

3.16 Agriculture and Forestry Resources, Mineral Resources, Land Use and Planning, Population and Housing, Wildfire, and Socioeconomics

3.16.1 Introduction

This section presents the environmental setting and impact analysis for agriculture and forestry resources, mineral resources, land use and planning, population and housing, and wildfire in the project area. Included in this section is a description of existing conditions as well as an evaluation of the potential effects on agriculture and forestry resources, mineral resources, land use and planning, population and housing, wildfire, and socioeconomics from implementation of the project.

3.16.2 Environmental Setting

Agricultural Resources

In Marin County, farms and ranches account for approximately 50 percent of the land, or 167,000 acres, with dairies and livestock ranches dominating (University of California Cooperative Extension, 2011). However, within the Town of Ross and unincorporated Kentfield, there are no zoned agricultural lands (MarinMap, 2020). The project involves improvements to Corte Madera Creek, which is located in an urban area of Marin County. The California Department of Conservation's Farmland Mapping and Monitoring Program designates the project area as Urban and Built-Up Land. These areas are defined as "...land [that] is occupied by structures with a building density of at least 1 unit to 1.5 acres... Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures." No portion of the project area is under a Williamson Act contract (DOC, 2020).

Forestry Resources

Marin County, including Ross Valley, is widely known for its diverse natural beauty, including forested landscapes. While there is no timber production within Ross Valley, there is a mixture of forested vegetation that provides aesthetic, recreational, and environmental benefits. The project area is not zoned for forest land or timberland uses. No national or state forest lands are mapped in the watershed. Frederick Allen Park contains over 100 trees that provide a dense tree canopy. While Frederick Allen Park contains trees, the area is a public park and has been landscaped as a park. The trees within Frederick Allen Park are not subject to commercial harvesting or other forest uses. No commercial harvesting of forestry resources occurs within Frederick Allen Park or any portion of the project area.

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Mineral Resources

Eight sites within Marin County are designated by the State as having significant mineral resources, and four additional sites are Marin County permitted resource sites (Marin County Community Development Agency, 2007). Based on review of Map 3-5, Location of Mineral Resource Preservation Sites, from the 2007 Marin Countywide Plan, there are no State of California Designated Mineral Resources Sites or Marin County Permitted Mineral Resource Sites in the project area. Further, the project area is mapped by the California Department of Conservation Division of Mines and Geology as Mineral Resource Zone 1 (MRZ-1), indicating that substantial mineral resources do not occur within these areas (DOC, 2020f).

Land Use and Planning

The Town of Ross is the second smallest of Marin's communities, with 1.6 square miles and slightly more than 800 residential parcels (Town of Ross, 2007). Unincorporated Kentfield has a population of approximately 11,854 and totals 3 square miles (Statistical Atlas, 2020).

The project is located in a developed suburban residential and commercial area. On-site land uses consist of the Corte Madera Creek bed, trails and bike paths, public parks and open space, residential uses, and schools and colleges. Frederick Allen Park is a linear park owned and maintained by the Town of Ross and located just south of the Post Office on Ross Common Road. The park is adjacent to Bike Route 20, a bicycle route that runs from the Larkspur Ferry Terminal to Fairfax.

A variety of land uses occur adjacent to Corte Madera Creek. Within Unit 4, adjacent land uses include residential housing (predominantly single-family), parking facilities, a bicycle-pedestrian pathway, Station Park, and Ross Common Park. Ross Town Hall and Ross Valley Fire Department (RVFD) Station 18 abut the creek on the left bank north of Lagunitas Road Bridge. Land uses adjacent to Unit 3 support a mix of residential, commercial, and public uses. Residential uses occur on both sides of the creek to Kentfield Hospital. Downstream of Kentfield Hospital, the concrete channel is bordered by residential uses to the College of Marin. South of College Avenue, the land uses adjacent to the concrete channel include a mix of commercial uses, residential use, Kent Middle School, and College of Marin recreational fields. The land uses and zoning designations adjacent to the project area are described by Unit in Table 3.16-1.

Population and Housing

Regional Setting

In 2020, Marin County's population was approximately 260,831. Marin County's growth rate is projected to decline, and the Town of Ross's growth rate is projected to increase, as shown in Table 3.16-2. Marin County had approximately 112,516 households, with an average of 2.40 persons per household, as shown in Table 3.16-3 (Department of Finance, 2020a). If both vacant and underdeveloped lots were developed, approximately 15,200 new housing units, including both single-family and multi-family, could be added countywide (Marin County Community Development Agency, 2007).

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Table 3.16-1 General Plan Land Use Designations and Zoning in Project Vicinity

Unit	Element	Jurisdiction	Zoning	General Plan Land Use Designation
Unit 4	Fish ladder removal and Unit 4 grading	Town of Ross	Single Family Residential, Public and Quasi Public ^a	Public Service, Public Park and Open Space, Low-Density Residential, Medium-Low-Density Residential
Unit 3	Frederick Allen Park	Town of Ross	Single Family Residential, Public and Quasi Public, Flood Control Area	Medium-Low-Density Residential, Multi-Family Residential, Public Park and Open Space
	Fish pools	Town of Ross	Single Family Residential, Public and Quasi Public, Flood Control Area, Public Facilities	Single Family Residential, Public Facilities, Public Park and Open Space
	Floodwall (segment #3)	Town of Ross and Unincorporated Kentfield	Single Family Residential, Public and Quasi Public, Flood Control Area, Public Facilities	Park and Open Space, Medium Low Density Residential
	Stormwater pump station	Unincorporated Kentfield	Single Family Residential, Public Facilities	Public Facilities, Tax Exempt
	Floodwall (segment #2)		Residential Commercial Multiple Planned	Public Facility, Single Family Residential
Unit 2	Floodwall (segment #1)	Unincorporated Kentfield	Public Facilities; Residential Two Family	Neighborhood Commercial Mixed Use
	Lower College of Marin Concrete Channel Removal	Unincorporated Kentfield	Public Facilities; Residential Two Family	Neighborhood Commercial Mixed Use, Public Facility, Multifamily Residential
N/A	Staging areas	Town of Ross and Unincorporated Kentfield	Single Family Residential, Public and Quasi Public, Flood Control, Public Facilities, Residential Commercial Multiple Planned	Tax Exempt, Public Facility, Public Park and Open Space, Residential

Note

^a Quasi public category is established for land owned by a non-governmental agency that is used as an institution serving the public.

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Table 3.16-2 Population and Growth Rates of Marin County and Town of Ross

Region	Population				Growth Rates (%)		
	2010	2015	2020	2050 (Projected)	2010-2015	2015-2020	2020-2050 (Projected)
Marin County	252,409	262,743	260,831	247,437	+4.09	-0.72	-5.13
Town of Ross	2,415	2,544	2,550		+5.34	+0.24	

Source: (Department of Finance, 2020a; Department of Finance, 2020b)

Table 3.16-3 Marin County Housing Demographics

Information Category	1980 Actual	1990 Actual	2000 Actual	2010 Actual	2020 Actual	Theoretical Buildout
Households	88,723	95,006	100,650	103,210	112,516	118,728
Average household size	2.43	2.33	2.34	2.36	2.40	2.36

Note: The Countywide Plan does not include projections that estimate the time by which a certain level of development is projected to occur. Instead, tables of statistics are presented for the County and for each of the seven planning areas; these tables identify four benchmarks by which to measure trends: U.S. Census Bureau counts of population, households, employed residents, and jobs for the years 1980, 1990, and 2000. They also include a projection of development that could occur if land vacant and underutilized in 2004 were fully developed pursuant to the zoning designations of city and County general plans.

Sources: (Marin County Community Development Agency, 2007; US Census Bureau, 1980; US Census Bureau, 1990; Bay Area Census, 2020).

Town of Ross

The Town of Ross is the second smallest of Marin’s communities, with 1.6 square miles and slightly more than 800 residential parcels. Between 1990 and 2005, the population grew by 214 people, which is about the same rate of growth as Marin County as a whole. In 2020, the Town of Ross’s population was approximately 2,550 (Department of Finance, 2020a). There were 2,498 households, with an average of 3.02 persons per household.

Kentfield

Unincorporated Kentfield within Marin County had a population of approximately 6,485 in 2010 (US Census Bureau, 2019). There were approximately 2,630 households from 2014 to 2018, and 2.62 persons per household.

Wildfire

Wildfire is common in many places around the world, including many of the forested areas of the United States, where the climates are sufficiently moist to allow the growth of trees but feature extended dry, hot periods when fallen branches, leaves, and other material can dry out and become highly flammable (USACE, 2018).

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The Town of Ross and unincorporated Kentfield are all listed as wildland–urban interface communities but are not within the very high fire hazard severity zone (FIRESafe MARIN, 2020; CAL FIRE, 2008). A State Responsibility Area (SRA) is immediately adjacent to the project area (Marin County, 2020). Refer to Section 3.8 Hazards and Hazardous Materials for more information on wildfire hazards.

Socioeconomics

The three largest ethnic groups in Marin County are White (Non-Hispanic), White (Hispanic), and Asian (Non-Hispanic). Marin County has a population of 260,831 people in 2020, with median age of 47.4 and median household income of \$126,373 (DataUSA, 2018). Approximately eight percent of the population lives below the poverty line in Marin County, which is lower than the national average of 13.1 percent (DataUSA, 2018).

The largest industries in Marin County are professional, scientific and technical services, health care and social assistance, and retail trade. The highest-paying industries are finance and insurance, professional, scientific and technical services, and information (DataUSA, 2018). From 2017 to 2018, employment in Marin County grew at a rate of 5.32 percent. The most common job groups are management occupation, sales and related occupations, and business and financial operations occupations (DataUSA, 2018).

3.16.3 Regulatory Setting

The following laws, statutes, regulations, codes, and policies would apply to the project.

State Regulations

Farmland Mapping and Monitoring Program

The Department of Conservation established the Farmland Mapping and Monitoring Program to help assess the location, quantity, and quality of agricultural lands and the conversion of these lands to nonagricultural uses (DOC, 2020). The Farmland Mapping and Monitoring Program uses Natural Resources Conservation Service soil classifications, land inventories, and monitoring criteria to prepare digitized maps of farmland in California. These maps and associated statistics are updated every two years and are used in general plans, regional studies of agricultural land conversion, and in assessing project impacts on farmland.

California Land Conservation Act (Williamson Act)

The California Land Conservation Act of 1965, commonly referred to as the Williamson Act, is a nonmandated state program administered by counties and cities to preserve agricultural land and discourage the premature conversion of agricultural land to urban uses. The act authorizes local governments and property owners to (voluntarily) enter into contracts to commit agricultural land to specified uses for 10 or more years. Once restricted, the land is valued for taxation based on its agricultural income rather than unrestricted market value, resulting in a lower tax rate for owners. In return, the owners guarantee that these properties remain under agricultural production for an initial 10-year period. The contract is renewed automatically unless the owner files a notice of nonrenewal, thereby sustaining contiguous 10-year contracts.

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Participation is on a voluntary basis by both landowners and local governments and is implemented through the establishment of agricultural preserves and the execution of Williamson Act contracts.

California Public Resources Code

Section 4526

This section defines “timberland” as land, other than land owned by the federal government and land designated by the board as experimental forest land, that is available for, and capable of, growing a crop of trees of a commercial species used to produce lumber and other forest products, including Christmas trees. Commercial species shall be determined by the board on a district basis.

California Government Code

Section 51104(g)

This section defines a “timberland production zone” or “TPZ” as an area that has been zoned pursuant to Section 51112 or 51113 and is devoted to and used for growing and harvesting timber or for growing and harvesting timber and compatible uses, as defined in subdivision (h).

Government Code

Section 65300

State law (Government Code, Section 65300) requires that each county and city, including charter cities, prepare and adopt a comprehensive, long-term general plan for future development. This general plan must contain the following seven elements: (1) land use; (2) circulation; (3) housing; (4) conservation; (5) open space; (6) noise; and (7) safety (Government Code, Section 65302). Of these, state law mandates that the land-use element must correlate with the circulation element. In addition to these, state law permits cities and counties to include optional elements in their general plans, thereby providing local governments with the flexibility to address the specific needs and unique character of their jurisdictions. California law also requires that the day-to-day decisions of a city or county follow logically from and be consistent with the general plan. More specifically, Government Code Sections 65860, 66473.5, and 66474, require that zoning ordinances and subdivision and parcel map approvals be consistent with the general plan. Goals, objectives, and programs established for each element of the general plan must meet the existing and future needs and desires of the community. These goals, objectives, and programs are specific, action-oriented, and promoted during the life of the general plan and are applicable to the goals and objectives of the project.

Section 65402(b)

State law (Government Code Section 65402[b]) requires the District to notify cities of its plans to construct projects or acquire extraterritorial property within the city’s jurisdiction. Cities then have 40 days to determine project consistency with their general plans. These consistency determinations are advisory to the District rather than binding.

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Building and zoning ordinances represent the most specific expressions of general plan goals, objectives, and policies. State law and judicial interpretation of state law (California Government Code, Section 53091 et seq.) mutually exempt cities and counties from complying with each other's building and zoning ordinances.

Defensible Space for Fire Protection

State of California regulations regarding defensible space requirements are contained in section 4291 of the Public Resources Code (PRC) and Section 51182 of the California Government Code. The PRC primarily directs the creation of defensible space in State Responsibility Areas, while the California Government Code sets the fuel-treatment requirements in local responsibility areas that are designated as very high hazard severity zones. Both codes generally include a requirement to maintain defensible space of 100 feet from each side and from the front and rear of structures but not beyond the property line except under specific circumstances, which would be applicable to the project.

State Board of Forestry and Fire Protection – 2018 Strategic Fire Plan

The Board of Forestry and Fire Protection (Board) developed and adopted the Strategic Fire Plan pursuant to the direction provided under Public Resources Codes Sections 4114 and 4130 regarding fire protection plan development. The Board has adopted these Plans since the 1930s and periodically updates them to reflect current and anticipated needs. The 2018 Plan reflects CAL FIRE's focus on (1) fire prevention and suppression activities to protect lives, property, and ecosystem services and (2) natural-resource management to maintain the state's forests as a resilient carbon sink to meet California's climate change goals and to serve as important habitat for adaptation and mitigation. Additionally, the continued inclusive collaboration among local, state, federal, tribal, and private partners remain paramount to effectively manage towards a more fire-resilient wildland-urban interface and natural environment. Through government and community collaboration, the following goals are intended to enhance the protection of lives, property, and natural resources from wildland fire as well as to improve environmental resilience to wildland fire, all of which would apply to this project:

1. Identify and evaluate wildland-fire hazards and recognize life, property, and natural resource assets at risk, including watershed, habitat, social, and other values of functioning ecosystems. Facilitate the collaborative development and sharing of all analyses and data collection across all ownerships for consistency in type and kind.
2. Promote and support local land-use planning processes as they relate to: (a) protection of life, property, and natural resources from risks associated with wildland fire and (b) individual-landowner objectives and responsibilities.
3. Support and participate in the collaborative development and implementation of local, county, and regional plans that address fire protection and landowner objectives.

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4. Increase fire-prevention awareness, knowledge, and actions implemented by individuals and communities to reduce human loss, property damage, and impacts to natural resources from wildland fires.
5. Integrate fire and fuels management practices with landowner/land manager priorities across jurisdictions.
6. Determine the level of resources necessary to effectively identify, plan, and implement fire prevention using adaptive management strategies.
7. Determine the level of fire suppression resources necessary to protect the values and assets at risk identified during planning processes.
8. Implement post-fire assessments and programs for the protection of life, property, and natural-resource recovery.

Surface Mining and Reclamation Act of 1975

The Surface Mining and Reclamation Act of 1975 was enacted to encourage the production, conservation, and protection of California's mineral resources (DOC, 2019). Together, the DOC's Office of Mine Reclamation and the State Mining and Geology Board oversee administration of the Act's requirements. The State Mining and Geology Board designates areas of statewide or regional significance. As described above, eight sites in Marin County have been designated as having significant mineral resources.

Regional and Local Regulations

Plan Bay Area – Association of Bay Area Governments

Plan Bay Area is a long-range integrated transportation and land-use/housing strategy through 2040 for the San Francisco Bay Area. On July 26, 2017, the plan was jointly approved by the Association of Bay Area Governments Executive Board and by the Metropolitan Transportation Commission. The plan includes the region's Sustainable Communities Strategy and the 2040 Regional Transportation Plan and represents the next iteration of a planning process that has been in place for decades. Plan Bay Area marks the nine-county region's first long-range plan to meet the requirements of California's landmark 2008 Senate Bill 375, which calls on each of the state's 18 metropolitan areas to develop a Sustainable Communities Strategy to accommodate future population growth and reduce greenhouse gas emissions from cars and light trucks. Developed in collaboration with cities and counties, the plan advances initiatives to expand housing and transportation choices, create healthier communities, and build a stronger regional economy (MTC and ABAG, 2017).

Marin Countywide Plan

The following goals and policies related to agriculture and forestry resources, mineral resources, land use and planning, population and housing, wildfire, and socioeconomics in the Marin Countywide Plan are relevant to the project (Marin County, 2007).

Forestry

Goal DES-1.3: Encourage Sustainable Urban Forestry. Promote the use of sustainable urban forestry practices that address long-term forest management, public education, and outreach.

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Community Development

Goal CD-2: Balanced Communities. Maintain balanced communities that house and employ persons from all income groups and provide the full range of needed facilities and services.

Policy CD-2.8: Limit Development in Resource or Hazard Areas. Discourage development in areas with high natural resource value or threats to life or property, and restrict development in such areas to minimize adverse impacts.

Goal CD-4: Coordinate Planning with Other Jurisdictions. Coordinate implementation of the Countywide Plan with community plans and planning efforts by local cities, towns, and special districts, and adjacent counties, as well as regional, State, and federal agencies.

Policy CD-4.4: Provide a Forum to Monitor Issues of Concern. Provide periodic forums with the cities and towns, other local agencies, and members of the public to engage in discussions on issues of mutual concern, such as more-efficient delivery of services, and to promote the sharing of ideas, information, resources, and best practices for Marin.

Goal CD-2: Balanced Communities. Maintain balanced communities that house and employ persons from all income groups and provide the full range of needed facilities and services.

Policy CD-2.8: Limit Development in Resource or Hazard Areas. Discourage development in areas with high natural resource value or threats to life or property, and restrict development in such areas to minimize adverse impacts.

Socioeconomics

Goal EC-1: A Vibrant Economy. Establish and Maintain a diverse and sustainable local economy.

Policy EC-1.5: Consider the Impacts of Climate Change. Identify strategies to protect the economy from the impacts of sea level rise, natural disasters, and diseases outbreaks.

Implementing Programs EC-1.0: Incorporate Economic Impacts of Climate Change into Planning. Consider integrating economic disaster planning into disaster preparedness and mitigation plans, and analyze impacts to the economy from climate change.

Marin County Native Tree Preservation Ordinance

Marin County adopted the Native Tree Preservation and Protection Ordinance (Ordinance No. 3341) in 2002. This ordinance provides for the preservation and protection of native trees in unincorporated portions of Marin County through limiting the removal of protected trees and requiring replacement plantings for trees that are removed.

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Town of Ross Municipal Code

The following codes of the Town of Ross Municipal Code related to agriculture and forestry resources, mineral resources, land use and planning, population and housing, wildfire, and socioeconomics are applicable to the project (Town of Ross, 2020).

Chapter 12.24 Planting, Alteration, Removal, or Maintenance of Trees

12.24.080 Tree Alteration or Removal Permits and Appeals. The Public Works Director shall review and approve, conditionally approve, or deny a Tree Alteration or Removal Permit application if no other entitlements are required. The Public Works Director shall give written notice to the applicant of his or her decision on the application within 30 days. The Public Works Director may refer an application directly to the Town Council for consideration. If native species are removed, replacement trees shall be of a species native to those lands that now constitute the Town of Ross, or a non-native species approved by town staff based on specific site circumstances. Replacement trees should have the same mature size as the trees that have been removed, unless town staff recommends otherwise based on specific site circumstances. If there is a conflict between arborists regarding the condition or structure of a tree, the town arborist's decision shall control. The Town Council or Public Works Director may reduce the number of replacement trees or the tree replacement ratio, as applicable, if the reduction will not negatively impact the environmental functions and value of the urban forest or the aesthetic values of the community. The applicant shall complete tree replacement within sixty (60) days of tree removal, unless the Town has approved a longer time. Failure to plant required tree replacement may subject the property owner to Administrative Penalties under Chapter 9.70 until the replacement trees are planted.

Chapter 14.04 California Fire Code

Wildland–Urban Interface Fire Area. A geographical area identified by the Town of Ross as a “Fire Hazard Severity Zone” in accordance with the Public Resources Code, Sections 4201 through 4204, and California Government Code, Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires, as designated on the map titled Town of Ross Wildland–Urban Interface, dated August 12, 2018, or any map or future map that is adopted to supersede the current map.

Chapter 15.05 California Building Code

Wildland–Urban Interface Fire Area is a geographical area identified by the state as a “Fire Hazard Severity Zone” in accordance with Public Resources Code Sections 4201 through 4204 and California Government Code, Sections 51175 through 51189, or other areas designated by the enforcing agency to be at a significant risk from wildfires. Within the Town of Ross, the Wildland–Urban Interface Fire Area shall include the areas shown on the Wildland–Urban Interface Map adopted by the Town Council and on file with the Town Clerk.

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Town of Ross General Plan

The following policy of the Ross General Plan related to mineral resources, land use and planning, population and housing, wildfire, and socioeconomics is applicable to the project (Town of Ross, 2007).

Housing Element

Housing Goal - Protect and Enhance Existing Housing, Community Character, and Resources. Maintain the high quality of existing housing and community character, and assure energy efficiency in new and existing housing.

Kentfield/Greenbrae Community Plan

The following goal of the Kentfield/Greenbrae Community Plan related to mineral resources, land use and planning, population and housing, wildfire, and socioeconomics is applicable to the project (Kentfield Greenbrae Planning Group and Marin County Planning Department, 1987).

Goal 10: To the greatest extent possible, preserve the natural beauty and view corridors of the planning area. Protect and enhance environmental resources in accordance with policies of the Countywide Plan.

3.16.4 Impact Assessment Methodology

Significance Criteria

Consistent with State CEQA Guidelines Appendix G (Environmental Checklist) and Marin County Environmental Review Guidelines the project could have a significant impact if it would:

- a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use;
- b. Conflict with existing zoning for agricultural use, or a Williamson Act contract;
- c. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220[g]), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104[g]);
- d. Result in the loss of forest land or conversion of forest land to non-forest use;
or
- e. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use.
- f. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state;

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- g. Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan;
- h. Physically divide an established community;
- i. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect;
- j. Result in substantial alteration of the character or functioning of the community, or present planned use of an area;
- k. Conflict with applicable Countywide Plan designation or zoning standards;
- l. Induce substantial unplanned population growth in an area, either directly or indirectly; or
- m. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.
- n. 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;
- o. Displace existing housing, especially affordable housing; or
Result in physical changes which can be traced through a chain of cause and effect to social or economic impacts.

If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, the project could have significant impact if it would:

- p. Substantially impair an adopted emergency response plan or emergency evacuation plan;
- q. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire;
- r. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment; or
- s. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.
Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Approach to Impact Analysis

The following analysis discusses the potential significant impacts of the project related to land use and planning, population and housing, and wildfire impacts in the project area. This section includes an analysis of potential short-term (construction) and long-term (operation and

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maintenance) impacts of the project. Impact evaluations are assessed based on the existing conditions described above. Mitigation measures are identified, as necessary, to reduce significant impacts. The analysis considers the project, Appendix G of the CEQA Guidelines, existing conditions, and applicable regulations, plans, and policies.

3.16.5 Impact Discussion

Impacts Avoided

Due to the nature of the project, there would be no impacts related to the following criteria; therefore, no impact discussion is provided for the reasons described below:

1. **Criterion (a):** The project area is designated as Urban and Built-Up Land, and there is no land containing Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. Therefore, implementation of the project would not convert any Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, nor would it impair the productivity of prime agricultural land. There would be no impact.
2. **Criterion (b):** Implementation of the project would not conflict with existing zoning for agricultural land or a Williamson Act contract because none of the project area is zoned for agricultural use or includes lands under a Williamson Act contract. No other agricultural resources, operations, or contracts exist. There would be no impact.
3. **Criterion (c):** The project would not conflict with zoning for forestry resources because the project area is not zoned as forest land, timberland, or Timberland Production by the County or Town of Ross.
4. **Criterion (d):** The project would not result in loss of forestland or conversion of forestland to non-forest use because no forestland occurs within the project area. The trees located within the area are part of the urban landscape and do not constitute forestland.
5. **Criterion (e):** The project would not result in any other changes in the existing environment that could result in the conversion of Farmland to non-agricultural use because the project is not located within designated Farmland. The project would not result in any other changes in the environment that would convert forestland to non-forest uses because the flood-risk management project is compatible with forest uses outside of the project area.
6. **Criterion (f):** The project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state because the project area does not contain any known mineral resource sites.
7. **Criterion (g):** The project would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land-use plan because the project area does not contain any locally important mineral resource recovery sites.

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8. **Criterion (k):** The project would not displace any housing and therefore would not necessitate construction of replacement housing. There would be no impact during construction or operation of the project.
9. **Criteria (q) (r) (s) (t) (u):** The project area is not located in or near a state responsibility area or a very high fire hazard severity zone. The criteria are therefore not applicable to the project. Further, the project lies upon relatively flat ground and within and adjacent to a creek. The project would not expose people to pollutant concentrations from wildfire or the uncontrolled spread of a wildfire and there would be no impact.
10. **Criterion (o):** The project would not displace existing housing or affordable housing. There would be no impact.
11. **Criterion (p):** The project would reduce flood risk and create habitat. The project would not cause other physical changes in the environment that are tied to social or economic impacts. There would be no impact.

Impacts Analyzed

Impact 3.16-1: The project would not physically divide an established community.	Significance Determination
	Construction: Less than Significant
	Operation and Maintenance: No Impact

Overview

Physical division of an established community would typically involve construction of a physical barrier to neighborhood access, such as a new freeway or removal of a means of access, such as a bridge or a roadway, which would not occur under the project. The creek corridor is a physical barrier between neighbors. Paths along the creek provide pedestrians and bicyclists connections through this corridor and impacts to those pathways could be construed as dividing an established community.

Construction

Construction of the project would involve the temporary closure of Frederick Allen Park and the bicycle and pedestrian path through Frederick Allen Park for up to seven months. The project would also require temporary closure of informal walking paths on the left bank during installation of new floodwall segments in Units 2 and 3 as well as temporary closure of an informal levee path during construction of the lower College of Marin concrete channel removal. The informal paths would be closed for up to two months. The bikeway and path closures would be temporary, and access would be restored post construction. In addition, access would be available through the neighborhood and community on existing city streets, which would not be affected by construction; therefore, the project would not physically divide an established community, and impacts would be less than significant.

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Operation and Maintenance

The multi-use path through Frederick Allen Park would be realigned, and access would remain through Frederick Allen Park through operation and maintenance of the project. The project would not have long-term impacts on other pathways through the area. No impact would occur.

Mitigation: None required.

Impact 3.16-2: The project would not cause a significant environmental impact due to a conflict with any land-use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	Significance Determination
	Construction: No Impact
	Operation and Maintenance: No Impact

Conflicts with land-use plans, policies, and regulations do not necessarily indicate a significant environmental land-use impact under CEQA unless a project substantially conflicts with a land-use plan or policy that was adopted for the purpose of avoiding or mitigating an environmental effect such that a substantial adverse physical change in the environment related to land use would result. To the extent that physical-environmental impacts may result from such conflicts, the physical impacts are evaluated under the relevant environmental-topic environmental resource sections.

The project is consistent with the goals of Plan Bay Area, the project would reduce flood risk in existing neighborhoods as discussed further in Section 3.9 Hydrology, thereby building a stronger and more functional housing community. The project is subject to the land-use policies contained within the Marin Countywide Plan, Town of Ross General Plan, and Kentfield/Greenbrae Community Plan. Table 3.16-4 lists the relevant policies and provides a rationale and a preliminary determination as to whether the project would conflict with those policies. Whether the project is consistent with particular plans will be determined at the time of project approval by the agency charged with making that consistency determination. The project would not conflict with land-use policies that were adopted for the purpose of avoiding or mitigating an environmental effect. No impact would occur.

Mitigation: None required.

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Table 3.16-4 Applicable Land Use Policies Adopted to Avoid or Mitigate an Environmental Effect

Element and Goal, Policy or Implementing Program Number	Goal, Policy, or Implementing Program Language	Analysis
Marin Countywide Plan		
Goal AIR-1	Improved Regional Air Quality. Promote planning and programs that result in the reduction of airborne pollutants measured within the county and the Bay Area.	Consistent. Long-term operation of the project would not result in an increase in airborne pollutants within the County or the Bay Area. However, short-term particulate emissions would be generated by excavation, grading, hauling, and other activities related to construction. Emissions from construction equipment also are anticipated and would include carbon monoxide (CO), nitrogen oxides (NO _x), volatile organic compounds (VOCs), particulate matter (PM _{2.5} and PM ₁₀), and toxic air contaminants such as diesel exhaust particulate matter.
Policy AIR-1.2	Meet Air Quality Standards. Seek to attain or exceed the more stringent of federal or State Ambient Air Quality Standards for each measured pollutant.	As discussed in Section 3.2, Impact 3.2-2, air quality emissions would not exceed any air quality standards set by BAAQMD. In addition, the project would implement the fugitive dust control best management practices consistent with BAAQMD requirements; therefore, the project is consistent with Goal AIR-1 and Policy AIR-1.2.
Policy AIR-1.3	Require Mitigation of Air Quality Impacts. 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. The project is consistent with this policy because the project would not generate a significant level of air pollutants as discussed in Section 3.2, Impact 3.2-2.
Implementing Program AIR-1.g	Require control measures for construction and agricultural activity. Require reasonable and feasible measures to control particulate emissions (PM-10 and PM-2.5) at construction sites and during agricultural tilling activity, pursuant to the	Consistent. Mitigation Measure 3.2-2 requires implementation of these BAAQMD’s fugitive dust Basic Control Measures, which would meet BAAQMD CEQA Air Quality Guidelines requirements for fugitive dust emissions. The project is consistent with this implementing program.

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	<p>recommendations in the BAAQMD CEQA Guidelines, which may include the following:</p> <ul style="list-style-type: none"> • Watering active construction or agricultural tilling areas. • Covering hauled materials. • Paving or watering vehicle access roads. • Sweeping paved and staging areas 	
Goal AIR-4	<p>Minimization of Contributions to Greenhouse Gases. Prepare policies that promote efficient management and use of resources in order to minimize greenhouse gas emissions. Incorporate sea level rise and more extreme weather information into the planning process.</p>	<p>Consistent. Sea level rise was incorporated into the hydrology modeling analysis of the project as discussed in Section 3.9. The project is consistent with this goal.</p>
Implementing Program AIR-4.c	<p>Reduce Methane Emissions Released from Waste Disposal. Encourage recycling, decrease waste sent to landfills, require landfill methane recovery, and promote methane recovery for energy production from other sources. (See Goal PFS-3.)</p>	<p>Consistent. The project’s demolition debris and soil, including concrete, would be recycled at the Marin Resource Recovery Center. Construction materials would be disposed of appropriately to meet recycling requirements. The project is consistent with this implementing program.</p>
Goal BIO-1	<p>Enhanced Native Habitat and Biodiversity. Effectively manage and enhance native habitat, maintain viable native plant and animal populations, and provide for improved biodiversity throughout the County.</p>	<p>Consistent. As documented in Section 3.3, background research and reports have been completed to identify sensitive biological resources in the project area, including wetlands, special-status plants and wildlife, sensitive natural communities, and native trees. Analyses have been conducted to determine the potential for project impacts on these resources and appropriate mitigation measures to minimize the potential for significant impacts. The project is consistent with this goal.</p>
Policy BIO-1.1	<p>Protect Wetlands, Habitat for Special-Status Species, Sensitive Natural Communities, and Important Wildlife</p>	<p>Consistent. Section 3.3 describes the biological resources in the project area, evaluates the project’s potential impacts on</p>

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	<p>Nursery Areas and Movement Corridors. Protect sensitive biological resources, wetlands, migratory species of the Pacific flyway, and wildlife movement corridors through careful environmental review of proposed development applications, including consideration of cumulative impacts, participation in comprehensive habitat management programs with other local agencies and resource management agencies, and continued acquisition and management of open space lands that provide for permanent protection of important natural habitats.</p>	<p>those responses, and identifies appropriate mitigation measures to minimize those impacts. Implementation of the mitigation measures identified in Section 3.3 would protect sensitive biological resources, wetlands, migratory species, and wildlife movement corridors. Therefore, the project would be consistent with this policy.</p>
Policy BIO-1.3	<p>Protect Woodlands, Forests, and Tree Resources. Protect large native trees, trees with historical importance; oak woodlands; healthy and safe eucalyptus groves that support colonies of monarch butterflies, colonial nesting birds, or known raptor sites; and forest habitats. Prevent the untimely removal of trees through implementation of standards in the Development Code and the Native Tree Preservation and Protection Ordinance. Encourage other local agencies to adopt tree preservation ordinances to protect native trees and woodlands, regardless of whether they are located in urban or undeveloped areas</p>	<p>Consistent. As discussed in Chapter 2 Project Description and Section 3.3, implementing the project would involve removal of 369 trees. In addition, construction activities could indirectly affect native trees by damaging roots, compacting soils, and altering drainage patterns. Mitigation Measure 3.3-2b requires mitigation for tree removal in accordance with this policy and the Native Tree Preservation and Protection Ordinance ; therefore, the project would be consistent with this policy.</p>
Policy BIO-1.6	<p>Control Spread of Invasive Exotic Plants. Prohibit use of invasive species in required landscaping as part of the discretionary review of proposed development. Work with landowners, landscapers, the Marin County Open Space District, nurseries, and the multi-agency Weed Management Area to remove and prevent the spread of highly invasive and noxious weeds. Invasive plants are those plants listed in the State’s Noxious Weed List, the California Invasive Plant Council’s list of Exotic Pest Plants of Greatest Ecological Concern in California, and other priority species identified by</p>	<p>Consistent. As discussed in Section 3.3, project construction could introduce invasive species to the project area through weeds on construction equipment or worker boots/waders. Mitigation measures identified in Section 3.3 would require washing of vehicles, cleaning equipment, and defining specific requirements to ensure construction equipment and materials are free of invasive species. Implementing these mitigation measures would prevent introduction of invasive plant species to the project area. Therefore, the project would be consistent with the County’s efforts to control spread of invasive plants.</p>

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	the agricultural commissioner and California Department of Agriculture.	
Policy BIO-2.3	Preserve Ecotones. Condition or modify development permits to ensure that ecotones, or natural transitions between habitat types, are preserved and enhanced because of their importance to wildlife. Ecotones of particular concern include those along the margins of riparian corridors, baylands and marshlands, vernal pools, and woodlands and forests where they transition to grasslands and other habitat types.	Consistent. As discussed in Section 3.3, implementation of the project would temporarily impact 0.55 acre of riparian habitat and remove oak trees. The project would result in a net increase in riparian and wetland habitat. Mitigation measure identified in Section 3.3 would ensure successful restoration of riparian areas and replacement of oak woodland habitat. With implementation of mitigation measures, the project would be consistent with this policy.
Policy BIO-2.4	Protect Wildlife Nursery Areas and Movement Corridors. Ensure that important corridors for wildlife movement and dispersal are protected as a condition of discretionary permits, including consideration of cumulative impacts. Features of particular importance to wildlife for movement may include riparian corridors, shorelines of the coast and bay, and ridgelines. Linkages and corridors shall be provided that connect sensitive habitat areas such as woodlands, forests, wetlands, and essential habitat for special-status species, including an assessment of cumulative impacts.	Consistent. As discussed in Section 3.3, implementation of the project would remove trees that could provide nesting sites for migratory birds or raptors. The District would implement mitigation measures to define avoidance buffers for tree removal to avoid disruption of bird nesting activities and ensure successful restoration of riparian areas to offset impacts from tree removal. The project would also implement mitigation for tree replacement. Project impacts to nesting habitats would be less than significant with mitigation. Therefore, the project would be consistent with the County’s efforts to protect wildlife nursery areas and movement corridors.
Policy BIO-2.5	Restrict Disturbance in Sensitive Habitat During Nesting Season. Limit construction and other sources of potential disturbance in sensitive riparian corridors, wetlands, and baylands to protect bird nesting activities. Disturbance should generally be set back from sensitive habitat during the nesting season from March 1 through August 1 to protect bird nesting, rearing, and fledging activities. Preconstruction surveys should	Consistent. Mitigation Measures 3.3-1d and 3.3-2b define procedures to avoid nesting bird impacts consistent with this policy. With the implementation of these mitigation measures, the project would be consistent with County policy to minimize disturbance to sensitive habitat during the nesting season.

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	<p>be conducted by a qualified professional when development is proposed in sensitive habitat areas during the nesting season, and appropriate restrictions should be defined to protect nests in active use and ensure that any young have fledged before construction proceeds.</p>	
<p>Policy BIO-2.8</p>	<p>Coordinate with Trustee Agencies. Consult with trustee agencies (the CDFW, USFWS, NOAA Fisheries, USACE, USEPA, RWCQB, and BCDC) during environmental review when special-status species, sensitive natural communities, or wetlands may be adversely affected. Goal BIO-3: Wetland Conservation. Require all feasible measures to avoid and minimize potential adverse impacts on existing wetlands and to encourage programs for restoration and enhancement of degraded wetlands.</p>	<p>Consistent. Prior to preparation of the EIR all trustee agencies received a Notice of Preparation and were asked to submit comments on environmental concerns. As discussed in Section 3.3, the appropriate permits and approvals would be obtained from responsible agencies, including CDFW, RWQCB, NMFS, and USACE. The project is consistent with this policy.</p>
<p>Goal BIO-4</p>	<p>Riparian Conservation. Protect and, where possible, restore the natural structure and function of riparian systems.</p>	<p>Consistent. The project would result in a net creation of riparian habitat within new floodplain areas. Therefore, the project is consistent with the County’s riparian conservation policy.</p>
<p>Policy BIO-4.4</p>	<p>Promote Natural Stream Channel Function. Retain and, where possible, restore the hydraulic capacity and natural functions of stream channels in SCAs. Discourage alteration of the bed or banks of the stream, including filling, grading, excavating, and installation of storm drains and culverts. When feasible, replace impervious surfaces with pervious surfaces. Protect and enhance fish habitat, including through retention of large woody debris, except where removal is essential to protect against property damage or prevent safety hazards. In no case shall alterations that create barriers to fish migration be</p>	<p>Consistent. The proposed project is a flood risk management project that would include project elements to restore Corte Madera Creek within the project area to a more natural state, including replacing the concrete channel in Frederick Allen Park with a wider earthen channel and floodplain and removing the lower College of Marin concrete channel to restore natural creek function. The project would also involve project elements that enhance creek habitat. Habitat enhancement includes increasing the natural condition both in the channel and adjacent to the creek by removing concrete and structures that</p>

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	<p>allowed on streams mapped as historically supporting salmonids. Alteration of natural channels within SCAs for flood control should be designed and constructed in a manner that retains and protects the riparian vegetation, allows sufficient capacity and natural channel migration, and allows reestablishment of woody trees and shrubs without compromising the flood flow capacity where avoidance of existing riparian vegetation is not possible. (Details in setbacks and other aspects of stream corridors are in Section 2.4 of the Marin Countywide Plan.)</p>	<p>restrict flow, obstruct fish passage, or block natural vegetation establishment. Accordingly, the project is consistent with the County’s policy to promote natural stream channel functions.</p>
<p>Policy BIO-4.5</p>	<p>Restore and Stabilize Stream Channels. Pursue stream restoration and appropriate channel redesign where sufficient right-of-way exists that includes the following: a hydraulic design, a channel plan form, a composite channel cross-section that incorporates low flow and bankfull channels, removal and control of invasive exotic plant species, and biotechnical bank stabilization methods to promote quick establishment of riparian trees and other native vegetation.</p>	<p>Consistent. The project has been designed to include stream restoration and appropriate channel design for portions of Corte Madera Creek within Unit 4, Frederick Allen Park and lower Corte Madera Creek. The project design in Frederick Allen Park incorporates low flow and bankfull channels and biotechnical bank stabilization methods using riparian trees and native vegetation. The project is consistent with this policy.</p>
<p>Policy BIO-4.6</p>	<p>Control Exotic Vegetation. Remove and replace invasive exotic plants with native plants as part of stream restoration projects and as a condition of site-specific development approval in a SCA, and include monitoring to prevent reestablishment.</p>	<p>Consistent. As described in Chapter 2 Project Description, maintenance activities of the project would include restoring creek habitat by removing invasive nonnative plants and revegetating with native plants. Therefore, the project is consistent with the County’s efforts to control exotic vegetation.</p>
<p>Policy BIO-4.7</p>	<p>Protect Riparian Vegetation. Retain riparian vegetation for stabilization of streambanks and floodplains, moderating water temperatures, trapping and filtering sediments and other water pollutants, providing wildlife habitat, and aesthetic reasons.</p>	<p>Consistent. The project design includes net creation of riparian vegetation and habitat in Unit 4 and Frederick Allen Park. The project is consistent with this policy.</p>

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Policy BIO-4.8	<p>Reclaim Damaged Portions of SCAs. Restore damaged portions of SCAs to their natural state wherever possible, and reestablish as quickly as possible any herbaceous and woody vegetation that must be removed within an SCA, replicating the structure and species composition of indigenous native riparian vegetation.</p>	<p>Consistent. The project would involve increasing natural conditions both in the channel and adjacent to the creek by removing concrete and structures that restrict flow, obstruct fish passage, or block natural vegetation establishment. The project would create conditions that promote fish habitat and passage and restore tidal, wetland, and riparian habitat along Corte Madera Creek. Therefore, the project would be consistent with the County’s reclaim damaged portions of SCAs policy.</p>
Policy BIO-4.9	<p>Restore Culverted Streams. Replace storm drains and culverts in SCAs with natural drainage and flood control channels wherever feasible. Reopening and restoring culverted reaches of natural drainages should be considered part of review of development applications on parcels containing historic natural drainages where sufficient land area is available to accommodate both the reopened drainage and project objectives. Detailed hydrologic analysis may be required to address possible erosion and flooding implications of reopening the culverted reach, and to make appropriate design recommendations. Incentives should be provided to landowners in restoring culverted, channelized, or degraded stream segments. Where culverts interfere with fish migration but replacement is not possible, modify culverts to allow unobstructed fish passage.</p>	<p>Consistent. The project would remove the existing concrete storm drains in Unit 2. New vegetated bioretention basins and bio-swales would be constructed to handle stormwater run-off. The project would be consistent with the County’s restore culverted streams policy.</p>
Policy BIO-4.15	<p>Reduce Wet Weather Impacts. Ensure that development work adjacent to and potentially affecting SCAs is not done during the wet weather or when water is flowing through streams, except for emergency repairs, and that disturbed soils are stabilized and replanted, and areas where woody vegetation</p>	<p>Consistent. The project has been scheduled to allow construction only during the dry season when creek flows are at their lowest. The project is consistent with this policy.</p>

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	has been removed are replanted with suitable species before the beginning of the rainy season.	
Policy BIO-4.16	Regulate Channel and Flow Alteration. Allow alteration of stream channels or reduction in flow volumes only after completion of environmental review, commitment to appropriate mitigation measures, and issuance of appropriate permits by jurisdictional agencies based on determination of adequate flows necessary to protect fish habitats, water quality, riparian vegetation, natural dynamics of stream functions, groundwater recharge areas, and downstream users.	Consistent. Construction of the project would occur after completion of environmental review. The project is required to obtain permits and approval from various federal, state and local agencies. The anticipated permits and approvals needed for implementation of the project are identified in Section 2.8 Permits and Approvals. The District is committed to implementing mitigation measures identified in the EIR and requirements identified in appropriate permits. The project would be consistent with the County’s regulate channel and flow alternation policy.
Policy BIO-4.19	Maintain Channel Stability. Applicants for development projects may be required to prepare a hydraulic and/or geomorphic assessment of onsite and downstream drainage ways that are affected by project area runoff. This assessment should be required where evidence that significant current or impending channel instability is present, such as documented channel bed incision, lateral erosion of banks (e.g., sloughing or landsliding), tree collapse due to streambank undermining and/or soil loss, or severe in-channel sedimentation, as determined by the County. (More details are available in Section 2.4 of the Marin Countywide Plan.)	Consistent. Hydraulic modeling and analysis were conducted for the project design and the model results are discussed in Section 3.9. The project is consistent with this policy.
Implementation Policy BIO-4.f	Identify Potential Impacts to Riparian Systems. At the time of a development application, evaluate potential impacts on riparian vegetation and aquatic habitat, and incorporate measures to protect riparian systems into the project design and construction. Retain and minimize disturbance to woody and	Consistent. Potential impacts to riparian vegetation and aquatic habitat and appropriate mitigation measures to reduce adverse impacts are discussed in Section 3.3. The project will result in a net increase in riparian vegetation due to increased planting of

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	herbaceous riparian vegetation in Stream Conservation Areas and adjacent areas. (Tree growth may be cleared from the stream channel where removal is essential to protect against property damage or prevent safety hazards.)	riparian vegetation in Unit 4 and Frederick Allen Park. The project is consistent with this policy.
Policy CD-2.8	Limit Development in Resource or Hazard Areas. Discourage development in areas with high natural resource value or threats to life or property and restrict development in such areas to minimize adverse impacts.	Consistent. The project will not introduce new development into the floodplain. The project would effectively provide enhanced levels of flood-risk reduction for existing developments adjacent to the creek. The project would be consistent with this policy.
Goal DES-4	Protection of Scenic Resources. Minimize visual impacts of development and preserve vistas of important natural features.	Consistent. As discussed in Section 3.1, the project would not have a substantial adverse effect on a scenic vista. The project would not block views of any scenic vista because the project features are located below grade or are low lying.
Policy DES-4.1	Preserve Visual Quality. Protect scenic quality and views of the natural environment — including ridgelines and upland greenbelts, hillsides, water, and trees — from adverse impacts related to development	The project includes landscaping and tree planting that is compatible with the natural environment and would create a natural riparian corridor and saltwater marsh areas along portions of Corte Madera Creek. The project would implement landscaping to screen new structures and would employ design features that are compatible with the existing visual context.
Implementing Program DES-4.a	Protect Key Public Views. Work with community groups to identify, map, and protect important view corridors. Establish design standards for development in these areas as part of the design review requirements and individual community plans (see DES-3.b)	The proposed floodwall elements in Units 2 and 3 would result in low contrast with the existing floodwall and would minimize visual impacts from the facilities due to the unity with the existing structure in the view. The project is consistent with the goal, policy and implementing programs.
Implementing Program DES-4.b	Minimize Visual Impacts of Public Facilities. Amend applicable codes and procedures to require appropriate placement, design, setbacks, and native landscaping of public facilities (including soundwalls, medians, retaining walls, power lines, and water tanks) to reduce visual impacts, and encourage local agencies to adopt similar standards.	

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Goal EH-2	Safety from Seismic and Geologic Hazards. Protect people and property from risks associated with seismic activity and geologic conditions.	Consistent. Mitigation Measure 3.6-1 requires the preparation of a geotechnical investigation report by a professional geotechnical engineer to identify potential geologic hazards in the project area consistent with the implementing program. The mitigation measure also requires the report to meet performance criteria imposed by the California Building Code. The report would be incorporated into the design of the project structures to minimize seismic hazards and ensure structural safety of the proposed structures.
Policy EH-2.1	Avoid Hazard Areas. Require development to avoid or minimize potential hazards from earthquakes and unstable ground conditions.	
Implementing Program EH-2.a	Require Geotechnical Reports. Continue to require any applicant for land division, master plan, development approval, or new construction in a geologic hazard area to submit a geotechnical report prepared by a State-certified Engineering Geologist or a Registered Geotechnical Engineer that: <ul style="list-style-type: none"> • evaluates soil, slope, and other geologic hazard conditions; • commits to appropriate and comprehensive mitigation measures sufficient to reduce risks to acceptable levels, including post-construction site monitoring, if applicable; • addresses the impact of the project on adjacent lands, and potential impacts of off-site conditions; and • meets the requirements of other agency regulations with jurisdiction in the hazard area, such as Bay Conservation and Development Commission requirements for the safety of fills consistent with the Bay Plan. 	
Implementing Program EH-2.b	Require Construction Observation and Certification. Require any work or construction undertaken to correct slope instability or mitigate other geologic hazard conditions to be supervised and certified by a geotechnical engineer and/or an engineering geologist.	

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Implementing Program EN-3.c	Divert Construction Waste. Continue to implement and improve the Construction and Demolition Waste Recovery Ordinance, requiring building projects to recycle or reuse a minimum of 50% of unused or leftover building materials.	Consistent. The demolition debris, including excavated soil and concrete generated by the project would be recycled at the Marin Resource Recovery Center. Rip-rap and excavated soil would be reused on site where feasible. Inefficient consumption of resources would be avoided through reuse of materials. The project would be consistent with the implementing program.
Policy HAR-1.1	Preserve Historical and Archaeological Resources. Identify archaeological and historical resource sites.	Consistent. As described in Section 3.4, record searches have been conducted to identify potential cultural resources in the project area. Mitigation Measure 3.4-2 defines procedures to avoid and minimize potential impacts to previously undiscovered resources including protecting resources in place, the project would avoid damaging cultural resources consistent with the policy.
Policy HAR-1.3	Avoid Impacts to Historical and Archaeological Resources. Ensure that human activity avoids damaging cultural resources, where feasible.	Consistent. As described in Section 3.4, record searches have been conducted to identify potential cultural resources in the project area. Mitigation Measure 3.4-2 defines procedures to avoid and minimize potential impacts to previously undiscovered resources including protecting resources in place, the project would avoid damaging cultural resources consistent with the policy.
Goal 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. As described in Section 3.10, project construction would occur during the allowable construction hours within each jurisdiction. Project construction activities would generate noise that would result in a temporary increase in the ambient noise level; however, the noise impacts would be temporary and noise reduction measures would be implemented as defined in Mitigation Measure 3.10-1. The project would be consistent with the goal, policy, and implementing program for noise.
Policy NO-1.3	Regulate Noise Generating Activities. Require measures to minimize noise exposure to neighboring properties, open space, and wildlife habitat from construction-related activities, yard maintenance equipment, and other noise sources, such as amplified music.	Consistent. As described in Section 3.10, project construction would occur during the allowable construction hours within each jurisdiction. Project construction activities would generate noise that would result in a temporary increase in the ambient noise level; however, the noise impacts would be temporary and noise reduction measures would be implemented as defined in Mitigation Measure 3.10-1. The project would be consistent with the goal, policy, and implementing program for noise.
Implementing Program NO-1.i	Regulate Noise Sources - Sections 6.70.030(5) and 6.70.040 of the Marin County Code establish allowable hours of operation for construction-related activities. As a condition of permit approval for projects generating significant construction noise impacts during the construction phase, construction	Consistent. As described in Section 3.10, project construction would occur during the allowable construction hours within each jurisdiction. Project construction activities would generate noise that would result in a temporary increase in the ambient noise level; however, the noise impacts would be temporary and noise reduction measures would be implemented as defined in Mitigation Measure 3.10-1. The project would be consistent with the goal, policy, and implementing program for noise.

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	management for any project shall develop a construction noise reduction plan and designate a disturbance coordinator at the construction site to implement the provisions of the plan.	
Policy OS-2.4	Support Open Space Efforts Along Streams. Support efforts to restore, enhance, and maintain natural vegetation and other habitat values along streams in the Baylands and City-Centered corridors. Maintain strict controls and high environmental standards in these zones. Targeted streams and creeks in the Baylands and City-Centered corridors includes Corte Madera Creek.	Consistent. The project involves improvements to the Corte Madera Creek channel, including concrete removal, riparian plantings, and fish-passage improvements, which would enhance and maintain natural vegetation and other habitat values. The project would not conflict with this policy.
Goal PFS-1	Adequate Public Facilities and Services. Provide basic public facilities to accommodate the level of development planned by cities and towns and the County.	Consistent. The project is a flood-risk reduction project that would be owned by the District. The District, a public entity, would own the pump station and flood control facilities. The facilities have been planned to reduce long-term maintenance costs. The project would provide flood risk reduction for existing development. The project would not conflict with these goal and policies.
Policy PFS-1.2	Plan Effectively to Minimize Costs. Plan public facilities in cooperation with service providers to minimize short- and long-term construction, operation, and maintenance costs.	
Policy PFS-1.3	Discourage Privatization and Commercialization. Encourage public ownership of utilities and public service facilities by not authorizing privatization of water, sewer, law enforcement, emergency service, school, and other essential services. Consider prohibiting corporate sponsorship and commercially driven naming rights of public facilities and lands as a means to fund maintenance and improvements.	
Policy PFS-1.4	Reduce Demand on Public Facilities. Reduce per capita and total demand for water and wastewater treatment, and enhance stormwater management through integrated and	Consistent. The project includes a stormwater pump station that would have a beneficial effect on the stormwater drainage system. The project would not cause permanent increase in water demand. The project would not conflict with this policy.

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Element and Goal, Policy or Implementing Program Number	Goal, Policy, or Implementing Program Language	Analysis
	cost-effective design, technology, and demand reduction standards for new development and redevelopment.	
Policy PFS-2.1	Conserve Water and Utilize Sustainable Sources. Promote conservation to increase the responsible use and reliability of water supplies. Reduce the waste of potable water through efficient technologies, design, and management practices, and through better matching of the source and quality of water to the user’s needs.	Consistent. As discussed above, the project would not result in a permanent increase in water demand. Therefore, the project would not conflict with this goal.
Goal PFS-4	Efficient Processing and Reduced Landfill Disposal of Solid Waste. Minimize, treat, and safely process solid waste materials in a manner that protects natural resources from pollution while planning for the eventual reuse or recycling of discarded material to achieve zero waste.	Consistent. The demolition debris, including excavated soil and concrete generated by project construction, would be recycled at the Marin Resource Recovery Center. Rip-rap and excavated soil would be reused on site where feasible. Inefficient consumption of resources would be avoided through reuse of materials. The construction debris that can be reused will not be sent to the landfill and will be recycled or reused on other projects. Materials that cannot be recycled or reused will be sent to the Redwood Landfill and Recycling Center. The project would be consistent with the goal, policies, and implementing program.
Policy PFS-4.1	Reduce the Solid Waste Stream. Promote the highest and best use of discarded materials through redesign, reuse, composting, and shared producer responsibility. Emphasize a closed-loop system of production and consumption.	
Policy PFS-4.2	Protect Environmental Health. Require the use of waste processing and disposal techniques that prevent the contamination or other impairment of natural resources.	
Policy PFS-4.3	Plan for Waste Transformation or Disposal. Plan for the transformation or elimination of waste materials that cannot be reduced, recycled, or composted.	
Policy PFS-4.4	Promote Regulatory Efforts. Support State legislative or regulatory efforts that will aid in achieving zero waste.	

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Element and Goal, Policy or Implementing Program Number	Goal, Policy, or Implementing Program Language	Analysis
Implementing Program PFS-4.b	Divert Construction Waste. Continue to implement the construction and demolition recycling waste ordinance to divert construction waste from landfills.	
Goal PK-1	A High-Quality Parks and Recreation System. Provide park and recreation facilities and programs to meet the various needs of all county residents.	
Policy PK-1.1	Conduct and Coordinate Park Planning. Develop park and recreation facilities and programs to provide active recreation, passive enjoyment, and protection of natural resources as a complement to local, state, and national parks and open space in Marin County.	Consistent. The project would include construction of new and relocated recreation elements within Frederick Allen Park, including new access to the creek and relocation and realignment of Bike Route 20. Improvements also include installation of rocks, a split-rail fence to prevent encroachment into riparian habitats during the plant establishment period, and an opening in the split-rail fence that would allow for pedestrians to access the natural creek channel via an informal path.
Policy PK-1.2	Consider User Needs, Impacts, and Costs. Plan and develop any needed new park and recreation facilities and programs to meet the desires of the community and protect environmental resources.	Meetings were held with the public to obtain input on the recreational design. The recreational facilities have been designed to protect the stream and riparian corridor after construction. The project would be consistent with these goal and policies.
Policy PK-1.3	Protect Park Resources from Impacts of Climate Change. Identify strategies to protect park resources from the effects of climate change, such as violent weather, plant loss, or change due to moisture and temperature changes and sea level rise.	Consistent. Habitat created in the earthen channel area in the lower College of Marin project element would be planted with native vegetation at elevations that would accommodate sea-level rise so that the vegetation and habitat would be resilient to climate change. The project would be consistent with this policy.
Goal PS-3	Effective Emergency and Disaster Preparedness. Provide proper emergency and disaster preparedness services through effective and coordinated emergency management plans and procedures.	Consistent. As discussed in Section 3.8, the project would not affect implementation of an emergency operation plan, emergency response plan, or an emergency evacuation plan for Marin County. The project would reduce flood risk and

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Element and Goal, Policy or Implementing Program Number	Goal, Policy, or Implementing Program Language	Analysis
Policy PS-3.1	Plan Thoroughly for Emergencies. Ensure that the County, its citizens, businesses, and services are prepared for effective response and recovery in the event of emergencies or disasters.	would therefore reduce the risk of flooding related emergencies. The project would not conflict with the goal or policy.
Goal PS-4	Decreased Exposure to Hazardous Materials. Reduce the risks to human and environmental health from hazardous materials.	Consistent. As discussed in Section 3.8, project activities are required to comply with numerous hazardous materials and stormwater regulations designed to ensure that hazardous materials are transported, used, stored, and disposed of in a safe manner to protect worker safety and to reduce the potential for a release of construction-related fuels or other hazardous materials to water bodies. The project would be consistent with the goal and policy.
Policy PS-4.1	Regulate and Reduce Hazardous Material Use. Control the use and storage of hazardous materials to minimize their presence in, and potential dangers to, the community and environment.	Consistent. As discussed in Section 3.8, project activities are required to comply with numerous hazardous materials and stormwater regulations designed to ensure that hazardous materials are transported, used, stored, and disposed of in a safe manner to protect worker safety and to reduce the potential for a release of construction-related fuels or other hazardous materials to water bodies. The project would be consistent with the goal and policy.
Goal TR-1	Safe and Efficient Movement of People and Goods. Provide a range of transportation options that meet the needs of residents, businesses, and travelers.	Consistent. Construction of the project would temporarily disrupt bicycle and recreational access on Bike Route 20 within Frederick Allen Park for a period of seven months. Mitigation Measure 3.13-1 requires detours for bicyclists and pedestrians to continue to provide safe bicycle and pedestrian access from Ross Commons to the College of Marin while the multi-use pathway is closed. The proposed multi-use pathway in Frederick Allen Park would continue to provide pedestrian and bicyclist transportation after construction. The project is consistent with this goal.
Goal WR-1	Healthy Watersheds. Achieve and maintain proper ecological functioning of watersheds, including sediment transport, groundwater recharge and filtration, biological processes, and natural flood mitigation, while ensuring high-quality water.	Consistent. The project would improve ecological functions by removing concrete from a segment of the Corte Madera Creek channel and increasing natural water quality and biological processes within the portion of Corte Madera Creek that is

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Element and Goal, Policy or Implementing Program Number	Goal, Policy, or Implementing Program Language	Analysis
Policy WR-1.2	Restore and Enhance Watersheds. Support watershed restoration efforts, coordinate County watershed activities with efforts by other groups, and simplify permit acquisition for watershed restoration and enhancement projects.	restored. The project design include channel stabilization measures to control erosion.
Implementing Program WR-1.f	Require Stream Restoration Projects. Require restoration of streams in conjunction with associated land use approvals to improve groundwater recharge and filtration and to ensure high-quality water. Restoration projects should follow the design principles of natural channel restoration utilizing geomorphic concepts.	The project would implement stormwater pollution prevention best management practices (BMPs) and would prepare a SWPPP that includes BMPs for sediment and erosion control.
Policy WR2.3	Avoid Erosion and Sedimentation. Minimize soil 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 onsite sediment retention. Require developments to include onsite facilities for the retention of sediments and, if necessary, require continued monitoring and maintenance of these facilities upon project completion	
Implementing Program WR-2.b	Integrate Bay Area Stormwater Management Agencies Association Stormwater Quality Protection Guidelines into Permitting Requirements for All Development and Construction Activities. All projects should integrate stormwater pollution prevention design features for water quality protection to the extent feasible, such as those included in the Bay Area Stormwater Management Agencies Association Start-at-the-Source manual and the Tools Handbook.	

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Element and Goal, Policy or Implementing Program Number	Goal, Policy, or Implementing Program Language	Analysis
Town of Ross General Plan		
Housing Goal	Protect and Enhance Existing Housing, Community Character, and Resources. Maintain the high quality of existing housing and community character, and assure energy efficiency in new and existing housing	Consistent. The project would provide flood protection and enhance natural creek conditions including increased riparian habitat. The reduced flood risk and increased natural creek conditions consistent with the natural creek conditions in Unit 4 in the Town of Ross would enhance the existing community character and would not conflict with this goal.
Kentfield/Greenbrae Community Plan		
Goal 10	To the greatest extent possible, preserve the natural beauty and view corridors of the planning area. Protect and enhance environmental resources in accordance with policies of the Countywide Plan.	Consistent. The project would improve fish passage, natural creek processes, fish and riparian habitat adjacent to the creek, and recreational amenities along the creek corridor. The project is located in an urban area and within a confined viewshed and the proposed floodwalls would be visually consistent with the existing floodwalls. The project would not conflict with this goal.

Source: (Marin County, 2007; Kentfield Greenbrae Planning Group and Marin County Planning Department, 1987; Town of Ross, 2007)

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Impact 3.16-3: The project would not result in substantial alteration of the character or functioning of the community or present or planned use of an area.	Significance Determination
	Construction: Less than Significant
	Operation and Maintenance: Less than Significant

The project would not alter the present or planned use of an area. The existing land use in the project area would remain after construction and during operation and maintenance of the project. Corte Madera Creek would continue to be used as a creek and managed for flood control and habitat. Frederick Allen Park would continue to be a park and managed for recreational use. The proposed habitat and creek improvements in the park would be compatible with the recreational use.

Construction

During construction, the project would involve temporary disturbance and permanent modifications along the Corte Madera Creek channel. The project would result in significant modifications to Frederick Allen Park, including removal of trees, removal of the concrete channel, and creation of a natural channel and riparian floodplain, and realignment of the multi-use path. Construction would involve use of heavy equipment that would produce day-time noise levels that exceed the baseline noise levels in the residential area and would temporarily alter the character of the surrounding area. Construction would last up to seven months at Frederick Allen Park, and the temporary increase in construction noise and disturbance would not result in a substantial alteration of the character of the area.

Operation and Maintenance

Immediately following construction, the project would result in exposed earth within Frederick Allen Park and a realigned pathway. The trees and associated shade contribute to the present character of Frederick Allen Park. The removal of trees, reduction in shade, and exposure of newly graded areas would result in a change to the character of the area due to the temporary reduction in urban forest. The loss of trees could reduce the feeling of privacy of residences located across from the park. The impact would be greatest prior to the establishment of vegetation and tree growth. A planting plan for Frederick Allen Park is included in Appendix B. The planting plan includes planting of some larger trees to provide greater vegetation screening immediately after construction, but there would be a temporary reduction in tree canopy for a few years while vegetation establishes. The reduction in vegetation screening from residential areas would last for a period of up to 10 years. The project would not result in removal of vegetation from private property and the existing vegetation screening on private property would remain. The impact from reduced canopy cover would be temporary and would not permanently alter the character of the community. The impact from alteration of the character of the area would be less than significant.

Mitigation: None required.

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Impact 3.16-4: The project would not induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure).	Significance Determination
	Construction: Less than Significant
	Operation and Maintenance: No Impact

Construction

Project construction would occur over a period of up to seven months and would employ an average of eight to ten construction workers per day. Construction workers would likely come from within Marin County and other Bay Area counties. While it is possible that some workers might temporarily relocate from other areas, the project is not expected to result in a substantial increase in the local population. Therefore, the minimal increase in local population from the potential short-term relocation of construction workers would result in less-than-significant impacts.

Operation and Maintenance

The project includes improvements to the concrete Corte Madera Creek flood control channel, which would improve fish passage and provide increased 25-year flood-risk reduction to residents and businesses within the Town of Ross and unincorporated Kentfield. The project would not construct housing and therefore would not directly induce growth in the watershed. In addition, the reduction in flood hazard would affect areas already developed and thus would not indirectly support population growth. Operation and maintenance of the project would, therefore, not induce unplanned population growth, and there would be no impact.

Mitigation: None required.

3.16.6 References

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