

Initial Study – Mitigated Negative Declaration for the Vogel Land Division



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**MARIN COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DIVISION**

INITIAL STUDY

Vogel Land Division

I. BACKGROUND

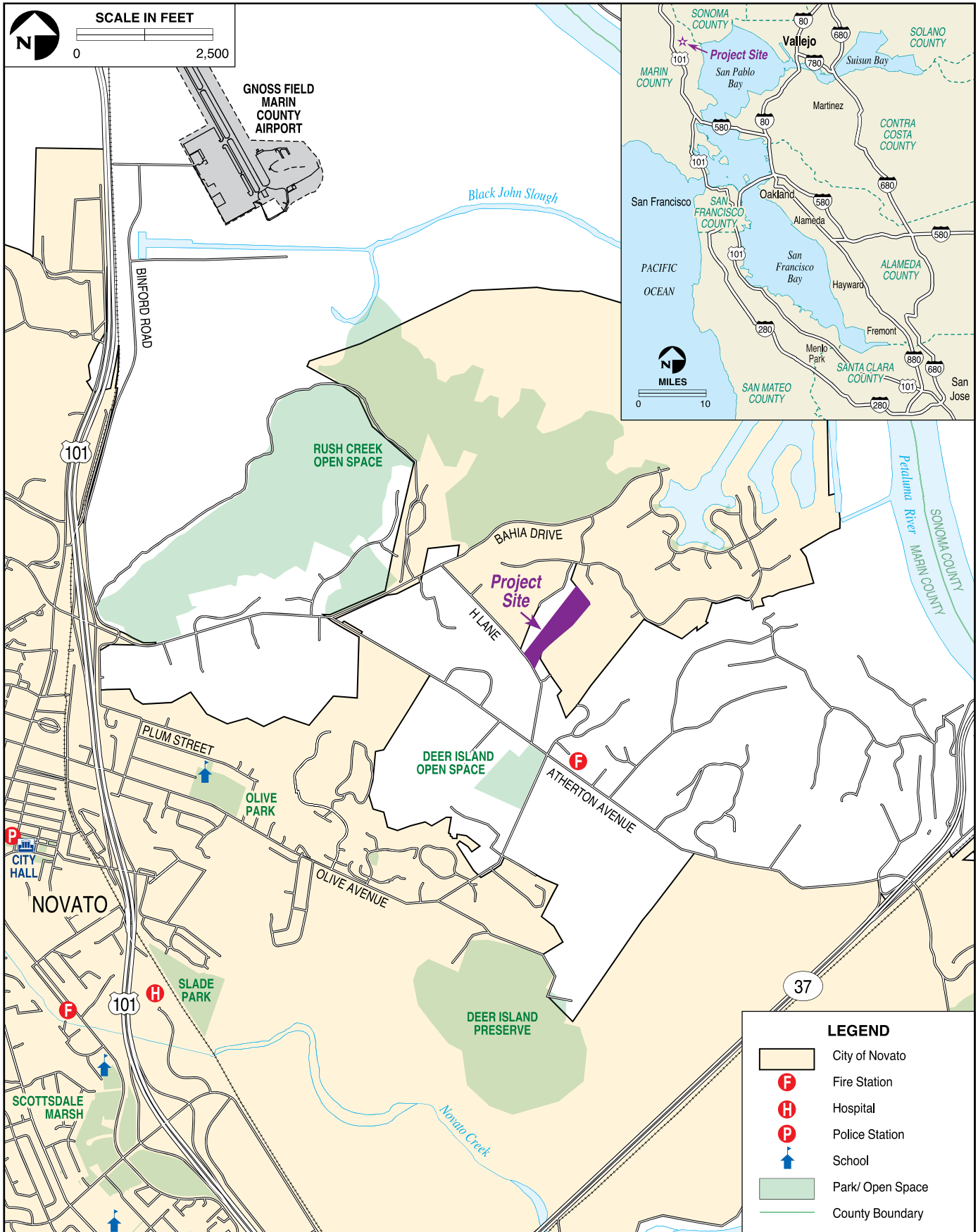
- A. Project Sponsor's Name and Address:** Mike Vogel
116 H Lane, Novato
- B. Lead Agency Name and Address:** Marin County Community Development
Agency Planning Division,
3501 Civic Center Dr., Suite 308
San Rafael, CA 94903
- C. Agency Contact:** Jocelyn Drake
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II. PROJECT DESCRIPTION

- A. Project Title:** Vogel Land Division
(Project ID 15-0311)
- B. Type of Applications:** Land Division
- C. Project Location:** 116 H Lane, Novato
Assessor's Parcel 143-331-52
- D. General Plan Designation:** SF3 (Rural Residential, 1 unit per 1-5 acres)
- E. Zoning:** ARP-2 (Agricultural, Residential, Planned
District, 1 unit per 2 acres)
- F. Description of Project:**

ENVIRONMENTAL SETTING

Location. The Project site is a 9.6-acre lot located in a rural area of unincorporated Marin County, in the Green Point area of Novato (Figure 1). The Project site is located at 116 H Lane and is accessed via Atherton Avenue. Existing development includes a single-family residence with a detached garage and associated driveway on the western portion of the site, near H Lane. The Project site is surrounded by rural residential development to the south, southwest, and northwest, and by open space to the north and east. The nearest neighboring residence is located approximately 250 feet north and uphill from the proposed building envelope. Overall, the site is steeply sloped, with an average grade of approximately 33 percent. The topography slopes from the northwest side property line toward the low point along the southeastern property line, towards an ephemeral drainage (flows only after rainfall).



Project Location

FIGURE 1

Habitat Present. Three habitat types are present at the Project site, including oak woodland, non-native annual grassland, and developed/landscaped areas (Figure 2). The majority of the site is dominated by scattered oak woodland. Blue oak trees dominate the northern portion of the site within this woodland and have an open canopy and an understory composed of non-native annual grasses. A mix of several co-dominant species, including blue oak (*Quercus douglasii*), coast live oak (*Quercus agrifolia*), and bay laurel (*Umbellularia californica*) dominates the southern portion of the site, which have a dense canopy with an open and sparsely vegetated understory.

The central and western portion of the Project site is characterized by non-native annual grassland, which is traversed by a dirt and gravel road. The road stretches northeast from the southwestern corner of the site to approximately the center of the site. Several areas within this non-native grassland are also covered by a layer of gravel or woodchips.

The southwestern corner of the Project site consists of developed and landscaped areas. This area contains the existing residence, garage, concrete driveway, landscaped vegetation, and a parking area covered in woodchips (WRA 2015).

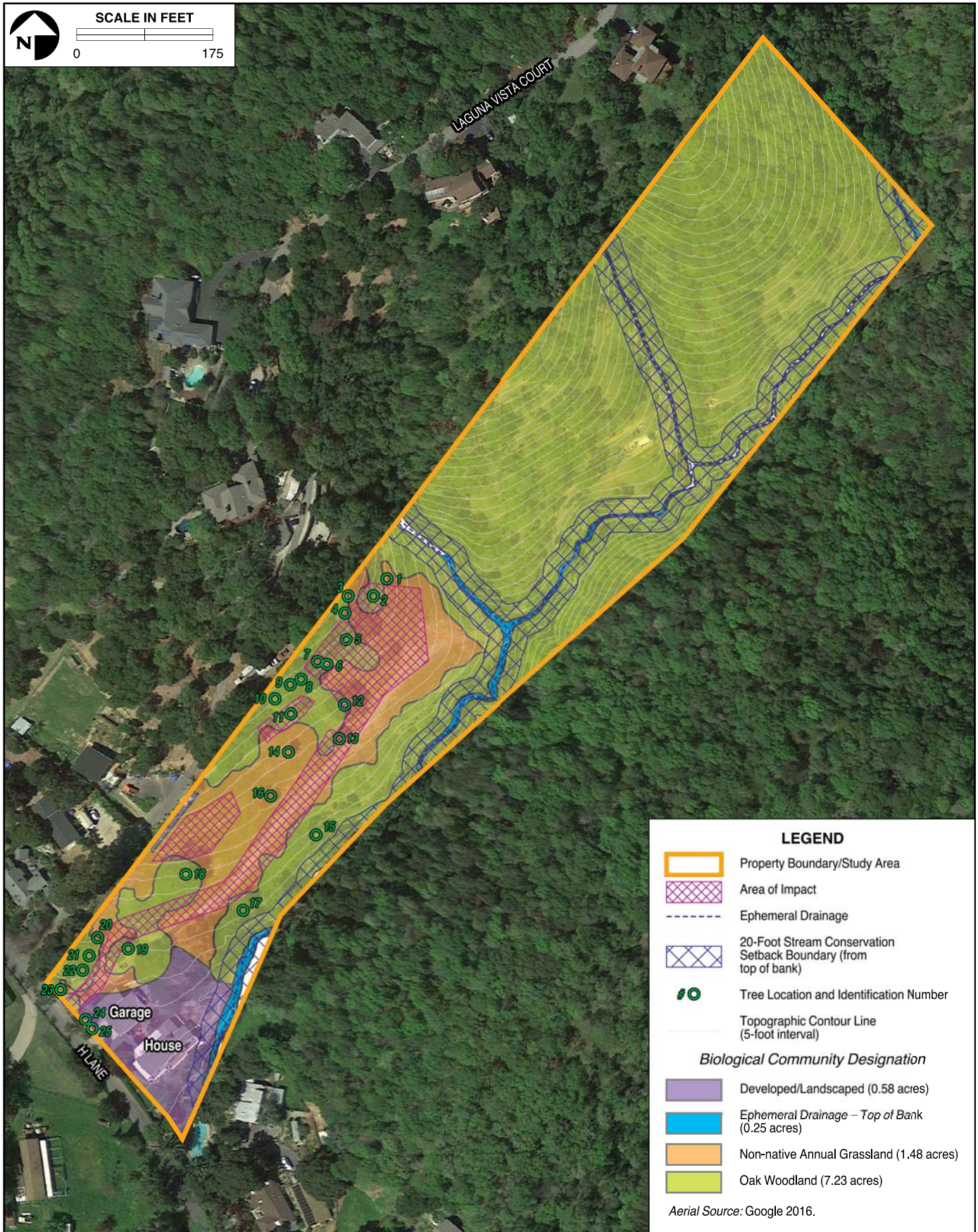
Special Status Plant Species. A Biological Site Assessment was prepared for the Project by WRA, Inc. (WRA) in December 2015. No special status plant species were observed within the Project site or its immediate surroundings during the site visit; however, a number of species have a potential to occur in the area. A total of 23 special status plant species have been documented in the vicinity of the Project site but all 23 special status plant species were determined to be not present or are unlikely to occur on the Project site (WRA 2015).

Special Status Wildlife Species. A total of 24 special status wildlife species have been documented in the vicinity of the Project site. Most of the 24 special status wildlife species were determined to not be present or are unlikely to occur on the Project site due to unsuitable habitat conditions. However, Nuttall's woodpecker (*Picoides nuttallii*) and oak titmouse (*Baeolophus inornatus*) have a high potential to occur, and white-tailed kite (*Elanus leucurus*) and pallid bat (*Antrozous pallidus*) have a moderate potential to occur onsite (WRA 2015).

Streams and Wetlands. The Project site is encumbered by portions of five unnamed ephemeral drainages (Figure 2). The primary drainage runs from the north to the southwest along the southeastern property line. Three drainages run from the west to southeast across the center of the Project site, connecting to the primary drainage. The final drainage runs from the east to northwest and briefly enters the northern portion of the Project site. These ephemeral drainages do not support riparian vegetation within the Project site and do not support special status species



Five ephemeral drainages cross the Project site.



or sensitive biological communities. Pursuant to Marin Countywide Plan (CWP) Policy BIO-4.1, a 20 foot Stream Conservation Area (SCA) development setback applies to the drainage features on the Project site. Approximately 1.87 acres of the Project site are located within the SCA (WRA 2016).

Protected Trees. As stated above, the majority of the Project site is comprised of oak woodland. A Tree Inventory, Evaluation, and Preliminary Construction Impact Assessment report was prepared by MacNair and Associates for the Project on December 17, 2015. This report inventoried a total of 25 trees, consisting of two bay laurels (*Umbellularia californica*), four blue oaks (*Quercus douglasii*), 18 coast live oaks (*Quercus agrifolia*), and one valley oak (*Quercus lobata*) (McNair Associates 2015). A total of 22 of the 25 trees would qualify as protected trees and 8 would qualify as heritage trees (see Table 8.1-1 and Section 8, *Biological Resources*).

Geology. The Project site is geologically stable, with Cretaceous Novato Conglomerate bedrock underlying the entire site. No outcrops of this bedrock are present; however, the soil in disturbed areas contains pebbles and gravels that are characteristic of this bedrock formation. The formation provides a stable foundation, and groundwater is not expected to be encountered in excavations (SalemHowes Associates, Inc. 2015).

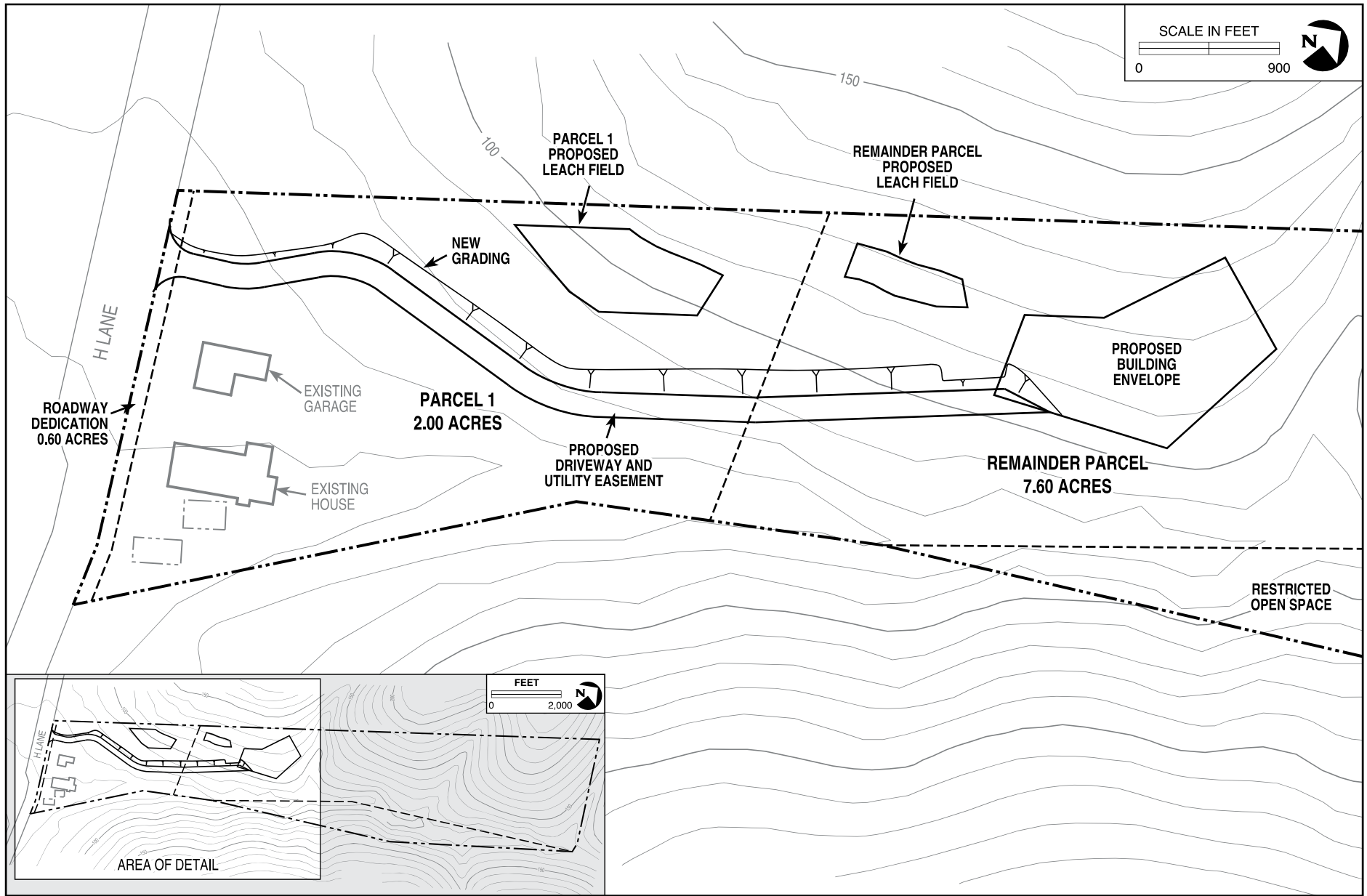
Water Supply. Potable water is currently provided to the Project site by the North Marin Water District. The current residence (Parcel 1) is provided by normal pressure (Zone 1) potable domestic water service. The potential new residence (Remainder 2) could be provided by high pressure (Zone 2) potable water domestic service, but would require water service installation prior to occupancy (North Marin Water District 2015).

PROPOSED PROJECT

The applicant proposes to divide the existing 9.6-acre lot into a 2-acre lot (identified as Parcel 1) that would contain the existing residence, and a 7.6-acre lot (identified as Remainder Parcel), through approval of the proposed Tentative Parcel Map for the Vogel Land Division (Figure 3). Parcel 1 is currently developed with an existing 2,106 square foot single-family residence, 1,088 square foot detached garage, and associated driveway. The Remainder Parcel is currently vacant, with the exception of two outdoor decks in the northern portion of the lot and a gravel driveway extending up the central portion. A 0.289 acre building envelope is proposed in the central portion of the Remainder Parcel to accommodate the future development of a single-family residence. Both lots would take access from the existing driveway off H Lane, which would be extended as part of the Project. In conjunction with the proposed Land Division, a roadway dedication, approximately 0.6 acre in size, is proposed along the frontage of H Lane. Also included in the Project are designated areas for future leachfields, one for the existing residence as the septic system serving it is substandard, and a second septic system to serve the new residence on the proposed Remainder Parcel. An access, drainage, and utility easement is proposed along the driveway extension to provide services to the new future residence.



the proposed building envelope would be sited within an open grassland area to minimize the removal of protected trees.



Proposed Site Plan

**FIGURE
3**





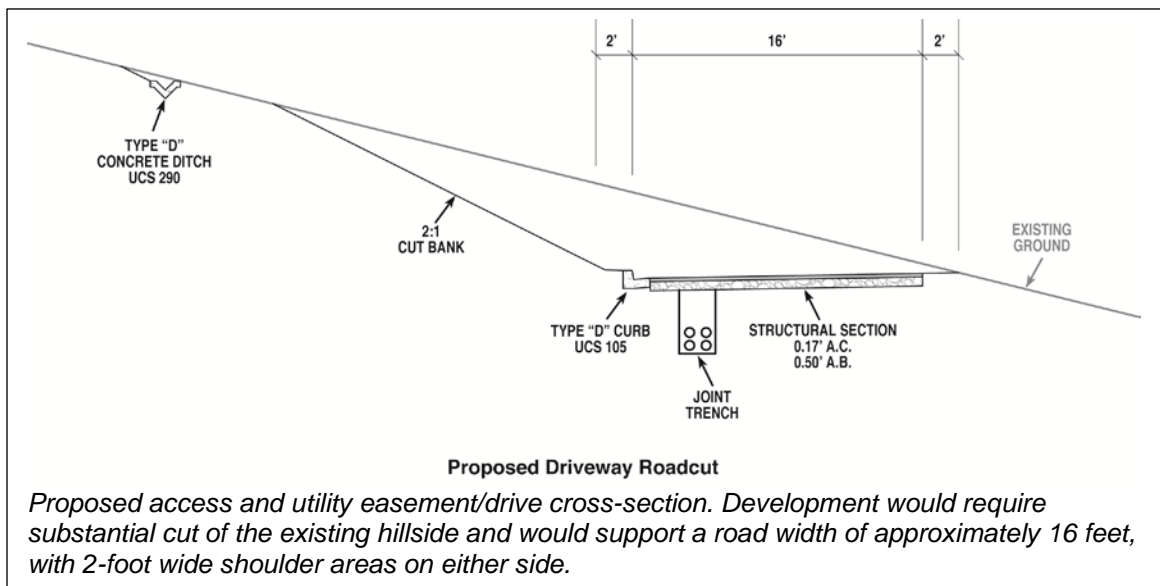
Access and utility easements to the proposed building envelope would generally be located along an existing gravel access road.

The Project would support the future construction of a new single-family residence on the Remainder Parcel, with a driveway connecting to the existing driveway on Parcel 1. Construction would take place over a 16 month period and include grading, installation of utilities, drainage improvements, construction of the septic system, driveway extension, parking, and new residence as well as any other ancillary facilities such as storage sheds, decks, and landscaping. Construction of the future residence would require an estimated 300 cubic yards (cy) of cut and

construction of the driveway extension would require approximately 1,250 cy of cut. No fill would be required and excess cut would be exported offsite. The new residence and driveway would add approximately 6,400 square feet (sf) of new impervious surfaces to Parcel 1 and 9,700 sf of new impervious surfaces to the Remainder Parcel, for a total addition of 16,100 sf of new impervious surfaces at the Project site.

The future residence on the Remainder Parcel would have a maximum height of 30 feet above natural grade, would be located within the designated building envelope, and would be served by a new onsite septic system. The exterior walls of the proposed future residence would have the following minimum setbacks: 144 feet from the western front property line; 20 feet from the northern side property line; 100 feet from the southern side property line; and over 100 feet from the eastern rear property line.

Any new development on the Project site would be set back a minimum of 20 feet from the delineated top of bank of any of the ephemeral drainages occurring on the property, per Marin CWP Policy BIO-4.1.



III. CIRCULATION AND REVIEW

This Initial Study/Mitigated Negative Declaration is being circulated for a 30-day review and comment period pursuant to CEQA Guidelines Section 15073. It is being circulated to all agencies that have jurisdiction over the subject property or the natural resources affected by the Project and to consultants, community groups, and interested parties to attest to the completeness and adequacy of the information contained in the Initial Study as it relates to the concerns which are germane to the agency's or organization's jurisdictional authority or to the interested parties' issues.

Marin County Agencies:

- Marin County Department of Public Works (DPW)
- Marin County Community Development Agency, Environmental Health Services Division

Trustee and Responsible Agencies:

- US Department of Fish and Wildlife
- California Department of Fish and Wildlife
- California Regional Water Quality Control Board

IV. EVALUATION OF ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES

Pursuant to Section 15063 of the State CEQA Guidelines, and the County EIR Guidelines, Marin County will prepare an Initial Study for all projects not categorically exempt from the requirements of CEQA. The Initial Study evaluation is a preliminary analysis of a project which provides the County with information to use as the basis for deciding whether to prepare an Environmental Impact Report (EIR) or Negative Declaration. The points enumerated below describe the primary procedural steps undertaken by the County in completing an Initial Study checklist evaluation and, in particular, the manner in which significant environmental effects of the project are made and recorded.

- A.** The determination of significant environmental effect is to be based on substantial evidence contained in the administrative record and the County's environmental data base consisting of factual information regarding environmental resources and environmental goals and policies relevant to Marin County. As a procedural device for reducing the size of the Initial Study document, relevant information sources cited and discussed in topical sections of the checklist evaluation are incorporated by reference into the checklist (e.g. general plans, zoning ordinances). Each of these information sources has been assigned a number which is shown in parenthesis following each topical question and which corresponds to a number on the data base source list provided herein as Attachment 1. See the sample question below. Other sources used or individuals contacted may also be cited in the discussion of topical issues where appropriate.
- B.** In general, a Negative Declaration shall be prepared for a project subject to CEQA when either the Initial Study demonstrates that there is no substantial evidence that the project may have one or more significant effects on the environment. A Negative Declaration shall also be prepared if the Initial Study identifies potentially significant effects, but revisions to the project made by or agreed to by the applicant prior to release of the Negative Declaration for public review would avoid or reduce such effects to a level of less than significance, and there is no substantial evidence before the Lead County Department that the project as revised will have a significant effect

on the environment. A signature block is provided in Section VII of this Initial Study to verify that the project sponsor has agreed to incorporate mitigation measures into the project in conformance with this requirement.

- C.** All answers to the topical questions must take into account the whole of the action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts. Significant unavoidable cumulative impacts shall be identified in Section V of this Initial Study (Mandatory Findings of Significance).
- D.** A brief explanation shall be given for all answers except "Not Applicable" answers that are adequately supported by the information sources the Lead County Department cites in the parenthesis following each question. A "Not Applicable" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g. the project falls outside a fault rupture zone). A "Not Applicable" answer shall be discussed where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- E.** "Less Than Significant Impact" is appropriate if an effect is found to be less than significant based on the project as proposed and without the incorporation of mitigation measures recommended in the Initial Study.
- F.** "Potentially Significant Unless Mitigated" applies where the incorporation of recommended mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The Lead County Department must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section IV, "Earlier Analyses", may be cross-referenced).
- G.** "Significant Impact" is appropriate if an effect is significant or potentially significant, or if the Lead County Department lacks information to make a finding that the effect is less than significant. If there are one or more effects which have been determined to be significant and unavoidable, an EIR shall be required for the project.
- H.** The answers in this checklist have also considered the current State California Environmental Quality Act Guidelines and Appendix G contained in those Guidelines.

V. ISSUES (and Supporting Information Sources):

1. LAND USE AND PLANNING.

Would the proposal:

a) Conflict with applicable Countywide Plan designation or zoning standards?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The subject property is governed by the land use designation contained in the Marin CWP and by zoning standards contained in Title 22 of the Marin County Development Code.

Marin Countywide Plan (CWP)

The CWP designates the subject property as SF3 – Single Family, Rural/Residential, which has an established density of 1 unit/1-5 acres. The proposed Project is consistent with the SF3 land use designation established by the CWP as it includes the division of the existing 9.6-acre lot into two lots with a total of two residential units, for a density of 1 unit/4.8 acres.

Marin County Development Code

Under the Marin County Development Code, the subject property is governed by ARP-2 – Agricultural, Residential, Planned District, 1 unit per 2 acres zoning district. The permitted uses allowed in this district include single-family residential development, accessory buildings and uses, agricultural uses, and equestrian uses. The maximum allowed height for the single-family residence in the ARP-2 zoning district is 30 feet above natural grade, and the maximum height allowed for detached accessory structures is 15 feet above grade. Setbacks for the ARP-2 zoning district are determined by site constraints and implemented through discretionary review in accordance with Chapters 22.44 (Master Plans and Precise Development Plans) or 22.42 (Design Review) of the Development Code.

The future residence on the Remainder Parcel would comply with the development standards established by the ARP-2 zoning district as it would have a maximum height of 30 feet above surrounding grade and maintain the following minimum setbacks of the exterior walls of the future residence to property lines: 144 feet from the western front property line, 20 feet from the northern side property line, 100 feet from the southern side property line, and over 100 feet from the eastern rear property line. With approval of the proposed setbacks, the Project would be consistent with the ARP-2 zoning district with respect to setbacks.

The Project would not conflict with the CWP land use designation or zoning standards for the ARP-2 zoning district. Therefore, this impact would be less than significant.

b) Conflict with applicable environmental plans or policies adopted by Marin County?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
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[]	[]	[X]	[]
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The environmental protection policies contained in the CWP that pertain to the proposed Project include the following: protection of the SCAs; species and habitat preservation; prevention of air, water, and noise pollution; protection of visual resources and amenities; protection of trees; minimization of grading activities; and appropriate streamside development and erosion control. The relevant policies are listed below, followed by the policy analyses.

2007 Countywide Plan Policies

Policies AIR-1.2 and AIR-1.3 - Meet Air Quality Standards and Require Mitigation of Air Quality Impacts.

AIR-1.2: *Seek to attain or exceed the more stringent of federal or State Ambient Air Quality Standards for each measured pollutant.*

AIR-1.3: *Require projects that generate potentially significant levels of air pollutants, such as quarry, landfill operations, or large construction projects, to incorporate best available air quality mitigation in the project design.*

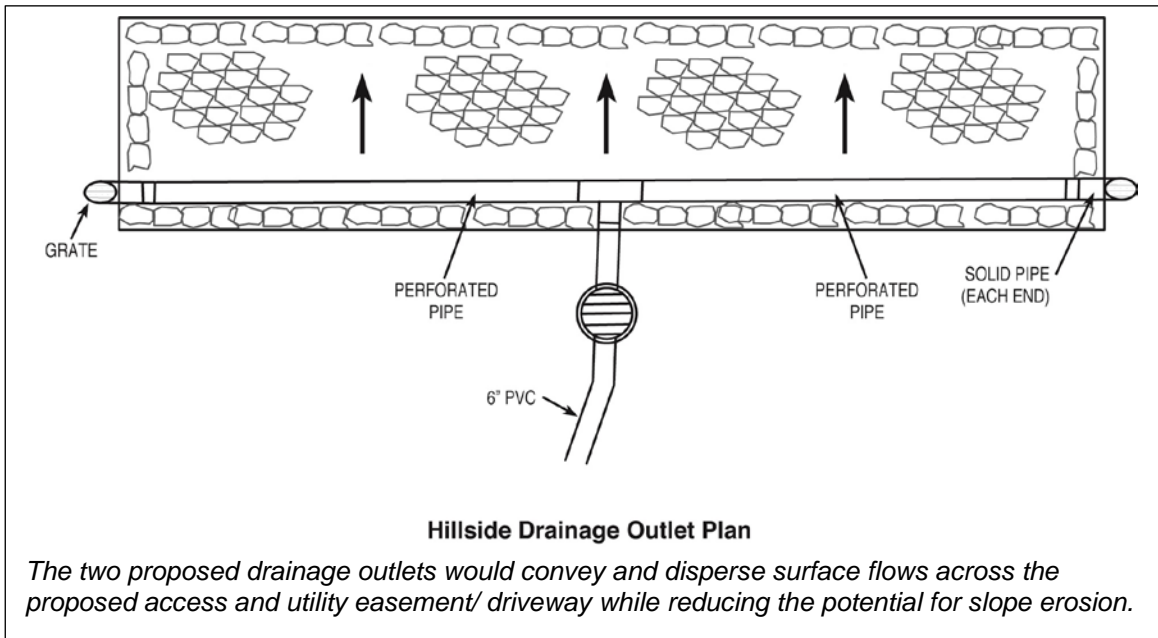
Consistent. As discussed below in Section V.5, *Air Quality*, the Project would result in potentially significant impacts to air quality related to dust and vehicle-related emissions during construction. However, implementation of the standard County permit requirements and Mitigation Measure 5.A described in Section V.5, *Air Quality*, would ensure conformance with the identified policy by reducing air quality impacts to a less than significant level by implementing Bay Area Air Quality Management District (BAAQMD) basic control measures to reduce construction emissions.

Policies WR-1.3 and WR 2.3 - Improve Infiltration and Avoid Erosion and Sedimentation.

WR-1.3: *Enhance water infiltration throughout watersheds to decrease accelerated runoff rates and enhance groundwater recharge. Whenever possible, maintain or increase a site's predevelopment infiltration to reduce downstream erosion and flooding.*

WR-2.3: *Minimize solid erosion and discharge of sediments into surface runoff, drainage systems, and water bodies. Continue to require grading plans that address avoidance of soil erosion and on-site sediment retention. Require developments to include on-site facilities for the retention of sediments, and, if necessary, require continued monitoring and maintenance of these facilities upon project completion.*

Consistent. Construction of the future residence, driveway, and associated infrastructure would result in grading of the Project site that could result in erosion of onsite soils. Through the planning and building permit processes, the Project would be required to comply with Marin County standards and best management practices required by the Department of Public Works, which include installation of erosion control blankets, covering exposed soil with straw mulch, preserving existing vegetation, and using fiber rolls. Additionally, erosion would be avoided with the collection and dispersal of runoff through appropriate drainage systems and erosion control measures that would be reviewed and approved by the Marin County Department of Public Works and required to comply with Marin County standards. Refer to Section V.3, *Geophysical*, below for additional discussion of these issues. The Project would not result in substantial soil erosion or discharge of sediments or pollutants into surface runoff, due to excavation and drainage improvements as a result of meeting all required standards. Therefore, consistency with this policy would be achieved.



Policy NO-1. Protection from Excessive Noise. *Ensure that new land uses, transportation activities, and construction do not create noise levels that impair human health or quality of life.*

Consistent. The Project would create two types of noise impacts: noise associated with construction activities and noise associated with residential uses. Section V.10, *Noise*, concludes that the noise associated with construction activities and the proposed residential uses would be less than significant, ensuring compliance with the identified policy.

Policy BIO-1.3 – Protect Woodlands, Forests, and Tree Removal. *The County shall strive to protect large trees, trees with historical importance, and oak woodland habitat, and prevent the untimely removal of trees through implementation of tree preservation ordinance.*

Consistent. The proposed building envelope would be located in an open grassland area in order to minimize the removal of protected and heritage trees (Figure 2). The arborist report identified one protected and heritage tree for removal. With the development of the building envelope, septic system, and driveway, five more trees within the area of

disturbance, some of which are protected and heritage trees, would be removed or impacted. Mitigation measures in Section V.8, *Biological Resources*, would reduce impacts to trees on the property to a less than significant level.

Policy BIO-4.1 – Restrict Land Use in Stream Conservation Areas. A SCA is established to protect the active channel, water quality and flood control functions, and associated fish and wildlife habitat values along streams. Development shall be set back to protect the stream and provide an upland buffer, which is important to protect significant resources that may be present and provides a transitional protection zone. Best management practices shall be adhered to in all designated SCAs. Best management practices are also strongly encouraged in ephemeral streams not defined as SCAs.

Consistent. Pursuant to Policy BIO-4.1, the unnamed ephemeral drainages on the Project site would require a 20-foot setback from the delineated top of bank. All proposed development on the property would adhere to this setback, and therefore the Project is consistent with this policy.

Policy WR-1.4 – Protect Upland Vegetation. Limit development and grazing on steep slopes and ridgelines in order to protect downslope areas from erosion and to ensure that runoff is dispersed adequately to allow for effective infiltration.

Consistent. The Project site is not located on a ridgeline, but is steeply sloped from the northwest toward the southeast, with an average grade of approximately 33 percent. However, this slope leads to an ephemeral drainage on the property, ensuring that runoff from proposed development would be dispersed and would protect downslope areas from erosion. Drainage features would also be incorporated along the driveway extension to provide services to the future residence and are designed so as not to increase erosion or adversely affect onsite drainage. Therefore the Project is consistent with this policy.

Policies EH-2.1 and EH-2.3 – Safety from Seismic and Geologic Hazards. Protect people and property from risks associated with seismic activity and geologic hazards.

Consistent. The Project site is not located within the Alquist-Priolo Zone and is located 6 miles from the Rodgers Creek Fault, the nearest active fault. The Building Permit process would ensure the Project would be designed and constructed to comply with California Building code standards, which would avoid or minimize potential impacts related to soil stability, seismicity, and landslides. Therefore the Project is consistent with these policies.

Policies EH-3.1 and EH-3.2 – Safety from Flooding and Inundation. Utilize regulations instead of flood control projects whenever possible to minimize losses in areas where flooding is inevitable. Ensure that flow capacity is maintained in stream channels and floodplains, and achieve flood control using biotechnical techniques instead of storm drains, culverts, riprap, and other forms of structural stabilization.

Consistent. As discussed in Section V.4, *Water*, compliance with Marin County Development Code requirements would reduce potentially significant impacts caused by flooding to less than significant levels. The Project would meet flood control requirements, as verified by the Department of Public Works during the Building Permit process, ensuring consistency with these policies.

Policies EH-4.1 and EH-4.2 – Safety from Fires. *Ensure that adequate fire protection is provided in new development. Abate the buildup of vegetation around structures.*

Consistent. The Project would meet all fire safety requirements, as verified by the Novato Fire Protection District during the Building Permit process, including, but not limited to the approval of a vegetation management plan. A vegetation management plan (VMP) was prepared for the Project by Urban Forestry Associates on February 4, 2016, which includes selecting fire resistant plants for the property, reducing fuel flammability of plants, and reducing the possibility of fire traveling through the tree crowns. The VMP was reviewed and approved by the Novato Fire Protection District. Therefore, the Project is consistent with these policies.

Policy DES-4.1 and DES-4.e – Protection of Scenic Resources. *Protect scenic quality and views of the natural environment – including ridgelines and upland greenbelts, hillsides, water, and trees – from adverse impacts related to development.*

Consistent. The visual resources of the subject property and community would not be adversely impacted by the Project, as the future home allowed under the Project would be required to be compatible in design and size to other homes in the community through the design review process. The site is heavily forested and the existing trees and vegetation would partially screen the new residence from view by neighbors. The building envelope is located downhill from the nearest neighbor and shrouded by large oak trees, further reducing visibility of the proposed development area from offsite. Impacts to native trees would be reduced through compliance with required tree replacement stipulated by Chapter 22.26.040 of the Marin County Code and the Single Family Residential Design Guidelines and through implementation of Mitigation Measure 8.B.1 (see Section V.8, *Biological Resources*). Overall, the proposed improvements have been sited with adequate setbacks to surrounding property lines and would not significantly impact the views, light, or privacy of adjoining properties, thus ensuring compliance with the identified policies. Therefore, consistency with these policies would be achieved. Please refer to Section V.14, *Aesthetics/Visual Resources*, below for further discussion.

Policies HS-2.2, HS-2.3, and DES-3.b – Well-designed Housing. *Promote design that fits into the context of the neighborhood.*

Consistent. The Project does not currently propose the construction of a residence at this time and therefore no plans for the future residence are available. However, as verified during the Design Review process, the future residence would fit within the context of the neighborhood, minimize the perception of mass and bulk through the modest size of the building envelope compared to the size of the lot, and comply with the Single-family Residential Design Guidelines and the Planned District Development Standards thus the Project would be consistent with these policies.

Green Point Community Plan

The Green Point Community Plan includes policies that pertain specifically to the Green Point community, including those that address natural resources, public facilities and services, rural character, and transportation. The Project is consistent with the land use policies and programs in the Green Point Community Plan since the site is not located on marsh or wetlands, the Project would preserve existing water sources and use existing public facilities and services, and would not interfere with the rural character of surrounding streets and equestrian trails.

c) Affect agricultural resources, operations, or contracts (e.g. impacts to soils or farmlands, impacts from incompatible land uses, or conflicts with Williamson Act contracts)?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project site is designated for rural residential development by the Marin CWP and is located within an agricultural/residential planned zoning district. The Project site is not under agricultural or forest land production and the Project site is not under a Williamson Act contract. Therefore, the Project would not affect agricultural resources, operations, or contracts, and this impact would be less than significant.

d) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project site is located on H Lane, which is characterized by rural, low density residential development. The Project would result in the subdivision of an existing, developed residential lot. The subdivision would support future development of a single-family residence and would not result in the direct or indirect physical division of the established community of Green Point. Therefore, this impact would be less than significant.

e) Result in substantial alteration of the character or functioning of the community, or present or planned use of an area?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project site is currently developed with a single-family residence and the Project would support development of a future residence on the Remainder Parcel, continuing the residential use of the property and neighborhood. The visual character of the future development would be in keeping with the existing neighborhood and community because it would only consist of a single-family residence, garage, and various accessory structures, similar to the existing character of the area. Therefore, the Project would not result in a substantial alteration of the character or functioning of the community, or present or planned use of an area and this impact would be less than significant.

f) Substantially increase the demand for neighborhood or regional parks or other recreational facilities, or affect existing recreational opportunities?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Implementation of the proposed Project would result in the subdivision of an existing residential lot into two lots and the establishment of a 0.289 acre building envelope on the Remainder Parcel, which would support construction of a future single-family residence. As the Project would only support the future development of one additional residence, it would not substantially increase demand on neighborhood or regional parks or other such recreational facilities or opportunities. Therefore, this impact would be less than significant.

2. POPULATION AND HOUSING.

Would the proposal:

a) Increase density that would exceed official population projections for the planning area within which the project site is located as set forth in the Countywide Plan and/or community plan?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project consists of a two-lot land division that would support future development of a single-family residential unit on the Remainder Parcel, which would not significantly increase population within the planning area. Construction of a future single-family residence on the Remainder Parcel would conform to the Marin CWP SF3 land use designation, which allows for 1 unit/ 1 to 5 acres. Further, the Project site is located within the ARP-2 zoning district, which allows a density of 1 unit per 2 acres. The Project would not exceed County population projections or density requirements and therefore this impact would be less than significant.

b) Induce substantial growth in an area either directly or indirectly (e.g. through projects in an undeveloped area or extension of major infrastructure)?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project site is located in a rural residential neighborhood and is currently developed with an existing residence, garage, driveway, and accessory structures. Implementation of the Project would not introduce development to an undeveloped area. The Project proposes to create one new lot, which would support the future development of one new single-family residence. The Project site is currently served by existing infrastructure, including roads and utilities located along H Lane. Construction of a future residence in the proposed building envelope would require the extension of utility service lines and the extension of the existing driveway to support development of the future single-family

residence. However, installation and extension of infrastructure would be located along the proposed access and utility easement onsite and would not require improvements to any offsite infrastructure. The proposed infrastructure and utilities would only serve the future residence on the Remainder Parcel and would not support any additional residential or other development. Therefore, this impact would be less than significant.

c) Displace existing housing, especially affordable housing?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[]	[X]

The Project would involve a two lot land division and the establishment of a building envelope on the remainder 7.60-acre lot (Remainder Parcel). The Project would not displace any existing housing, including affordable housing. Therefore, this criteria is not applicable to the Project.

3. GEOPHYSICAL.

Would the proposal result in or expose people to potential impacts involving:

a) Location in an area of geologic hazards, including but not necessarily limited to: 1) active or potentially active fault zones; 2) landslides or mudslides; 3) slope instability or ground failure; 4) subsidence; 5) expansive soils; 6) liquefaction; 7) tsunami; or 8) similar hazards?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project is located within the seismically active San Francisco Bay region, outside of the Alquist-Priolo Earthquake Fault Zone. The closest active fault is the Rodgers Creek Fault, located six miles to the northeast of the Project site. No active faults are known to traverse the Project site, and the possibility of surface fault rupture is very low. The entire Project site is located in an area underlain by bedrock mapped as the Cretaceous Novato Conglomerate. No landslides were mapped on the site or in the vicinity of the site, and no soils were found onsite that are susceptible to liquefaction. Results of the Preliminary Geotechnical Evaluation and Stability Report conclude that the Project site is stable, and development of the site is not anticipated to result in substantially adverse effects on slope stability or site drainage (SalemHowes Associates, Inc. 2015). Furthermore, the Project site is not located in an area that is subject to tsunamis (California Emergency Management Agency 2009). As the potential for occurrence of geologic and other hazards is low, and implementation of the Project would not expose the site to additional hazardous concerns, this impact is less than significant.

b) Substantial erosion of soils due to wind or water forces and attendant siltation from excavation, grading, or fill?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
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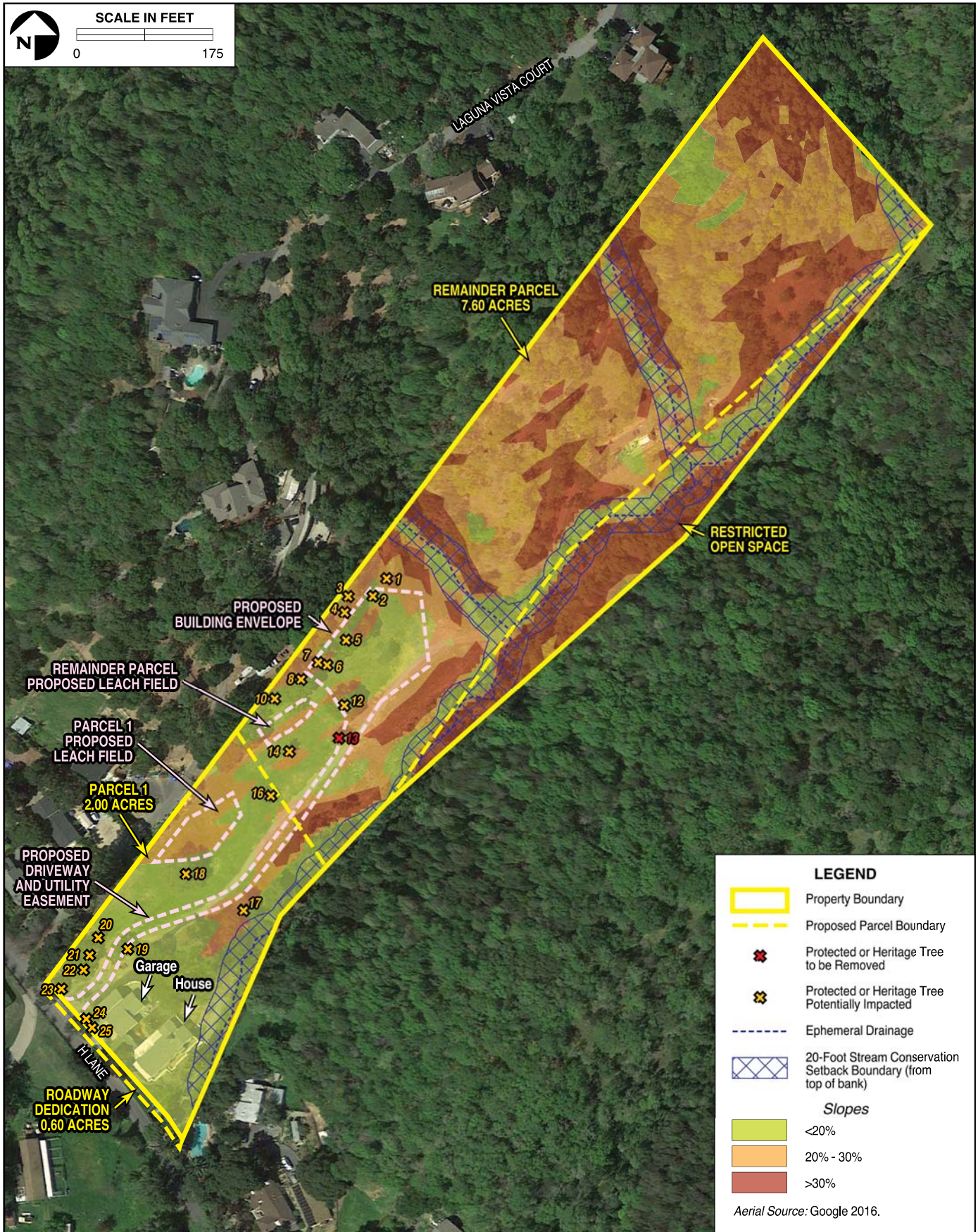
[]	[]	[X]	[]
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The Project site is located on a steep hillside with slopes greater than 30 percent with five ephemeral creeks traversing the property (Figure 4). Construction of the future residence would entail grading and excavation for construction of the residence and driveway extension. This construction could require an estimated 300 cy of cut and construction of the driveway extension would require approximately 1,250 cy of cut. No imported fill would be required and excess cut material would be exported offsite. Erosion would be minimized through use of standard required erosion control measures and conveyance of long-term run off to drainage diffuser units and energy dissipaters. In addition, the majority of the site would remain vegetated with mature trees, and the potential for soil erosion due to wind is low. Erosion could occur as a result of storm events occurring during construction. However, the Project would be required to conform to the measures set forth in the *Marin County Stormwater Pollution Prevention Program Minimum Erosion/ Sediment Control Measures for Small Construction Projects* to prevent soil erosion. Through the building permitting process, the Project would be required to implement standard measures for minimizing erosion per the Marin County Code Title 24 and comply with County regulations established in Chapter 23.08, *Excavation, Grading and Filling* of the County Municipal Code. As a result, the Project would not result in a significant impact related to this issue.

c) Substantial changes in topography from excavation, grading or fill, including but not necessarily limited to: 1) ground surface relief features; 2) geologic substructures or unstable soil conditions; and 3) unique geologic or physical features?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
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[]	[]	[X]	[]
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As previously described, the Project site has been deemed stable and the development of a proposed residential structure is not anticipated to have a negative impact on slope stability (SalemHowes Associates, Inc. 2015). There are no unique geologic features or outcroppings present on the site. While the proposed development would cut into the natural topography of the hillside to accommodate a residence, implementation of the proposed Project is not anticipated to result in substantial alterations to the existing topography or soil stability. Pursuant to Marin County requirements, the proposed Project would be subject to review and approval by the Department of Public Works in accordance with Marin County codes and regulations. As the Project is not anticipated to substantially affect onsite geologic features and would be subject to review and approval by County staff prior to issuance of any grading or development permits, this impact would be less than significant.



Project Constraints

FIGURE 4

4. WATER.

Would the proposal result in:

a) Substantial changes in absorption rates, drainage patterns, or the rate and amount of surface runoff?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Construction of the new residence and driveway would add approximately 6,400 sf of new impervious surfaces to Parcel 1 and 9,700 sf of new impervious surfaces to the Remainder Parcel, for a total addition of 16,100 sf of new impervious surfaces to the Project site. As a result, the Project would generate additional stormwater runoff compared to existing conditions. However, the proposed Project would not increase or otherwise impact the volume of runoff generated from the Project site as the development of a future residence within the proposed building envelope would not alter surface runoff or site drainage patterns in a measurable manner (SalemHowes Associates, Inc. 2015). Therefore, this impact would be less than significant.

b) Exposure of people or property to water related hazards, including, but not necessarily limited to: 1) flooding; 2) debris deposition; or 3) similar hazards?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Federal Emergency Management Agency 2016 National Flood Insurance Rate Map for the region shows the Project site to be located outside of areas prone to flooding (Federal Emergency Management Agency 2016). While five ephemeral drainages traverse the Project site, the proposed building envelope is located high on a hill and is not located in an area potentially impacted by floodwater or creek flows. Therefore, this impact would be less than significant.

c) Discharge of pollutants into surface or ground waters or other alteration of surface or ground water quality (e.g. temperature, dissolved oxygen or turbidity)?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Implementation of the proposed Project may result in the discharge of pollutants through the future construction of a single-family residence and associated infrastructure, including the new septic system. The potential discharge of pollutants would primarily be limited to minor accidental spill of oils, lubricants, or chemicals used during construction activities. Occupancy of a single-family residence could result in discharges from the routine use of oils, lubricants, and other chemicals, as well as from the septic system. The potential discharge of pollutants during occupancy of the residence may affect groundwater if subdrains are installed above the septic systems at building foundations and behind retaining walls (SalemHowes Associates, Inc. 2015). While final plans for development of a future residence are not yet available, they would be subject

to Marin County Code sections regarding drainage. Specifically, Section 24.05.040, *Drainage and drainage access easements*; Section 24.04.720, *Subsurface drainage*; Section 24.04.710, *Drainage and terracing*, and Section 24.04.560 *Drainage setbacks* would regulate the development of drainage features to ensure slope stability, prevent erosion, and prevent impacts to nearby creeks, streams, or other natural drainage features. In addition, septic system plans would be subject to review and approval by Marin County Environmental Health Services and Department of Public Works staff to ensure compliance with all applicable codes and regulations designed to address pollutant discharge to the environment. As the Project is not anticipated to result in significant adverse effects to water quality through the discharge of pollutants, this impact is less than significant.

d) Substantial change in the amount of surface water in any water body or ground water either through direct additions or withdrawals, or through intersection of an aquifer by cuts or excavations?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The proposed Project would not affect the amount of surface water in the ocean, bay, lakes, streams, or other water bodies. Furthermore, implementation of the Project would not involve direct additions or withdrawals of surface water. The Project does not propose the utilization of ground water supplies and ground water is not expected to be encountered when hillside cutting and grading occurs during Project construction. Therefore, any impact to surface water and ground water supplies would be less than significant.

e) Substantial changes in the flow of surface or ground waters, including, but not necessarily limited to: 1) currents; 2) rate of flow; or 3) the course or direction of water movements?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The development of the proposed building envelope and access/utility easement may result in an increase in runoff which may incrementally increase flow in adjacent ephemeral streams during storm conditions. However, site improvements would negligibly affect permeability of the site and are designed to adequately convey upslope flows towards permeable areas of the site and existing drainage features. No improvements are proposed that would alter the flow, course, or direction of the ephemeral drainages. Therefore, this impact is less than significant.

f) Substantial reduction in the amount of water otherwise available for public water supplies?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The proposed Project would divide an existing residential lot into two lots and include the development of features which would support construction of a future single-family residence in a rural part of Marin County. Water service to the site is currently provided by the North Marin Water District, which receives water supplies from three sources to meet service area demands. The three sources of North Marin Water District water supplies, including purchases from the Sonoma County Water Agency Russian River Project, surface water supplies from Stafford Lake, and recycled water. Implementation of the land division and development of proposed features and facilities would minimally increase demand for water service and would not constrain existing water supplies. Based on 2015 single-family water usage in Marin County, construction and occupancy of a future residence within the proposed building envelope is expected to result in additional incremental demand of approximately 0.38 AFY (acre foot per year) (North Marin Water District 2016). The North Marin Water District has indicated that they can accommodate service for the future residence and that the Project would not reduce the amount of water available for public water supplies in a significant way. Therefore, this impact is less than significant.

5. AIR QUALITY.

Would the proposal:

a) Generate substantial air emissions that could violate official air quality standards or contribute substantially to an existing or projected air quality violation?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[X]	[]	[]

The Project is located in unincorporated Marin County within the San Francisco Bay Area (Bay Area) Air Basin. Air quality in the Bay Area Air Basin is governed by the BAAQMD. The Bay Area Air Basin is currently classified as non-attainment for the 1-hour State ozone standard as well as for the federal and State 8-hour standards. Additionally, the Bay Area Air Basin is classified as non-attainment for the State 24-hour and annual arithmetic mean PM10 standards as well as the State annual arithmetic mean and the national 24-hour PM2.5 standards. The Bay Area Air Basin is unclassified or classified as attainment for all other pollutant standards.

Project construction would generate criteria pollutant emissions resulting from heavy construction equipment operating at the Project site, for grading of the driveway and building pad, trenching for utilities, excavation for the proposed septic tank and leach fields, and truck trips associated with deliveries and construction workers commuting to and from the Project site. Eventual home construction would involve contractor truck trips and use of power equipment. Emissions associated with operation of the Project would include those from routine residential activities such as car trips, routine painting, and other maintenance activities.

To determine the significance of the Project impact that would be related to the potential for it to cause or contribute to an air quality standard violation, Marin County utilizes the screening criteria provided in the 2010 CEQA Air Quality Guidelines. The screening criteria for single-family residences is 114 dwelling units for emissions generated during construction of the Project, and 325 dwelling units for emissions generated during operation of the Project, provided all basic construction mitigation measures are including during construction. Therefore, construction and operation of the Project would not result in a violation of an air quality standard or contribute significantly to an existing or projected air quality violation with implementation of Mitigation Measure 5.A.1 as it entails the subdivision of an existing lot into two lots to accommodate the future development of one single-family residence. The associated impact would be less than significant with mitigation.

Mitigation Measure 5.A.1

The Project applicant and/or its construction contractors shall implement the following applicable BAAQMD basic control measures:

1. All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times a day.
2. All haul trucks transporting soil, sand, or other loose material offsite shall be covered.
3. All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
4. All vehicle speeds on unpaved roads shall be limited to a maximum of 15 miles per hour.
5. Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to five minutes (as required by the California Airborne Toxics Control Measure Title 13, Section 2485 of California Regulations). Clear signage shall be provided for construction workers at all access points.
6. All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation.

Monitoring Measure 5.A.1

During construction, County staff conducting routine inspections shall verify that the applicant and contractors are implementing the applicable BAAQMD basic control measures.

b) Expose sensitive receptors to pollutants, such as noxious fumes or fugitive dust?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The BAAQMD recommends that lead agencies assess the incremental toxic air contaminant (TAC) exposure risk to all sensitive receptors within a 1,000-foot radius of a Project's fence line. Long-term operations that would be associated with the Project would result in no new TAC emissions. However, Project construction activities would generate diesel particulate matter (DPM), which is considered to be a TAC. The majority of DPM exhaust emissions that would be generated at the Project site would be due to the use of diesel off-road equipment such as tractors, graders, and trucks.

The closest sensitive receptors to the Project site would be neighboring residences off of H Lane and Laguna Vista Court. The closest residence would be at a distance of approximately 200 feet west from the Project construction activities. The nearest school is Olive Elementary School, located in Novato approximately 1.35 miles southwest of the Project site.

The dose to which sensitive receptors are exposed is the primary factor affecting health risk from exposure to TACs. Dose is a function of the concentration of a substance or substances in the environment and the duration of exposure to the substance. According to the Office of Environmental Health Hazard Assessment (OEHHA), health risk assessments, which determine the exposure of sensitive receptors to TAC emissions, should be based on a 70-year exposure period when assessing TACs (such as DPM) that have only cancer or chronic non-cancer health effects. However, such health risk assessments should be limited to the duration of the emission-producing activities associated with the Project.

For the Project, DPM emissions that would be generated near the sensitive receptors would be limited to a period of up to a few months. Because these emissions would be minor and occur for over a few months in the vicinity of the residences, compared to the 70-year exposure used in health risk assessments, Project-related DPM emissions would not be considered substantial and would not result in a significant incremental cancer risk. The Project would not result in a significant impact related to this issue.

c) Alter air movement, moisture, or temperature, or cause any change in climate?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Moderate winds and mild temperatures throughout the year characterize the climate of the area. Implementation of the Project would not result in considerable alterations to climatic conditions because the proposed Project would result in the land division of an existing residential lot and the development of features which would support future development of a single-family residence. The Project would not include industrial development or involve the installation of large-scale Wind Energy Conversion (WEC) systems and would not alter air movement, moisture, or temperature. The Project would not result in a significant impact related to this issue.

d) Create objectionable odors?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Operation of the Project would not create odorous emissions; however, Project construction would include sources, such as diesel equipment including tractors, graders, and trucks, which could result in the creation of objectionable odors. Since the construction activities would be temporary and spatially dispersed, and generally take place in a rural area, these activities would not affect a substantial number of people. Therefore, the Project would not result in a significant impact related to this issue.

6. GREENHOUSE GAS EMISSIONS.

Would the proposal:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project would generate greenhouse gas (GHG) emissions during construction and operation. Construction emissions would be generated onsite due to the use of heavy-duty off-road equipment associated with construction of the proposed residential support facilities and access/utility easement features (i.e., excavators, graders, front loaders, dump trucks, cranes, paving equipment, etc.). Operational emissions would result from the future day-to-day use of the Project site as a residence (car trips and electricity and natural gas consumption).

As discussed under Section V.5.a above, Marin County has opted to utilize the screening criteria provided in the 2010 CEQA Air Quality Guidelines. The screening criterion for GHG emissions is 56 dwelling units. As the Project would entail the construction of residential support facilities and operation of a future single-family residence, this Project is not considered cumulatively considerable. Therefore, the Project would not result in a significant impact related to this issue.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The proposed Project would not conflict with certain GHG reduction goals set forth in AB 32, including the 39 Recommended Actions identified by the California Air Resources Board (CARB) in its Climate Change Scoping Plan. The Project would also not conflict with goals and policies contained in the Marin CWP and Climate Action Plan. The Project would be required to obtain building permits for construction, which would ensure

compliance with all Title 24 and Marin County Green Building Ordinance requirements. Therefore, the Project would not result in a significant impact related to this issue.

7. TRANSPORTATION / CIRCULATION.

Would the proposal result in:

a) Substantial increase in vehicle trips or traffic congestion such that existing levels of service on affected roadways will deteriorate below acceptable County standards?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Project construction would generate short-term increases of limited heavy truck traffic to deliver construction equipment and supplies, as well as contractor vehicle traffic during construction of the future single-family residence and supporting facilities. Grading of the Project site for development of the building envelope, future residence, proposed leach fields, and driveway extension would result in approximately 1,550 cy of cut material. Excess cut material could either be balanced onsite or exported offsite for disposal. Exporting the cut material could require approximately 86 round-trip haul trips. While construction activities would increase local vehicle trips, Project construction would be temporary and would present an incremental increase in vehicle trips to local and regional roadways, which presently operate at acceptable levels of service. Over the long term, a new single-family home can be expected to generate 10 average daily trips with one each in the morning and afternoon peak hours. The level of service standards for roadways that are part of the Marin Congestion Management Program network are intended to regulate long-term traffic increases from operation of new development. The existing road network generally consists of residential streets, connector roads, and arterials servicing nearby rural suburban neighborhoods. Subdivision of an existing residential lot and occupancy of a future residence on the Remainder Parcel would incrementally contribute additional vehicle trips to local roads which currently operate within acceptable County service standards. As the proposed Project is not anticipated to constrain existing roadway operations or exceed level of service standards established by the Transportation Authority of Marin, the Project would not result in a significant impact related to this issue.

b) Traffic hazards related to: 1) safety from design features (e.g. sharp curves or dangerous intersections); 2) barriers to pedestrians or bicyclists; or 3) incompatible uses (e.g. farm equipment)?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The proposed Project would not result in significant impacts to traffic related hazards as the Project would not involve the construction or installation of additional traffic/road features. At the Project site, H Lane is approximately 20 feet in road width and provides adequate space for travel in both directions, with clear line-of-sight along H Lane at the

existing residential driveway. During construction, diesel equipment and construction vehicles would be staged onsite and would not affect the movement of vehicles along this roadway. Travel to and from the site by large construction vehicles may affect roadway operations and vehicle movement. However, trips associated with large construction vehicles would be of a low volume and limited to a temporary period of time. The proposed Project would not alter the physical configuration of the existing roadway network serving the area. As previously described, implementation of the proposed Project and occupancy of a future residence would incrementally contribute additional vehicle trips to the existing regional traffic network. Furthermore, the proposed Project would remain compatible with the existing residential use already served by the present road system. Therefore, the Project would not result in a significant impact related to traffic hazards.

c) Inadequate emergency access or access to nearby uses?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project site is located approximately two miles northeast of the Novato Police Station, and 0.5 mile northwest of the Novato Fire District Station 62. The proposed Project does not include any features which would result in inadequate emergency access to the site or access to nearby uses. Implementation of the proposed Project would not affect the physical configuration of H Lane, and emergency access along this roadway would remain adequate. The existing lot is located within appropriate response times for emergency response services, and implementation of the Project would not significantly increase emergency service demands. Further, Project plans have been reviewed and approved by the Novato Fire Protection District. Therefore, the Project would not result in a significant impact related to this issue.

d) Insufficient parking capacity on-site or off-site?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The proposed Project would involve the division of an existing lot to support future development and occupancy of a single-family residence on the Remainder Parcel. Project plans have been reviewed by the Marin County Department of Public Works and plans have been determined to meet code requirements for onsite parking. As such, the proposed Project would not result in insufficient capacity of on- or offsite parking facilities serving any nearby uses. Therefore, the Project would have no impact related to this issue.

e) Substantial impacts upon existing transportation systems, including rail, waterborne or air traffic systems?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The proposed Project is not located near existing rail, air traffic, or waterborne transportation systems. The proposed land division and occupancy of a future single-family residence would result in a negligible increase in local and regional population and is not anticipated to affect operation or demand for these services. Therefore, the Project would have no impact to existing rail, waterborne, or air traffic systems.

8. BIOLOGICAL RESOURCES.

Would the proposal result in:

a) Reduction in the number of endangered, threatened or rare species, or substantial alteration of their habitats including, but not necessarily limited to: 1) plants; 2) fish; 3) insects; 4) animals; and 5) birds listed as special-status species by State or Federal Resource Agencies?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[X]	[]	[]

WRA Environmental Consultants conducted an assessment of biological resources present or potentially present on the property, as well as an evaluation of potential impacts to special-status species and sensitive biological resources that may or may not occur as a result of the Project. The biological report included a review of aerial photography, the Novato USGS 7.5' quadrangle map to identify SCAs, mapped soil types, the California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (CNDDB), the California Native Plant Society's (CNPS) Electronic Inventory, Consortium of California Herbaria (CCH), and the list of federal threatened and endangered species in the vicinity of the Project. The biologists also conducted fieldwork on November 12, 2015 to identify plants and animals on the Project site, and assess the site for potential habitats. Biological information regarding specific natural elements and special-status species is summarized below.

Ephemeral Drainage

One potentially sensitive biological community, ephemeral drainage, was identified on the Project site. The drainages were dry at the time of the site visit, and are situated under the oak woodland canopy, which is present on both sides of the drainages and continues up the surrounding hillsides. The ephemeral drainages on the Project site do not support riparian vegetation (WRA Environmental Consultants 2015). All future development would be located a minimum of 20 feet from the delineated top of bank, which would ensure that the Project would not impact the ephemeral drainages.

Plants

The biological assessment did not identify the potential for rare plants to occur on the Project site. Although 23 special-status plant species have been documented to occur within 5 miles of the Project site, WRA determined that these 23 plant species were either not present or unlikely to occur on the Project site due to the absence of necessary hydrologic conditions, soil conditions, and associated vegetation communities. The western part of the property consists mainly of non-native annual grassland, which is dominated by invasive plant species such as slender oat (*Avena barbata*), false brome (*Brachypodium distachyon*), ripgut brome (*Bromus diandrus*), foxtail barley (*Hordeum murinum*), and big quakinggrass (*Briza maxima*). The southwestern part of the property consists of developed/landscaped areas supporting herbaceous species such as crimson fountaingrass (*Pennisetum setaceum*), various lawn grasses, and ornamental trees such as blue gum (*Eucalyptus globulus*), white mulberry (*Morus albus*), sweetgum (*Liquidambar styraciflua*), and the occasional coast live oak. The majority of the Project site is comprised of areas of oak woodland. The northern part of the property is dominated by blue oak, which has a more open canopy dominated by non-native annual grasses. The southern part is composed of a mix of blue oak, coast live oak, Pacific madrone, and California bay, which have a more dense canopy with an open and sparsely vegetated understory consisting of poison oak (*Toxicodendron diversilobum*), pink honeysuckle (*Lonicera hispidula*), California Fescue (*Festuca californica*), and foldback fern (*Pentagramma triangularis* ssp. *triangularis*) (WRA Environmental Consultants 2015). Therefore, the Project would have a less than significant impact on rare, threatened, or endangered plant species.

Birds

Three special-status bird species have a potential to occur on the Project site. Nuttall's woodpecker (*Picoides nuttallii*) and oak titmouse (*Baeolophus inornatus*) are common species in oak woodland habitat of the region, and therefore have a high potential to occur on the Project site. Although the Nuttall's woodpecker and oak titmouse were not observed on the property during the site visit, large oak trees suitable for nesting and foraging of both these species occur within the Project site. Although it was also not observed on the property during the site visit, the white-tailed kite (*Elanus leucurus*) has a moderate potential to occur on the Project site because of the presence of suitable foraging and nesting habitat within and adjacent to the Project site (WRA Environmental Consultants 2015).

Nesting birds and their nests and eggs are protected under the federal Migratory Bird Treaty Act (MBTA). Any activities resulting in reproductive failure would be a violation of federal law. The Project site could support a variety of avian species during the bird breeding season, and the biological report noted a moderate potential for one or more bird species to establish nests prior to Project implementation. Removal of trees and other vegetation during site preparation and construction could destroy active nests, harm individual birds and eggs, or cause nest abandonment if these activities occurred during the nesting season. Pursuant to Mitigation Measure 8.A.1, construction work and any necessary tree removal would be initiated outside of the nesting season for special-status bird species (August 16 to January 31) and outside the maternity roosting season for pallid bat (October 1 to March 31). As a result, the initiation of construction activities and tree removal would be limited to the period of October 1 to January 31. Additionally, this limited window would also avoid impacts to nesting bird species protected under the MBTA. Therefore, impacts to special-status bird and nesting bird species would be less than significant after mitigation.

Mammals

One special-status mammal species, the pallid bat (*Antrozous pallidus*), has a moderate potential to occur in or near the Project site. Although the pallid bat was not observed during the site visit, there was an occurrence in 2001 near the Project site, and a limited number of larger trees on the Project site contain crevices potentially suitable for bat roosting. Mitigation Measure 8.A.1 below would reduce adverse impacts to the pallid bat by requiring tree removal to occur during the non-maternity season from October 1 to March 31, and would reduce this impact to a less than significant level.

Out of the 24 special-status wildlife species and 23 special-status plant species documented in the vicinity of the Project site, 20 special-status wildlife species and all 23 special-status plant species were determined to not be present or unlikely to occur on the Project site due to unsuitable habitat conditions. Mitigation Measure 8.A.1 would require Project activity, including tree removal, to be initiated outside of the nesting season for special-status bird species (August 16 to January 31) and outside of the maternity roosting season for pallid bat (October 1 to March 31). As a result, initiation of construction and removal of trees would be limited to the period of October 1 to January 31. Construction activities that are initiated outside of the nesting season and then continue into nesting season would not create a potentially significant impact to a bird or bat even if they were to nest as the animal would be considered habituated to the indirect impacts of construction.

This window would also avoid impacts to nesting bird species protected under the MBTA. Therefore, impacts to special-status species and nesting bird species would be less than significant after mitigation.

MITIGATION MEASURES

Mitigation Measure 8.A.1

Avoid impacts to nesting birds and bats. Construction activities and tree removal shall be initiated outside of the nesting season for special-status bird species (August 16 to January 31) and outside of the maternity roosting season for pallid bat (October 1 to March 31). If construction or tree removal are to be initiated during breeding season, a professional biologist shall survey the property for the presence of nesting birds and bats and submit a report to the County prior to issuance of a building permit. If nesting birds are identified, construction activities shall be delayed until the young have fledged.

Monitoring Measure 8.A.1

Before issuance of a building permit, Community Development Agency staff shall verify that the applicant is avoiding nesting season or has submitted a report from a biologist verifying that nesting birds would not be adversely affected by the construction.

- b) **Substantial change in the diversity, number, or habitat of any species of plants or animals currently present or likely to occur at any time throughout the year?** **Significant Impact** **Potentially Significant Unless Mitigated** **Less Than Significant Impact** **Not Applicable**
- [] [X] [] []

A Tree Inventory, Evaluation, and Preliminary Construction Impact Assessment report prepared the Project site by MacNair and Associates identified a total of 25 trees at the Project site. A total of 22 of the 25 trees on the Project site would qualify as protected trees and 8 would qualify as heritage trees (MacNair & Associates 2016) (see Table 8.1-1).

Table 8.1-1. Protected and Heritage Trees within Project Site

#	Species	DBH ¹	Condition	Protected?	Heritage?	Impacted? ²
1	Blue oak (<i>Quercus douglasii</i>)	10.5	Moderate	Y	No	PI
2	Blue oak	11.5	Moderate	Y	No	PI
3	Blue oak	24	Moderate	Y	Yes	PI
4	Coast live oak (<i>Quercus agrifolia</i>)	23.5	Moderate	Y	Yes	PI
5	Coast live oak	24.5	Moderate	Y	Yes	PI
6	Coast live oak	9.5	Moderate	Y	No	PI
7	Coast live oak	14	Marginal to moderate	Y	No	PI
8	Coast live oak	33	Moderate	Y	Yes	PI
9	Valley oak (<i>Quercus lobata</i>)	7	Poor to marginal	N	No	NI
10	Blue oak	9; 14.5	Marginal to moderate	Y	No	PI
11	Bay laurel (<i>Umbellularia californica</i>)	4; 5; 6; 6; 7	Poor to marginal	N	No	RC/RR
12	Coast live oak	47; 57	Moderate	Y	Yes	PI
13	Coast live oak	25; 28	Marginal	Y	Yes	RC
14	Coast live oak	25	Moderate	Y	Yes	NI
15	Coast live oak	15; 20	Poor	N	No	NI
16	Bay laurel	7; 9.5	Marginal	Y	No	NI
17	Coast live oak	9.5	Moderate	Y	No	NI
18	Coast live oak	32.5	Marginal	Y	Yes	PI
19	Coast live oak	18	Marginal to moderate	Y	No	PI
20	Coast live oak	10	Moderate	Y	No	PI
21	Coast live oak	6; 10.5; 11; 14	Moderate	Y	No	PI
22	Coast live oak	9.5; 10.5; 12	Moderate	Y	No	PI
23	Coast live oak	10; 12	Moderate	Y	No	PI
24	Coast live oak	6; 8.5	Moderate	Y	No	PI
25	Coast live oak	6.5; 8.5	Moderate	Y	No	NI

¹ Trunk diameter was measured at 24 inches above grade.

² Impact Code: RC = Removal for Construction, PI = Possible Impact, NI = No Impact, RR = Recommended for Removal Due to Condition.

Source: MacNair & Associates 2016.

One coast live oak would be directly removed under current Project plans due to its location within the limits of the proposed access/utility easement corridor (see tree #13 on Figure 2). This tree is protected and has heritage tree status. One bay laurel is located within one of the proposed septic leach fields and is recommended for removal by the tree inventory report to allow installation of the septic system in this location (see tree

#11 on Figure 2). This tree is neither protected nor qualifies as having heritage tree status. Five trees (trees # 2, 5, 6, 7, 12) are located within the proposed building envelope and would be potentially impacted depending on the final building design. Trees #2, 6, and 7 are protected but do not have heritage tree status, while trees #5 and 12 are protected and also have heritage tree status. An additional 13 trees are located in the vicinity of the driveway grading limits, which is within their respective tree protection zones (TPZ), and the grading limits are close to the critical root zones of 3 of the trees. These trees would require careful monitoring and supervision during construction. Six trees are located a sufficient distance from the grading limits and therefore are not expected to be impacted by construction. Development and construction of the Project infrastructure, including roads, utilities, drainage facilities, etc. would alter the natural terrain and affect existing trees growing close to the construction areas. Impacts would primarily occur as a result of the site grading activities (MacNair & Associates 2016). Marin County Special Condition of Approval 6 and Mitigation Measure 8.B.1 would protect all potentially affected trees on the Project site from damage caused by construction activities. Therefore, impacts to protected and heritage status trees on the Project site would be mitigated to a less than significant level.

The Project would not substantially change the diversity, number, or habitat of any species of plant or animal currently or seasonally present, as post-Project conditions would be similar to pre-Project conditions. The site would continue to be used for residential purposes, and the new development would mostly be concentrated with the proposed building envelope and within open, non-native annual grassland areas of the Project site. The biological report did not identify any special-status plant or animal species on the property during their site visit.

The existing site is characterized as disturbed non-native annual grassland, developed/landscaped areas, and oak woodland. Native vegetation on the site is limited to the oak woodland areas and associated understory vegetation described in Section V.8. The disturbed nature of the site and close proximity to residential development suggests low diversity, and site use by animals is likely limited to feral cats, common wildlife, and nesting birds during the breeding season (approximately February 15 through August 31). Many wildlife species are nocturnal and regularly move through residential areas with sufficient cover. Common wildlife and nesting birds would likely avoid the area during construction but return post-construction. Mitigation Measure 8.A.1 would address impacts to birds. The Project would not result in a significant impact related to this issue.

MITIGATION MEASURES

Mitigation Measure 8.B.1

The Applicant shall submit and implement a Native Tree Protection and Replacement Plan prepared by a qualified arborist. The plan shall outline measures required to minimize or eliminate indirect impacts to protected trees during Project construction. The Plan shall include measures such as (but not be limited to) the following:

- Incorporate all measures identified in the Project's arborist report that are identified as necessary to reduce construction related impacts.
- Identify TPZ and specify fencing and other requirements for adequately protecting trees and trunks during construction. Identify any additional protective measures necessary to protect trees and trunks.
- Specify construction activities that require oversight by a qualified arborist.

- Identify replacement trees to compensate for the loss or impacts to protected trees during construction. Trees that are removed or significantly impacted shall be replaced with 5-gallon trees at a 3:1 ratio in appropriate locations around the Project site.
- Procedures shall be clearly identified for addressing trees damaged during construction.

Monitoring Measure 8.B.1

Prior to issuance of a building permit, the Applicant shall 1) submit the Native Tree Protection and Replacement Plan to the Marin County Community Development Agency, prepared by a qualified arborist; 2) ensure that Project plans for the future residence shall include all required tree protective measures as well as proposed replacement trees and any notes for any earth movement, construction, and temporarily and/or permanently installed protection measures; 3) submit documentation from a certified arborist that all required protective measures have been implemented.

Prior to final building, the Applicant shall submit documentation to the Marin County Community Development Agency from a certified arborist demonstrating that the approved Native Tree Protection and Replacement Plan was implemented throughout the construction process. Any impacted trees must be clearly documented and replacement documented and shown on a site plan.

c) Introduction of new species of plants or animals into an area, or improvements or alterations that would result in a barrier to the migration, dispersal or movement of animals?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project is not likely to result in the introduction of new species of plants into the area that would result in a barrier to the migration, dispersal, or movement of animals. Activities associated with implementation of the Project and development of features supporting development of a future residence would be concentrated in open portions of the property, which mainly support non-native annual grassland. Future development would be clustered with existing development and in close proximity to H Lane. All development would be at least 20 feet away from the delineated top of bank of the ephemeral drainages and associated oak woodland habitat on the Project site. Therefore, future construction and associated landscaped vegetation would stay out of potential wildlife corridors on the property, and this impact would be less than significant.

The Project would not result in the introduction of new species of animals into the area or result in a barrier to animal movement. The Project site is located within an existing developed residential neighborhood and part of the property is already developed with an existing residence. Thus, domesticated pets such as cats and dogs, as well as horses, have long been associated with both the Project site and the surrounding neighborhood. While vacant properties are often used as refuge areas by feral animals and wildlife species, development and occupancy of a future residence would not serve as a significant barrier to the dispersal, migration or movement of animal species. The openness of the neighborhood to wildlife movement would remain the same. The Project would not result in a significant impact related to this issue.

9. ENERGY AND NATURAL RESOURCES.

Would the proposal result in:

a) Substantial increase in demand for existing energy sources, or conflict with adopted policies or standards for energy use?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project involves division of an existing residential lot and the future development of facilities which would support a single-family residence. The future residence would consume energy in the form of electricity and natural gas as well as gasoline associated with car trips. However, this increase would be very minor. Construction of a future single-family residence would be required to meet the minimum requirements of the Marin County Green Building Submittal Checklist, California Title 24, and Ordinance 3492. The Green Building Requirements include energy efficiency standards that would reduce energy consumption by the Project. Therefore, this impact would be less than significant.

b) Use of non-renewable resources in a wasteful and inefficient manner?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Construction and operation of the Project would consume non-renewable resources including diesel fuel, gasoline, natural gas, and electricity. However, the Project, including a future single-family residence, would be required to meet the requirements of the Marin County Green Building Submittal Checklist, California Title 24, and Ordinance 3492 in order to reduce the amount of energy consumed. Therefore, the Project would not result in the use of non-renewable resources in a wasteful and inefficient manner and this impact would be less than significant.

c) Loss of significant mineral resource sites designated in the Countywide Plan from premature development or other land uses which are incompatible with mineral extraction?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project is not located in an area that is designated by the State or the County as a significant mineral resource or mineral resource preservation area (EarthWorks 2004). The Project would not result in a loss of significant mineral resource sites designated in the CWP from premature development or other land uses which are incompatible with mineral extraction, and this impact would be less than significant.

10. HAZARDS.

Would the proposal involve:

a) A risk of accidental explosion or release of hazardous substances including, but not necessarily limited to: 1) oil, pesticides; 2) chemicals; or 3) radiation)?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The proposed Project would involve construction activities that use limited quantities of hazardous materials, such as gasoline, diesel fuel, oils and lubricants, paints and thinners, solvents, and other chemicals. The proposed Project would be subject to federal, State, and local laws and regulations governing hazardous materials. As a result, the Project would not result in a significant impact related to this issue.

b) Possible interference with an emergency response plan or emergency evacuation plan?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The proposed Project would not interfere with established emergency response plans or emergency evacuation plans (*Emergency Operations Plan*, City of Novato, 2009). The proposed Project would involve the division of one existing lot into two lots and the future development of facilities and features which would support construction of a single-family residence with access via a public road. The proposed Project would not include any work within public roadways and access for emergency vehicles would not be obstructed. Additionally, the Project would comply with existing building and fire codes. Therefore, the Project would not result in a significant impact related to this issue.

c) The creation of any health hazard or potential health hazard?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The proposed Project would involve construction activities that use hazardous chemicals, including gasoline, diesel fuel, oils and lubricants, paints and thinners, solvents, and other common chemicals used during construction activities. The applicant and contractors would be required to comply with all federal, State, and local laws and regulations for the transport, use, and disposal of hazardous materials. Therefore, the Project would not result in a significant impact related to this issue.

d) Exposure of people to existing sources of potential health hazards?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project site is not listed on any of the environmental databases maintained by the State Water Resources Control Board (SWRCB) or the California Department of Toxic Substances Control (DTSC) as a site which has known toxic or hazardous substances located onsite (DTSC 2016; SWRCB 2016). In addition, the Project site is far removed from any sites known to have resulted in contamination from toxic or hazardous substances. As such, the Project would not result in a significant impact related to existing sources of potential public health hazards.

e) Increased fire hazard in areas with flammable brush, grass, or trees?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The proposed Project is located in an area of Marin County with a 'high' fire hazard severity rating (CAL Fire 2007). Implementation of the Project would not increase fire hazards as the Project would be designed and constructed in conformance with Novato Fire Protection District standards regarding defensible space and fire resistant building materials, and the Project would be required to adhere to applicable Building Code requirements during the building permit process. Therefore, the Project would not result in a significant impact related to this issue.

11. NOISE.

Would the proposal result in:

a) Substantial increases in existing ambient noise levels?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Implementation of the proposed Project would result in the generation of short-term and long-term noise levels associated with construction and operation of the Project. Existing ambient noise levels are characteristic of a rural residential setting. Noise resulting from construction activities associated with excavation, grading, and building construction would be temporary in nature and limited to allowable daytime construction hours of 7 a.m. to 6 p.m. Monday through Friday, and 9 a.m. to 5 p.m. on Saturdays. Furthermore, all construction noise would be regulated through the County's Noise Ordinance. Due to the nature of the Project and the existing rural residential setting, ambient noise levels anticipated to result from operation of the proposed Project would incrementally but not perceptibly contribute to the existing noise environment. Therefore, the Project would have a less than significant impact on this issue.

b) Exposure of people to significant noise levels, or conflicts with adopted noise policies or standards?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

As previously described above, implementation of the proposed Project would result in incremental increases in noise levels resulting from short-term construction activities and occupancy of a future single-family residence. Construction noise generated from this Project would be temporary in nature and would occur during permitted construction hours of the day and week. Noise levels experienced as a result of occupancy of a single-family residence would be similar in nature to noise levels currently generated by surrounding rural residential uses and are not expected to result in a substantial increase in the existing ambient noise environment. Furthermore, construction and operational noise of the Project would be regulated through the County's Noise Ordinance. Therefore, the Project is not anticipated to generate significant noise levels, nor would it conflict with adopted noise policies or standards, and the impact would be less than significant.

12. PUBLIC SERVICES.

Would the proposal have an effect upon, or result in a need for new or altered government service in any of the following areas:

a) Fire protection?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Fire protection services for the Project site are provided by Novato Fire Protection District. The first responding station to the Project site would be Station 62 at 450 Atherton Avenue (approximately 2.5 miles from the Project site). The response time goal of the Novato Fire Protection District is 8 minutes or less, 90 percent of the time (Marin County Community Development Agency 2016b). The Project would not result in a substantially increased need for new or altered fire protection services as one additional residence would not result in a significance increase in fire service demand or facilities. Therefore, the Project would result in a less than significant impact.

b) Police protection?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Police protection services for the Project site and other unincorporated areas within the County are provided by the Marin County Sheriff Office. The main station is located at 1600 Los Gamos Drive in San Rafael (approximately 10 miles south of the Project site). Response time of the Marin County Sheriff Office is 8 minutes for urban areas and 13 minutes for rural areas (Marin County Sheriff Office 2016). As the Project site is located

in a rural area, the standard for response time of police protection service would be within 13 minutes. The Project is not expected to significantly affect the Marin County Sheriff's ability to maintain service ratios, response times, or other performance objectives. As future development of a single-family residence is not anticipated to significantly increase the demand for law enforcement services or facilities, the Project would not result in increased need for new or altered police protection services. Therefore, the Project would result in a less than significant impact.

c) Schools?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Novato Unified School District provides public education for the Green Point Community area. This school district encompasses seven elementary schools, one K-8 school, three middle schools, and two comprehensive high schools (Novato Unified School District 2016). The Project site is located within the attendance boundaries of Olive Elementary School, Sinaloa Middle School, and San Marin High School (California Hometown Locator 2016). The Project would not result in increased need for new or altered school facilities as subdivision of the existing residential lot would not result in a significant increase in service demands or altered school facilities. Therefore, the Project would result in a less than significant impact.

d) Maintenance of public facilities, including roads?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project would not result in the increased need for maintenance of public facilities, including roads, as the Project consists of a residential land division and development of facilities which would support future construction of one additional single-family residence, which would not significantly increase the demand on such facilities. Further, construction activities would be short-term and would involve a small workforce, and Project construction would not significantly increase the demand on such facilities. Therefore, the Project would result in a less than significant impact to the maintenance of public facilities and roads.

e) Other governmental services?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project would not result in the need to increase other government services, such as parks or libraries, as the proposed Project would not substantially increase local or regional populations that need such services. Therefore, this impact would be less than significant.

13. UTILITIES AND SERVICE SYSTEMS.

Would the proposal result in a need for new systems, or substantial alterations to the following utilities:

a) Power or natural gas?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The proposed Project would involve the subdivision of an existing residential lot to allow future development of a single-family residence within a building envelope proposed within the Remainder Parcel. The existing residential unit located on Parcel 1 is connected to existing infrastructure and is provided electric and natural gas services by Pacific Gas & Electric (PG&E). No connections to utility service systems or infrastructure have been made to the Remainder Parcel or the proposed building envelope. While initial land division would not alter electricity or natural gas facilities, construction of a future residence would require connection to existing service infrastructure located along H Lane. The Project includes an access and utility easement area which would provide service connections for a future residence located at the proposed Remainder Parcel building envelope. Electricity and natural gas service to the Remainder Parcel would be provided by PG&E through new connections made to existing infrastructure along H Lane. Occupancy of a future single-family residence on the Remainder Parcel is anticipated to result in negligible increases in electricity and natural gas demands and would not result in an increase in demand which would exceed the capacity of existing systems. Further, implementation of the proposed Project is not expected to result in substantial alterations to existing electricity or natural gas service systems. Therefore, the impact to power and natural gas services would be less than significant.

b) Communications systems?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Implementation of the proposed Project would require the establishment of service connections to existing communications systems presently located along H Lane. Additional communication service infrastructure connecting to Remainder Parcel and the proposed building envelope would be aligned along the proposed access and utility easement area. Connection to existing communication systems would not result in substantial alterations to the existing service infrastructure, and therefore, this impact would be less than significant.

c) Local or regional water treatment or distribution facilities?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
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[]	[]	[X]	[]
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Local potable domestic water supply is provided by the North Marin Water District. The North Marin Water District currently provides normal pressure (Zone 1) potable domestic water services to the Project site from an existing 1-inch lateral and a 5/8-inch water meter. The proposed Remainder Parcel would require high pressure (Zone 2) potable domestic water service, currently available along H Lane. However, additional construction on off-tract and in-tract water distribution facilities may be required in order to provide water service for fire protection. All water service connections and distribution facilities servicing the proposed building envelope and future residence would be established along the proposed access and utility easement. Project plans would be reviewed by County staff to ensure conformity with State and County codes and regulations for the design of water distribution systems. Furthermore, prior to occupancy of the Remainder Parcel residence, the Project would be subject to review by North Marin County Water District staff to ensure compliance with District Regulation 15 – Mandatory Water Conservation Measures. Therefore, Project implementation would not result in substantial alterations to existing water distribution systems or inconsistency with established regulations regarding water distribution systems and water use, and this impact would be less than significant.

d) Sewer or septic tanks?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
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[]	[]	[X]	[]
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Sanitary sewer service for the Project site is currently provided by an onsite septic system. The existing leach field serving the existing residential lot is failing and as part of the Project, two new leach fields are proposed on Parcel 1 to serve the existing residence as well as the Remainder Parcel, to support the future residence. Plans for proposed onsite septic systems would be designed to accommodate the waste disposal needs and would be reviewed by Marin County Environmental Health Services Division staff prior to approval. Therefore, this impact is less than significant.

e) Storm water drainage?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
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[]	[]	[X]	[]
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The Project would utilize existing natural drainage features and include two hillside drainage features which would convey water from upslope areas across the proposed access and utility easement towards the ephemeral drainage feature located downslope of the proposed Project. Proposed drainage features would be designed to reduce surface flows across the proposed access road/driveway while retaining much of the

site's existing drainage pattern. All proposed storm drainage features would be subject to review and approval by the Marin County Department of Public Works to ensure that they meet all applicable codes and regulations. As the proposed Project would not involve alternation to existing storm water drainage systems and would not impact storm water drainage, this impact would be less than significant.

f) Solid waste disposal?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Construction and occupancy of a future single-family residence would result in additional demand for solid waste haul and disposal services. Waste haul service to the existing Parcel 1 residence is provided by Novato Disposal, which would provide waste haul and disposal services for a future residence located on the Remainder Parcel. Waste collected from the Project site would be taken to the Redwood Landfill, located in Novato. Redwood Landfill is permitted throughput capacity to receive 2,310 tons per day of waste material (Waste Management 2016), has a design capacity of 26,077,000 cy, and is estimated to cease operations in 2036 (Marin County Environmental Health Services 2014). Solid waste generated by the Project and future single-family residence would not result in exceedance of the permitted throughput capacity or long-term capacity of this facility. In addition, the proposed Project would comply with applicable County, State, and federal regulations regarding solid waste disposal. Therefore, this impact would be less than significant.

14. AESTHETICS/VISUAL RESOURCES.

Would the proposal:

a) Substantially reduce, obstruct, or degrade a scenic vista open to the public or scenic highway, or conflict with adopted aesthetic or visual policies or standards?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

There is one scenic highway located approximately two miles west of the Project site, the Redwood Highway. However, the Project site is not visible from the highway and is not located within the scenic corridor of the Redwood Highway. There are no other scenic vistas or highways within the vicinity of the Project site; therefore the Project would not significantly reduce, obstruct, or degrade a scenic highway or scenic vista open to the public. The Project would conform to aesthetic goals of the Green Point Community Plan, which calls to maintain Green Point as an identifiable rural residential community and to seek minimal improvements within the Green Point area (Marin County Community Development Agency 2016b). The Project would involve development of supporting facilities for a future residence in a rural neighborhood area with minimal improvements to the existing property. Therefore, the Project would result in a less than significant impact to scenic resources from designated scenic roads or highways.

b) Have a demonstrable negative aesthetic effect by causing a substantial alteration of the existing visual resources including, but not necessarily limited to: 1) an abrupt transition in land use; 2) disharmony with adjacent uses because of height, bulk or massing of structures; or 3) cast of a substantial amount of light, glare, or shadow?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Implementation of the proposed land division and the development of proposed facilities and features would not have a substantial negative affect on existing visual resources. While Project implementation would involve development of a residence, the building envelope has been located to minimize visibility from offsite. The building envelope is surrounded by mature vegetation and the topography would also partially shield the future residence from view. The new residence would be required to go through the Design Review process, which would ensure that the design would comply with the Single-family Residential Design Guidelines and the land use requirements of the ARP-2 zoning district. Existing zoning regulations and design guidelines would ensure that the Project does not cause an abrupt transition in land use, result in discontinuity with adjacent uses, or cast a substantial amount of light, glare, or shadow affecting nearby uses. Therefore, the Project would result in a less than significant impact.

15. CULTURAL RESOURCES.

Would the proposal:

a) Disturb paleontological, archaeological, or historical sites, objects, or structures?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Construction of the future residence would entail excavation and grading that would disturb the ground and have the potential to encounter potentially sensitive resources. However, there is no evidence that the Project would disturb paleontological or archaeological resources and there are no historical structures on the site that would be affected by the Project. A review of cultural resource maps maintained by the Marin County Community Development Agency indicates that the subject property is located in an area of low archaeological sensitivity. No human remains, paleontological resources, or archeological resources are known to be located on the Project site or in the immediate vicinity. In addition, development of the Project would not disturb a large land area. In the event that culturally significant resources are encountered during excavation and construction activities, Marin County standard conditions of approval regarding the disturbance of cultural resources would ensure that impacts to cultural resources would be reduced to less than significant. Therefore, this impact would be less than significant.

b) Have the potential to cause a physical change which would adversely affect unique ethnic cultural values, or religious or sacred uses within the project area?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

Cultural resource maps from the Marin County Community Development Agency do not indicate the presence of any site which may have been associated with religious or sacred uses within the Project area. Application of Marin County standard conditions of approval regarding the disturbance of cultural resources would ensure that the Project would not cause a physical change that would adversely affect unique ethnic cultural values, or religious or sacred sites within the Project vicinity. Therefore, this impact is less than significant.

16. SOCIAL AND ECONOMIC EFFECTS.

Would the proposal result in:

Any physical changes which can be traced through a chain of cause and effect to social or economic impacts?	Significant Impact	Potentially Significant Unless Mitigated	Less Than Significant Impact	Not Applicable
	[]	[]	[X]	[]

The Project would not create any physical change that would result in a negative economic or social impact. The Project would not result in a significant increase in the costs of providing limited County services to the Project vicinity. Therefore, the Project would result in a less than significant impact.

VI. MANDATORY FINDINGS OF SIGNIFICANCE. Pursuant to Section 15065 of the State EIR Guidelines, a project shall be found to have a significant effect on the environment if any of the following are true:

- | | Yes | No | Maybe |
|---|------------|-----------|--------------|
| 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? | [] | [X] | [] |

As described in Section V of this Initial Study, any potential environmental impacts from the proposed project would be mitigated to a less than significant level.

- | | Yes | No | Maybe |
|--|------------|-----------|--------------|
| b) Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? | [] | [X] | [] |

As described in Section V of this Initial Study, any potential environmental impacts from the proposed project would be mitigated to a less than significant level.

- | | Yes | No | Maybe |
|--|------------|-----------|--------------|
| c) 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 viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects). | [] | [X] | [] |

As described in Section V of this Initial Study, any potential environmental impacts from the proposed project would be mitigated to a less than significant level.

- | | Yes | No | Maybe |
|---|------------|-----------|--------------|
| d) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | [] | [X] | [] |

As described in Section V of this Initial Study, any potential environmental impacts from the proposed project would be mitigated to a less than significant level.

VII. PROJECT SPONSOR'S INCORPORATION OF MITIGATION MEASURES:

Acting on behalf of the Project sponsor or the authorized agent of the Project sponsor, I (undersigned) have reviewed the Initial Study for the Vogel Land Division and have particularly reviewed the mitigation measures and monitoring programs identified herein. I accept the findings of the Initial Study, including the recommended mitigation measures, and hereby agree to modify the proposed Project applications now on file with Marin County to include and incorporate all mitigation measures and monitoring programs set out in this Initial Study.

(Project Sponsor's Name or Representative)

Date

(Project Sponsor's Name or Representative)

Date

VIII. DETERMINATION: (Completed by Marin County Environmental Planning Manager). Pursuant to Sections 15081 and 15070 of the State Guidelines, the forgoing Initial Study evaluation, and the entire administrative record for the project:

- I find that the proposed project WILL NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described on an attached sheet have been added to the project. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Rachel Reid, Environmental Planning Manager

Date

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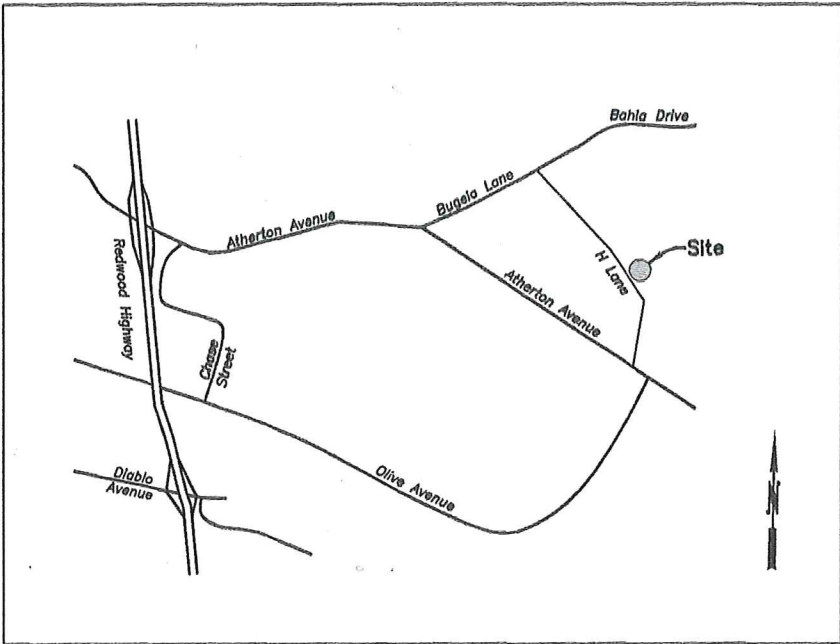
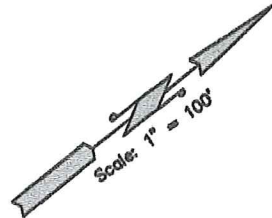
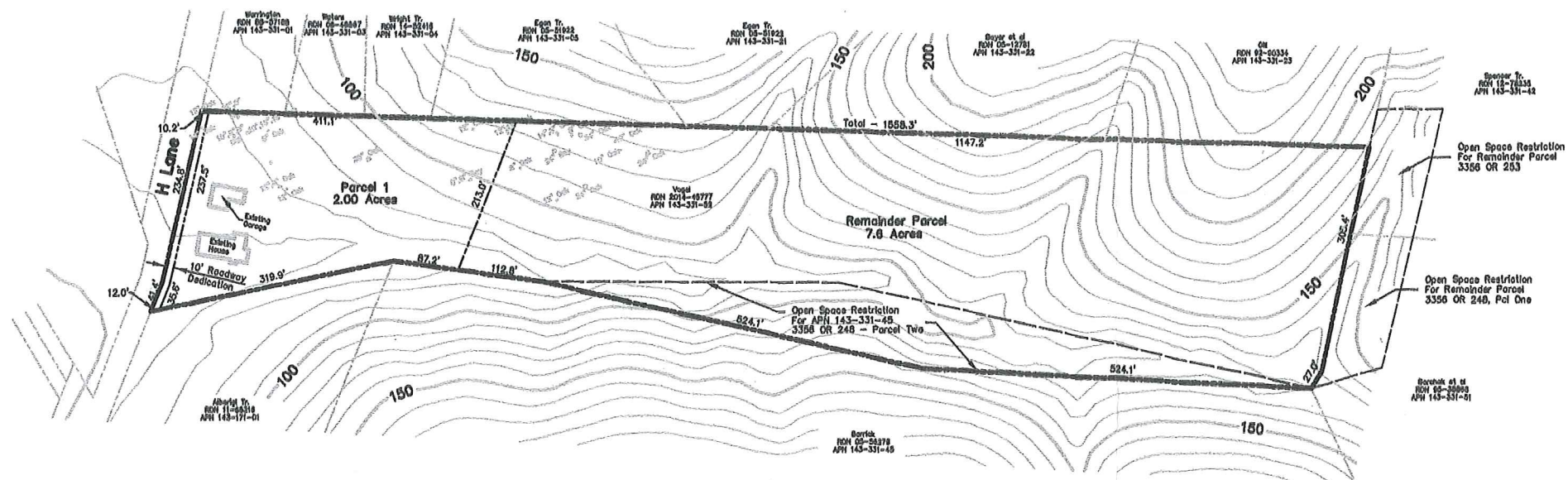
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Appendix A

Project Site Plans



Vicinity Map
No Scale

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Note
1. See Sheet 2 for septic field locations, the access and utility easement, and the building envelope for the Remainder Parcel.

Abbreviations

- AC Asphalt Concrete
- AE Access Easement
- APN Assessor's Parcel No.
- CL Center Line
- DE Drainage Easement
- FH Fire Hydrant
- JT Joint Utility Trench
- OR Marin County Official Records
- PP Power Pole
- PUE Public Utility Easement
- RDN Recorder's Document No.
- SD Storm Drain
- SF Square Foot
- UE Utility Easement
- WM Water Meter

Existing Structures

Parcel 1	
House	2,108 SF
Garage	1,088 SF

Contact Data

Owner and Subdivider
Michael S. Vogel
247 Reed Blvd.
Mill Valley, CA 94941
Phone 415-279-8027

Engineering and Surveying
White & Prescott
1620 Grant Avenue
Novato, CA 94945
Phone 415-897-7730

Legend

- Property Line
- Easement Line
- W----- Water Line
- JT----- Joint Trench (Electric, Gas, CATV and Telephone)

Countywide Plan, Zoning and Project Data

1. The land use designation in the Countywide Plan for this parcel is SF3.
2. This property is zoned ARP-2. (Agricultural Residential Planned - one unit per 2 acres.)
3. The project size is 9.60 acres. Two parcels are proposed.
4. Parcel 1 contains 2 acres. The remainder parcel contains 7.6 acres.
5. The buildings and related development standards on these parcels will be subject to Design Review.
6. Maximum main building height is 30 feet.
7. Parking spaces will be provided when a new house is built on the remainder parcel. A new driveway, parking spaces and a vehicular turnaround will be provided when a house is built on the remainder parcel.
8. Electric, gas, cable TV and telephone service have been provided to Parcel 1. These facilities will be provided underground from H Lane when a house is built on the remainder parcel.
9. Water service has been provided by North Marin Water District to the house on Parcel 1. An additional water meter will be provided for the new house on the remainder parcel and a water service line will be installed from H Lane when a house is built on this parcel.
10. Sewage disposal will be provided for the existing houses on Parcel 1 and the new house on the remainder parcel by constructing new private septic systems. See septic system locations and tests by Rich Lincoln and Sons.
11. Drainage from Parcel 1 will remain as it is. Drainage from the remainder parcel will be constructed per County regulations when a house is built on this parcel.
12. No public or private open space is proposed.
13. All existing structures on Parcel 1 will remain.

APN 143-331-52

March 4, 2016

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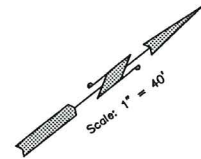
White & Prescott
Engineering and Surveying
1620 Grant Avenue
Novato, CA 94945
415.897.7730



Vogel Land Division
116 H Lane, Novato CA

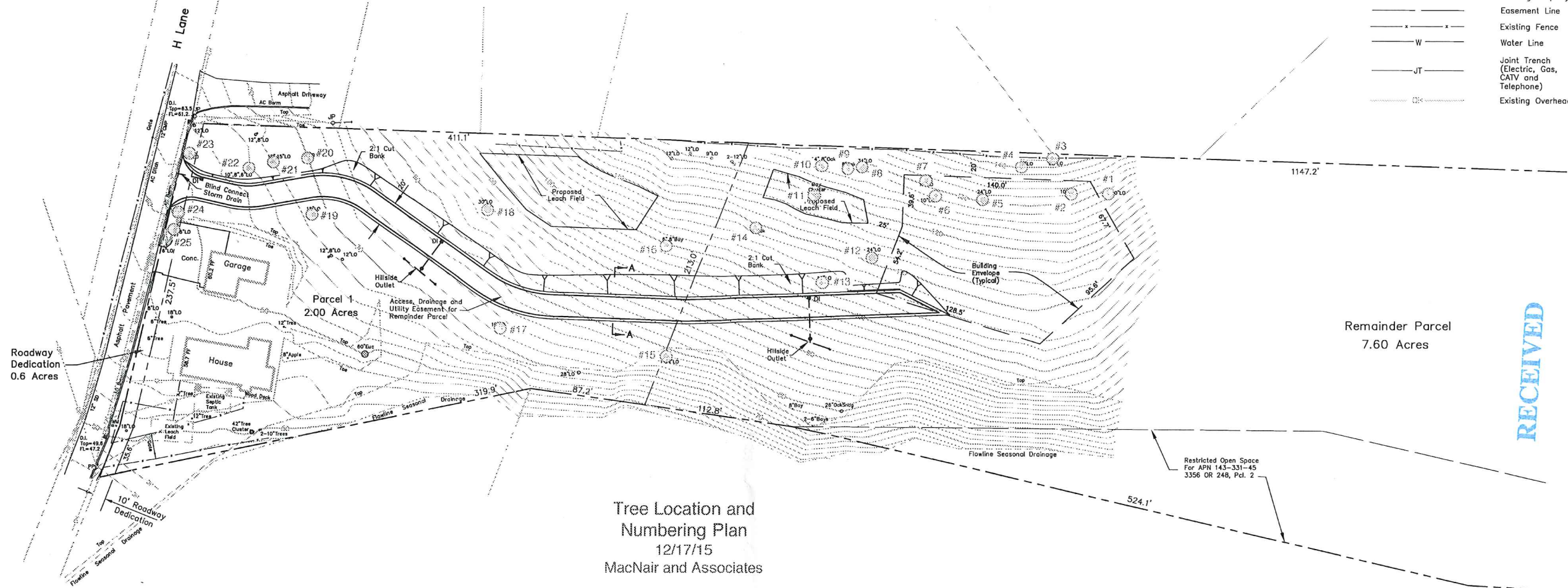
Tentative Map

SHEET
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OF 2 SHEETS
FILE: 14-202



Legend

	Land Division Boundary
	Existing Property Line
	Easement Line
	Existing Fence
	Water Line
	Joint Trench (Electric, Gas, CATV and Telephone)
	Existing Overhead Wires



Tree Location and
Numbering Plan
12/17/15
MacNair and Associates

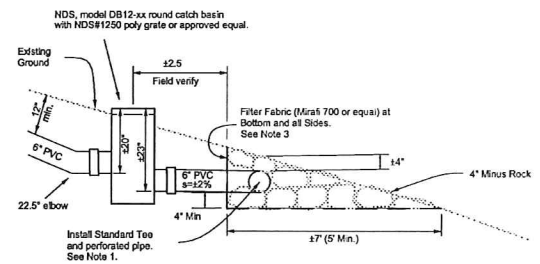
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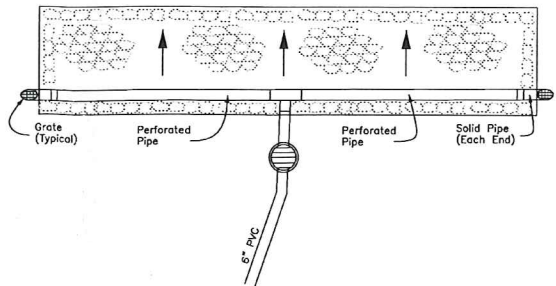
Abbreviations

AC	Asphalt Concrete
AE	Access Easement
APN	Assessor's Parcel No.
CL	Center Line
DE	Drainage Easement
DI	Drop Inlet
FF	Finished Floor
FH	Fire Hydrant
FL	Flowline
GE	Grading Easement
JT	Joint Utility Trench
OR	Marin County Official Records
PP	Power Pole
PUE	Public Utility Easement
RDN	Recorder's Document No.
SD	Storm Drain
SF	Square Feet
UE	Utility Easement
WM	Water Meter

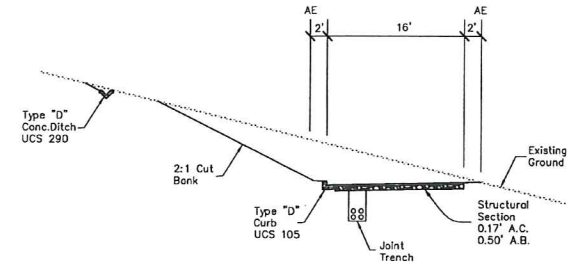


Hillside Drainage Outlet
No Scale

- NOTES**
1. Install standard manufactured tee at end of solid PVC. Connect ten (10) feet of perforated 6" PVC to both sides of tee (20' total perf. pipe). Place perforations up. At the end of each perforated pipe, place a 45° elbow and extend with a solid pipe to 4" above ground surface. Cap and with removable grates cap (for cleanout). Drill two 1/2" diam. holes at the bottom of each perforated pipe to allow pipe to empty. Perforated pipe shall have at least 2 rows of 1/2" min. diam. holes at 6" max. O.C.
 2. Perforated pipe must be level so that outflow occurs equally along the entire length.
 3. Extend rock and fabric at least one foot beyond ends of perforated pipe.
 4. Field verify existing ground slope and outflow site prior to ordering NDS catch basin.



Hillside Drainage Outlet Plan
No Scale Existing



Future Driveway
Typical Section A-A
No Scale

- Notes**
1. This Sheet shows leach field locations, and the access and utility easement for the Remainder Parcel.
 2. See preliminary plan by Rich Lincoln and Sons for percolation tests and preliminary septic system locations for these parcels. This plan and test results have been filed with the Marin County Environmental Health Department. The leach field limits are shown on this map.

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Vogel Land Division
116 H Lane, Novato CA
Tentative Map

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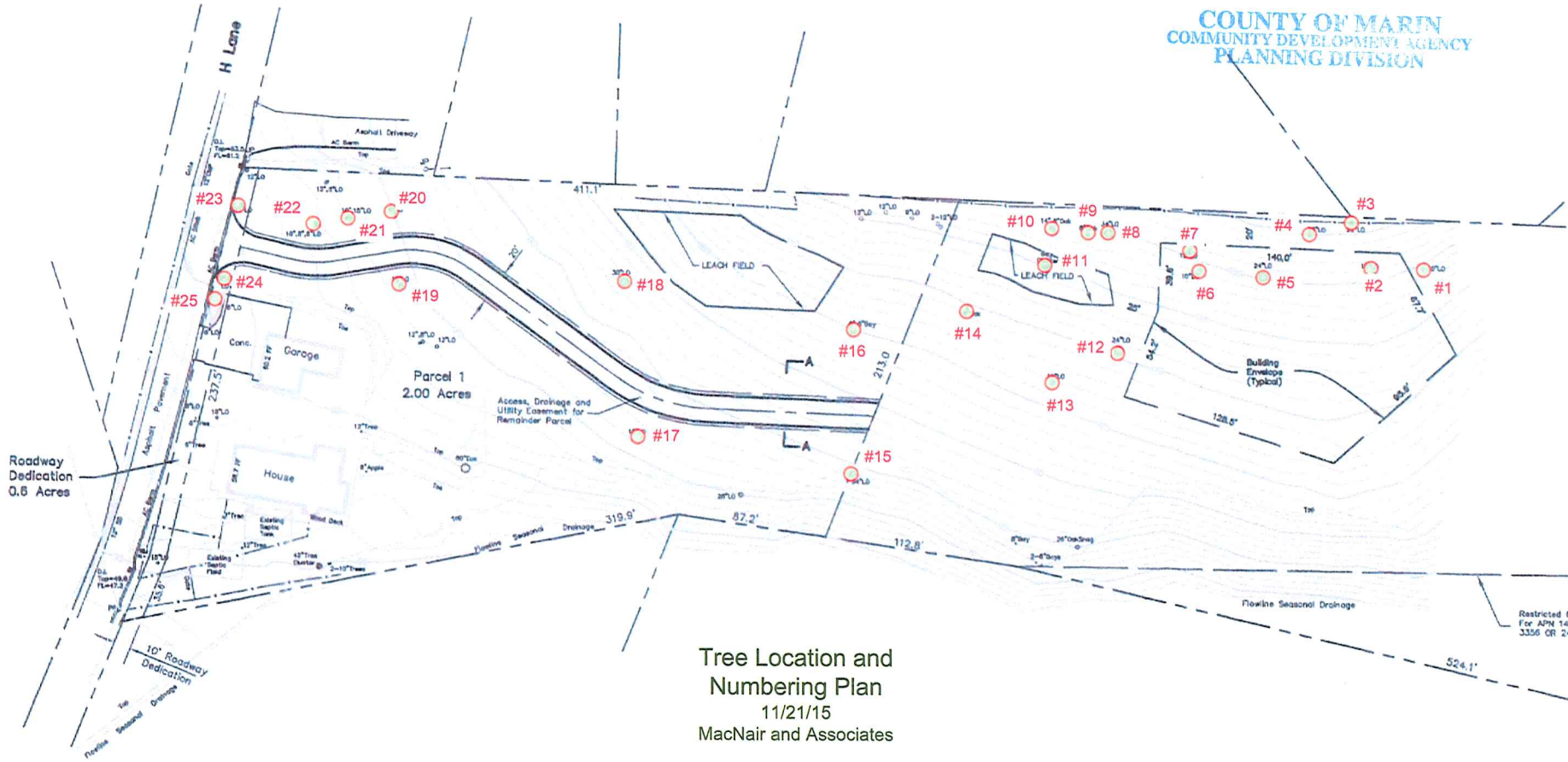
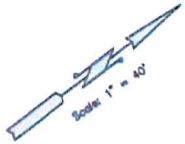
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September 28, 2015

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Tree Location and
Numbering Plan
11/21/15
MacNair and Associates

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