-4 is described in Environmental Checklist Section 9.

These mitigation measures would continue to apply to the proposed 2015–2023 Housing Element. No new mitigation measures were added by the SEIR.

Greenhouse Gases

The CWP EIR identified two mitigation measures to reduce identified greenhouse gas impacts. Mitigation Measure 4.3-6(a) revised Program AIR-4.f (Establish a Climate Change Planning Process) while Mitigation Measure 4.3-6(b) implements proposed State programs to reduce greenhouse gas emissions, including the Renewable Portfolio Standards, California Fuel Efficiency (CAFÉ) standards, and a carbon cap-and-trade program. These mitigation measures would continue to apply to the proposed 2015–2023 Housing Element, as appropriate. No new mitigation measures were added by the SEIR.

Hazards and Hazardous Materials

The CWP EIR identified three mitigation measures to reduce identified hazards and hazardous materials. Mitigation Measure 4.10-1(a) added new Program PS-4.h (Hazardous Materials Education) to the Socioeconomic Element of the *Countywide Plan*. Mitigation Measure 4.10-1(b) added new Program PS-4.i (Hazardous Materials Disposal) to the Socioeconomic Element. Mitigation Measure 4.10-2(a) revised Policy EJ-1.1 (Identify and Target Impacted Areas) of the Socioeconomic Element. Mitigation Measure 4.10-2(b) requires expedited implementation of Program PS-4.a (Regulate Development Near Waste Sites), Program EJ-1.g (Deny Pollution-Source Proposals), and Program EJ-1.h (Require Pollution Analysis). Mitigation Measure 4.10-3 is the same as Mitigation Measure 4.10-2(a). These mitigation measures would continue to apply to the proposed 2015–2023 Housing Element, as appropriate. No new mitigation measures were added by the SEIR.

Hydrology and Water Quality

The CWP EIR identified several mitigation measures to reduce hydrology and water quality impacts. Mitigation Measures 4.5-1, 4.5-3, 4.5-4, 4.5-5, 4.5-6, 4.5-7 and 4.7-8 of the Countywide Plan EIR were adopted as a part of the *Countywide Plan* and would continue to apply. Mitigation Measure 4.5-1(a) revised Program WR-2.i (Establish a Septic Inspection, Monitoring, and Maintenance District). Mitigation Measure 4.5-1(b) requires the County to continue to implement County ordinances addressing nonpoint source pollution, erosion and sediment control, and surface runoff pollution from proposed development projects. Mitigation Measure 4.5-3(a) expedites implementation of Program PFS-2.o (Assess Project Impacts to Surface Water and Groundwater). Mitigation Measure 4.5-3(b) requires the County to continue to implement County ordinances that maintain continued groundwater recharge and require surface runoff pollution control plans and best management practices for new developments and redevelopments. Mitigation Measure 4.5-4(a) became *Countywide Plan* policy BIO-4.19 (Maintain Channel Stability). Mitigation Measure 4.5-4(b) requires Marin County to continue to implement NPDES Phase II permit requirements relating to peak flow controls. Mitigation Measure 4.5-4(c) is the same as Mitigation Measures 4.5-1(b) and 4.5-3(b). Mitigation Measure 4.5-5 is the same as Mitigation Measures 4.5-1(b),4.5-3(b) and 4.5-4(b). Mitigation Measure 4.5-6 is the same as Mitigation Measures 4.5-1(b), 4.5-3(b), and 4.5-4(b). Mitigation Measure 4.5-7(a) is the same as Mitigation Measures 4.5-3(b), 4.5-4(a) and 4.5-4(b).

Mitigation Measure 4.5-7(b) requires County staff to amend the Marin County Development Code to include construction standards for areas threatened by future sea level rise. Mitigation Measure 4.5-7(c) requires the County to continue to implement County ordinances that regulate floodplain development to ensure that project related and cumulative impacts to flooding are minimized or avoided. Mitigation Measure 4. 7-8(a) revised Policy EH-2.4 (Protect Coastal Areas from Tsunamis) and Programs EH-3.a (Regulate Development in Flood and Inundation Areas) and EH-3.g (Locate Critical Facilities Safely).

The SEIR also identified five new mitigation measures, which were adopted and incorporated into the project. New Mitigation Measure Hydrology, Water Quality and Flooding Hazard-1 requires

the County to obtain or develop tidal inundation maps for both the mid-century (2050) and end-of-century (2099) projected sea level rise scenarios, and require new development located in hazard areas to mitigate flooding risks. New Mitigation Measure Hydrology, Water Quality and Flooding Hazard-2 requires housing on sites within a 2050 tidal inundation zone to be developed on building pads elevated above the inundation elevation. New Mitigation Measure Hydrology, Water Quality and Flooding Hazard-3 requires the County to coordinate with the Federal Emergency Management Agency to incorporate current projections of mid-century sea level rise into future flood insurance studies and the Flood Insurance Rate Maps for Marin County. New Mitigation Measure Hydrology, Water Quality and Flooding Hazard-4 requires the County to adopt the regional policies addressing adaptation to predicted sea level rise recently adopted by the San Francisco Bay Conservation and Development Commission as part of its San Francisco Bay Plan. New Mitigation Measure Hydrology, Water Quality and Flooding Hazard- 5 requires the County to adopt and implement a new *Countywide Plan* policy that addresses new development in mapped dam failure inundation areas.

These mitigation measures would continue to apply to the proposed 2015–2023 Housing Element, as appropriate.

Land Use and Planning

There were no mitigation measures for land use and planning impacts in either the *CWP EIR* or in the SEIR, and no new mitigation measures are required for the proposed 2015–2023 Housing Element.

Mineral Resources

There were no mitigation measures for mineral resources impacts in either the *CWP EIR* or in the SEIR, and no new mitigation measures are required for the proposed 2015–2023 Housing Element.

Noise

The CWP EIR identified one mitigation measure to reduce temporary construction noise impacts. Mitigation Measure 4.4-5 revised Program NO-1.i Regulate Noise Sources. The SEIR determined that a new mitigation measure (Mitigation Measure Noise-1) was required to reduce significant impacts that would result from the exposure of persons to groundborne vibration generated by SMART operations. New Mitigation Measure Noise-1 The County shall use the Federal Transit Administration (FTA) vibration impact criteria to evaluate the compatibility of sensitive uses proposed along the SMART corridor. These mitigation measures were adopted as part of the *Countywide Plan* and would continue to apply to the proposed 2015–2023 Housing Element, as appropriate.

Population and Housing

The CWP EIR identified one mitigation measure to reduce identified population and housing impacts. Mitigation Measure 4.1-2 added Policy CD-5.2 (Correlate Development and Infrastructure) and Programs CD-5.a (Review and Correlate Countywide Growth and

Infrastructure), CD-5.k (Monitor Growth and Circulation), CD-5.l (Provide Adequate Infrastructure Capacity), and CD-5.m (Development Review) to the Community Development Section of the Built Environment Element of the *Countywide Plan*. These mitigation measures were adopted as part of the *Countywide Plan* and would continue to apply to the proposed 2015–2023 Housing Element, as appropriate. The SEIR did not identify any additional mitigation measures for population and housing impacts.

Public Services

No significant impacts on public services were identified in the CWP EIR or the 2013 SEIR; therefore, no mitigation measures were required. No new mitigation measures are required for the proposed 2015–2023 Housing Element.

Recreation

No significant impacts on recreational facilities were identified in the CWP EIR or the 2013 SEIR; therefore, no mitigation measures were required. No new mitigation measures are required for the proposed 2015–2023 Housing Element.

Transportation/Traffic

The SEIR identified numerous previously adopted mitigation measures from the CWP EIR that would reduce the severity of significant impacts identified at numerous screenline and intersection locations: Mitigation Measures 4.2-1, 4.2-2, 4.2-4, 4.2-5, 4.2-6, 4.2-8, 4.2-9, 4.2-10, 4.2-11, 4.2-12, 4.2-13, 4.2-14, 4.2-15, 4.2-16, 4.2-17, 4.2-18, 4.2-19, 4.2-20, 4.2-21, 4.2-22, and 4.2-23. Mitigation Measure 4.2-1 calls for developing a new *Countywide Plan* policy and program to reduce growth in vehicle miles traveled (VMT) by single-occupant automobile to not exceed the population growth rate. Mitigation Measure 4.2-2 refers to *Countywide Plan* Goal TR-3, which seeks to expand affordable public transportation service countywide. Mitigation Measures 4.2-4 through 4.2-16 and Mitigation Measures 4.2-20(d) through 4.2-23 require creation of one or more new travel lanes on the affected roadways to expand capacity and thereby improve level of service. Mitigation Measures 4.2-17 through 4.2-20(c) require signalization of the affected intersections. However, all of the impacts would remain significant and unavoidable after implementation of the mitigation measures for varying reasons listed in Checklist Item 16.

Utilities and Service Systems

The SEIR listed two mitigation measures from the CWP EIR for utilities and service systems impacts that were applicable to the 2007–2014 Housing Element: Mitigation Measures 4.5-6 and 4.9-1. Mitigation Measure Mitigation Measure 4.9-1(a) revised *Countywide Plan* Programs PFS-2.c (Promote Ahwahnee Principles for Water Supply), PFS-2.d (Support Water Demand Planning), PFS-2.g (Promote Xeriscaping and Native Plants), PFS-2.h (Promote Site Appropriate, Low-water Use and Drought Tolerant Native Plants in Public Facilities), PFS-2.j (Upgrade West Marin Systems), PFS-2.m (Promote Onsite Rainwater Capture and Retention), PFS-2.o (Assess Project Impacts to Surface Water and Groundwater), PFS-2.p (Investigate and Consider

Appropriate Small-Scale Wastewater Reduction, Treatment Use Technologies), PFS-2.q (Adopt Tiered Billing Rates), WR-2.k (Establish Educational Partnerships to Protect Water Quality), and WR-3.b (Support and Integrate Water District Conservation Efforts).

Mitigation Measure 4.9-1(b) added Programs PFS-2.r (Offset New Water Demand) and PFS-2.s (Require Sustainable Water Supply) to the Public Facilities and Services section of the Built Environment Element of the *Countywide Plan*. Mitigation Measure 4.5-6 is the same as Mitigation Measures 4.5-1(b), 4.5-3(b), and 4.5-4(b).

These mitigation measures were adopted as part of the *Countywide Plan* and would continue to apply to the proposed 2015–2023 Housing Element, as appropriate. The SEIR did not identify any additional mitigation measures for utilities and service systems impacts.

Summary of Applicable CWP EIR Mitigation Measures

None of the adopted mitigation measures from the 2013 SEIR or the CWP EIR have been modified, and no new mitigation measures are required for the proposed Project.