

APPENDIX A:
NOTICE OF PREPARATION AND SCOPING COMMENTS



Notice of Preparation Environmental Impact Report City of San Rafael

Date: March 29, 2019

To: State Clearinghouse
State Responsible Agencies
State Trustee Agencies
Other Public Agencies
Interested Organizations

From: Barry Miller, Consulting Project Manager
City of San Rafael
Community Development Department
1400 Fifth Street
San Rafael, CA 94901

Subject: Notice of Preparation (NOP) of the Draft Environmental Impact Report (EIR) for the General Plan 2040 and Downtown Precise Plan

Lead Agency: City of San Rafael Community Development Department

Project Title: General Plan 2040 and Downtown Precise Plan

Project Area: City of San Rafael and unincorporated San Rafael Planning Area

Notice is hereby given that the City of San Rafael (City) will prepare an EIR for the San Rafael General Plan 2040 and Downtown Precise Plan (proposed project) and will hold a public meeting to receive comments on the scope of the EIR, as detailed below. Pursuant to the California Environmental Quality Act (CEQA) Guidelines Section 15206, the proposed project is considered a project of statewide, regional, or areawide significance. The City, acting as the Lead Agency, determined that the proposed project could result in potentially significant environmental impacts and that an EIR is required.

The City will prepare an EIR to address the potential environmental impacts associated with the project at a programmatic level consistent with CEQA Guidelines Section 15168. The program-level EIR will evaluate the proposed project for potential impacts on the environment and analyze the proposed policies to determine the potential environmental consequences of future change. An evaluation of project alternatives that could reduce significant impacts will be included in the EIR. The proposed project, its location, and potential environmental effects are described below.

The City is requesting comments and guidance on the scope and content of the EIR from interested public agencies, organizations, and individuals. With respect to the views of Responsible and Trustee Agencies as to significant environmental issues, the City needs to know the reasonable alternatives and mitigation measures that are germane to each agency's statutory responsibilities in connection with the proposed project.

Due to the time limits mandated by State law, your response must be sent at the earliest possible date, but no later than the close of the 30-day NOP review period at **5:00 p.m. on Monday, April 29, 2019**. If you submit comments on the scope of the EIR, you will automatically be added to the City's distribution list for future notices and information about the environmental review process for proposed project. If you do not wish to submit comments on the scope of the EIR, but would like to be added to the City's mailing list, you can submit your contact information, including email address with a request to be added to the mailing list.

Please send your written comments to Barry Miller, at the address shown above or email to Barry.Miller@cityofsanrafael.org with "*General Plan 2040 and Downtown Precise Plan EIR*" as the subject. Public agencies providing comments are asked to include a contact person for the agency.

A Scoping Meeting to accept oral comments will be held before the San Rafael Planning Commission on **Tuesday April 23, 2019 at 7:00 pm.** at City Hall in the Council Chambers (1400 Fifth Street, San Rafael, CA 94901)

PROJECT LOCATION, DESCRIPTION, AND OBJECTIVES

This section describes the location, project description, and overall objective of the proposed project. A copy of this NOP, information about the project, including relevant documents, information on upcoming meetings, and ways you can provide feedback can be viewed: 1) on line at <http://www.sanrafael2040.org>, or 2) City Hall (1400 Fifth Avenue - Planning Division counter, 3rd Floor). The Planning Division counter is open Mondays, Tuesdays and Thursdays from 8:30 a.m. to 4:30 p.m. and, Wednesdays and Fridays from 8:30 a.m. to 1:30 p.m.

Project Location

The project encompasses the San Rafael Planning Area, which includes all land within the city limits, adjacent land in the Sphere of Influence (SOI) boundary, and land beyond the SOI that is commonly perceived as greater San Rafael. Unincorporated areas within the SOI include California Park, Country Club, Bayside Acres, and Los Ranchitos; China Camp State Park; the Santa Venetia area; and the San Rafael Rock Quarry. The Planning Area also includes Marinwood and Lucas Valley (developed and undeveloped portions), although these areas are outside the SOI. The Downtown Precise Plan area encompasses 265 acres located in downtown San Rafael. See Figures 1, 2, and 3 for regional and study area maps.

Project Description and Objectives

Often described as each city's "constitution," general plans are required by State law to guide land use and development, typically within a 20-year horizon. General plans must be periodically updated to respond to new state laws, changing conditions, and emerging issues and opportunities. San Rafael's existing General Plan was prepared in 1999-2003 and was adopted in 2004, with a horizon year of 2020. Since the horizon year is approaching, the City is now updating its plan to extend the planning period to 2040. The San Rafael General Plan 2040 (General Plan 2040) will build off the current General Plan 2020 and provide a framework for land use, transportation, and conservation decisions through the year 2040.

The City is also preparing a Downtown Precise Plan (Precise Plan) concurrently with the General Plan 2040. The Precise Plan is being funded by a grant from the Metropolitan Transportation Commission. The intent of the Precise Plan is to facilitate housing production, placemaking, economic vitality, innovative transportation solutions, and community engagement with an emphasis on sustainable, transit-oriented development.

Both the proposed General Plan 2040 and the Downtown Precise Plan will direct future growth within the study area and address the city's vulnerability to environmental challenges such as sea level rise, wildland fires, and other hazards identified in the City's Local Hazard Mitigation Plan and updated Climate Action Plan. Both plans are intended to respond to local and regional housing needs, foster economic growth and local job creation, enhance civic identity and placemaking, and protect sensitive natural resources.

Environmental Review

The San Rafael General Plan 2040 and Downtown Precise Plan program EIR will determine whether implementation of the proposed project may result in environmental impacts that require mitigation measures to offset potential impacts. By incorporating implementation provisions (goals, policies, and programs) that focus on reducing environmental impacts, the proposed project can be made largely "self-mitigating," which reduces the need for separate EIR mitigation measures, improves the efficiency of implementation, and increases the likelihood that development within the study area will be environmentally sustainable. In accordance with CEQA, the cumulative impacts discussion will be based on review of other plans shaping development outside of the study area. CEQA requires that an EIR evaluate alternatives to a project that could reasonably attain the project objectives while reducing any significant impact of the project, as well as considering the "No Project" Alternative (i.e., what could happen if the project were not approved).

Environmental Factors Potentially Affected

The EIR will address the proposed project's potential impacts to the following environmental topics:

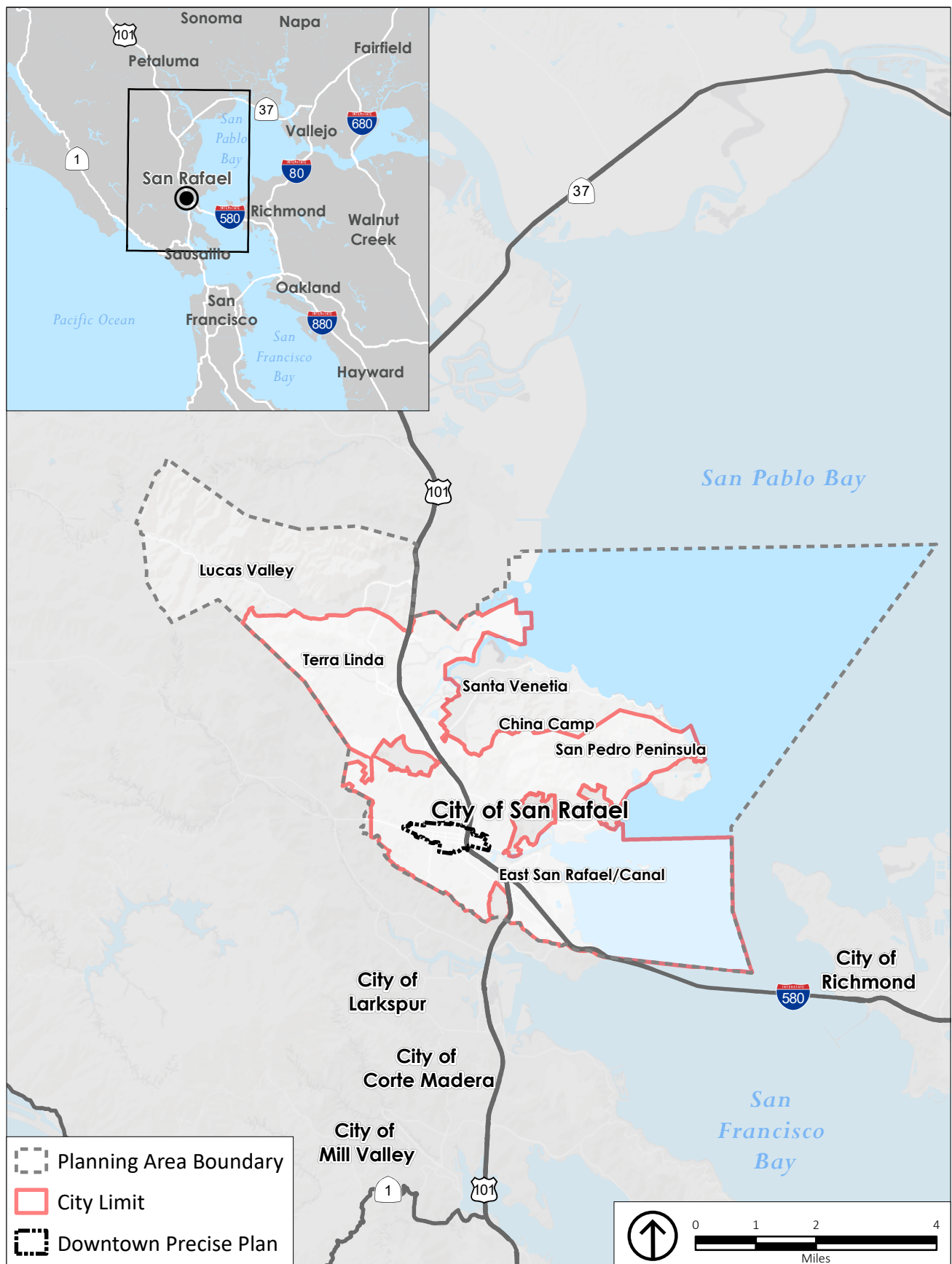
- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources/Tribal Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Parks and Recreation
- Transportation
- Utilities and Service Systems
- Wildfire

Attachments:

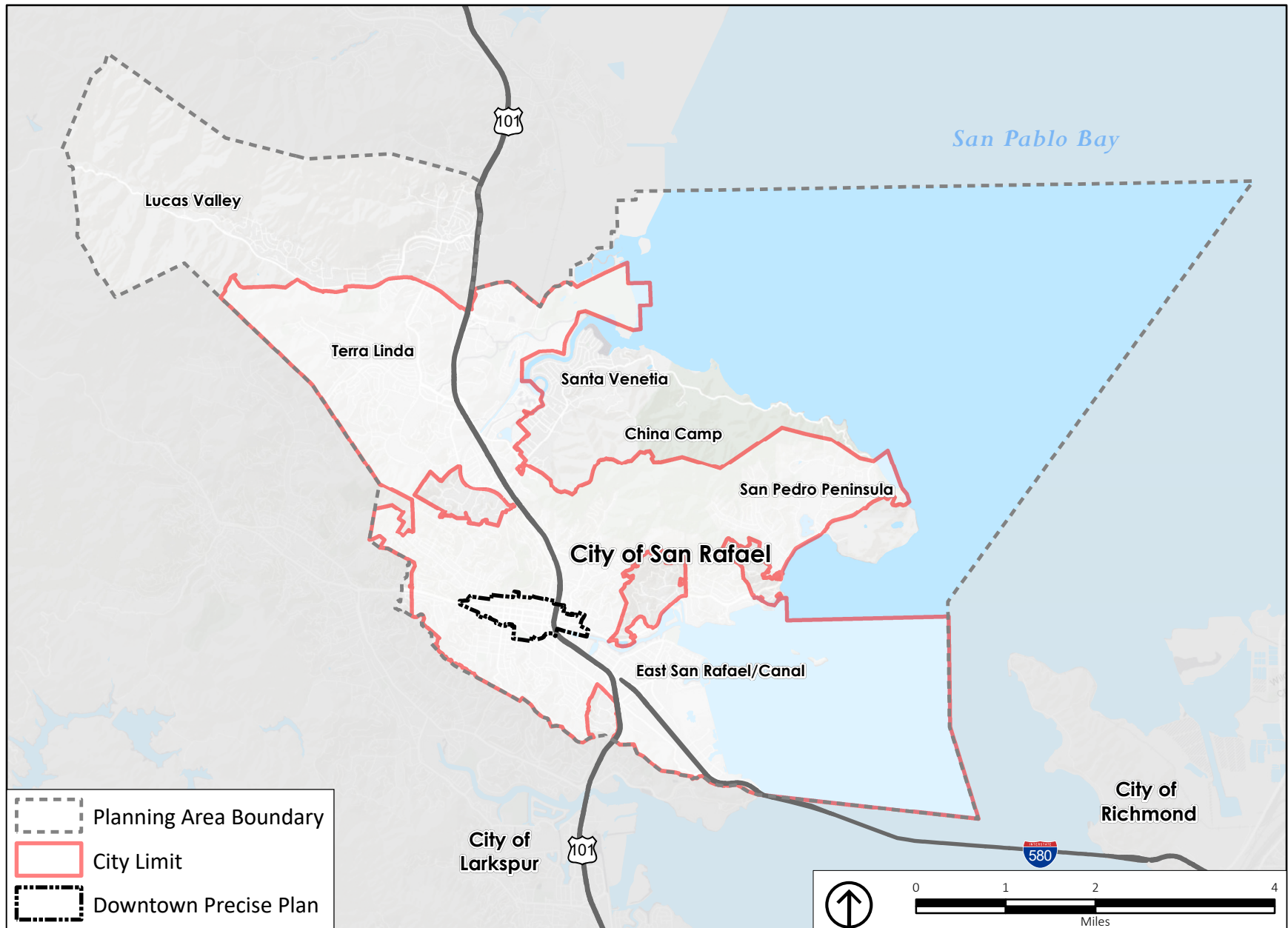
Figure 1: Regional and Vicinity Map

Figure 2: San Rafael Planning Area Map

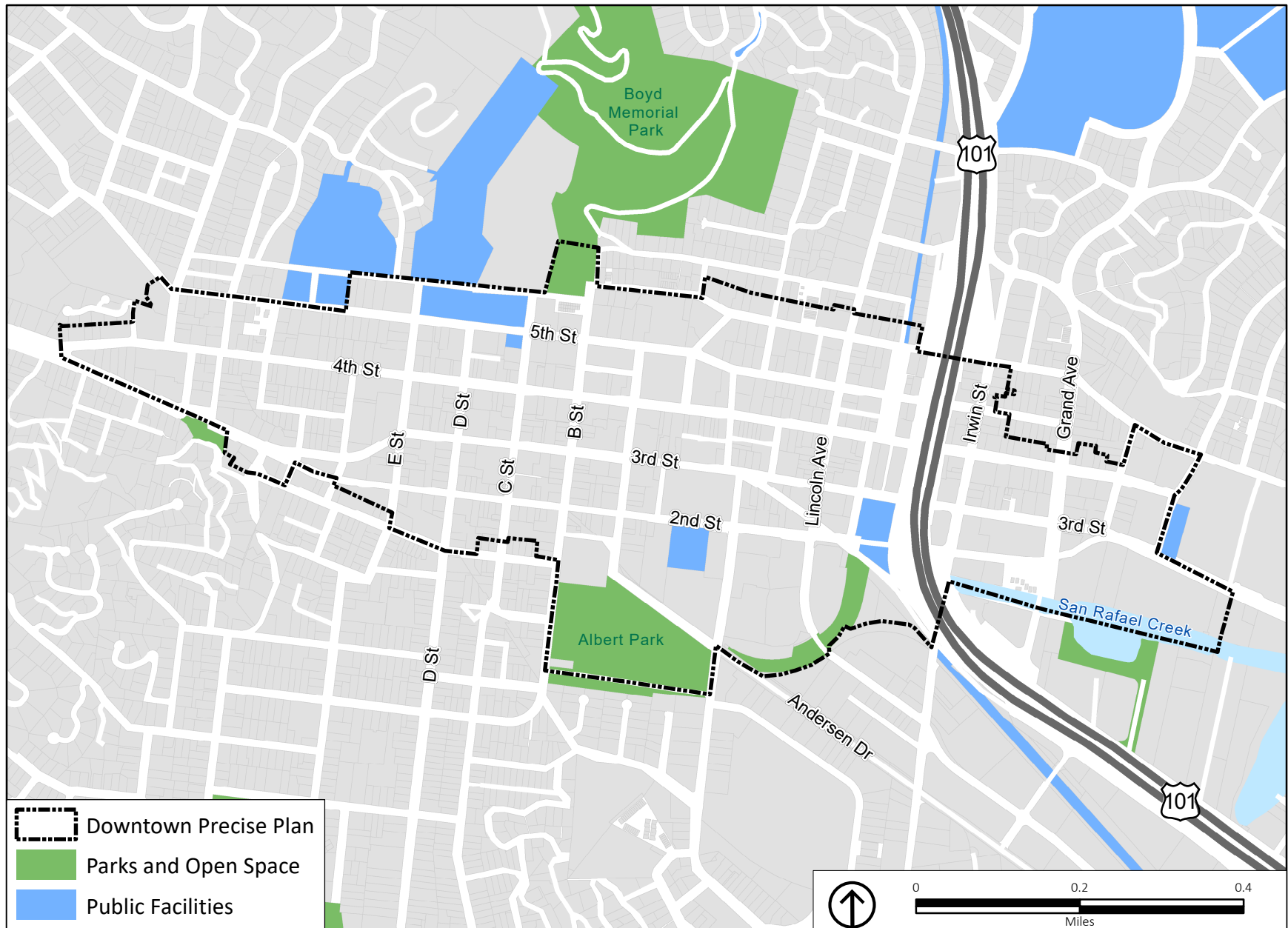
Figure 3: Downtown Precise Plan Map



Source: ESRI, 2017; City of San Rafael, 2019; PlaceWorks, 2019.



Source: ESRI, 2017; City of San Rafael, 2019; PlaceWorks, 2019.



Source: ESRI, 2017; City of San Rafael, 2019; PlaceWorks, 2019.

Figure 3
Downtown Precise Plan Map

Comments Received on the Notice of Preparation
San Rafael General Plan 2040 and Downtown Precise Plan Environmental Impact Report

#	COMMENTOR NAME AND ADDRESSES	Project Description	Aesthetics	Agriculture and Forestry	Air Quality	Biological Resources	Cultural / Tribal Cultural Resources	Geology / Soils	Greenhouse Gas Emissions	Hazards / Hazardous Materials / Wildfire	Hydrology / Water Quality	Land Use and Planning	Mineral Resources	Noise	Population / Housing	Public Services	Recreation	Transportation / Circulation	Utilities / Service Systems / Energy	Construction Impacts	Alternatives	Other	Requests to be Notified	SUMMARY OF ENVIRONMENTAL COMMENT
Verbal Comments from April 23, 2019 Scoping Meeting																								
	Planning Commissioner Comments								•	•	•							•			•	•		Comments given by Planning Commissioners at the Scoping Meeting addressed concerns regarding sea level rise and its impact to eastern San Rafael. Commissioners also asked that the EIR look comprehensively at how land use and transportation tie together to potentially hinder evacuation plans for wildfires and commented that threat of wildfire means the circulation network is vital. Greenhouse gas emissions were mentioned in an effort to ensure the EIR will address reducing greenhouse gas emissions in accordance with the Climate Change Action Plan. Furthermore, three alternatives were mentioned specifically for the Northgate Mall area. Alternatives suggested include: 1) Keeping the status quo; 2) Developing high density residential; and 3) Developing retail that will generate higher sales taxes. There were no comments made by the general public, and no written comments received, at the Scoping Meeting.

Comments Received on the Notice of Preparation
San Rafael General Plan 2040 and Downtown Precise Plan Environmental Impact Report

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Written Comment Received between March 29 and April 29, 2019																								
1	Scott Morgan Director, State Clearinghouse 1400 Tenth Street, P.O. Box 3044 Sacramento, CA 95812 state.clearinghouse@opr.ca.gov (916) 445-0613 March 29, 2019																					•		Public release of the NOP by the California State Clearinghouse.
2	Patricia Maurice District Branch Chief, Caltrans P.O. Box 23660 Oakland, CA 94623 Contact person is Michael McHenry michael.mchenry@dot.ca.gov (510) 286-5562 April 29, 2019																	•						Reminds the Lead Agency that they are responsible for all project mitigation, included any needed improvements to the State Transportation Network. Comment also reminds the Lead Agency that any work or traffic control that encroaches onto the State right-of-way requires an encroachment permit issued by Caltrans.

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3	Greg Nudd Deputy Air Pollution Control Officer, BAAQMD 375 Beale Street, Suite 600 San Francisco, CA 94105 Contact person is Andrea Gordon agordon@baaqmd.gov (415) 749-4940 April 29, 2019				•				•															Requests that the EIR addresses the proposed Plan's potential effects on local and regional air quality, includes an assessment of the potential health risks to current and future vulnerable populations, identifies, evaluates, and includes measures to reduce criteria air pollutants, evaluates consistency with the Air District's adopted plans and guidance documents, includes a discussion of greenhouse gas impacts, includes all feasible emission reduction measures, provides a map clearly identifying the Plan's boundary with sensitive receptors included, and addresses how the Plan will incorporate Senate Bill 1000.
4	Buffy McQuillen Tribal Heritage Preservation Officer, Federated Indians of Graton Rancheria 6400 Redwood Drive, Suite 300 Rohnert Park, CA 94928 THPO@gratonrancheria.com (707) 566-2288 April 10, 2019					•															•			Indicates that commenter will review the project.

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5	Brandy Wilson 1114 Mission Avenue San Rafael, CA 94901 [Barry: What is San Rafael's standard for redacting public information on comment letters?] wilson.girazian@gmail.com (415) 314-3152 April 22, 2019									•												•		Requests that the boundary for the Downtown Precise Plan include the entirety of Boyd Park and the Falkirk Mansion. Adds that the National Climate Assessment estimates San Rafael will become 3.5 degrees Fahrenheit warmer by 2050, which will significantly impact these resources. Comment additionally mentions risk of wildfire.
6	William Carney and Linda Jackson Sustainable San Rafael Board of Directors 166 Greenwood Avenue San Rafael, CA 94901 (415) 457-7656 April 26, 2019		•												•			•			•	•		Requests the EIR address housing shortage and affordability, homelessness, shift to online retail, traffic congestion, climate change, diversity and equity challenges, and community character. The comment offers five alternatives for consideration: 1) No Plan; 2) Protection of existing development from sea level rise; 3) Relocation and consolidation of vulnerable development; 4) Continuing sea level rise; and 5) Comprehensive planning. Additionally, the comment suggests that several key metrics need to be established and mapped by the EIR, using expectations such as sea level rise and housing projections. Finally, the comment includes a list of key policies and programs that are recommended for consideration through the EIR process.

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7	Margaret Johnston and Judy Schriebman Gallinas Watershed Council gwc@gallinaswatershed.org (415) 578-2580 April 28, 2019					•				•						•								Expresses a desire to see the Gallinas Creek Watershed analyzed for restoration and enhanced planning to turn it into a community asset. Comment requests that the EIR include language to support restoration of Gallinas Creek, specifically: 1) Consideration of economic, social, environmental, health, and safety benefits of restoration; 2) Explore traffic analysis along Freitas parkway; 3) Explore a continuation of creek restoration and daylighting; 4) Enumerate other cities' funding structures; and 5) Align City policies with State, local, and federal policies. The comment also lists additional watersheds that could be considered for restoration, specifically areas that could benefit from enhances public access and better water quality. Finally, the comment requests the General Plan EIR include analysis of complete streets policies, consider latest scientific and policy benefits of increasing pervious surfaces, and looking for opportunities to daylight creeks and create safe wildlife corridors.
8	Margaret Johnston and Judy Schriebman Gallinas Watershed Council gwc@gallinaswatershed.org (415) 578-2580 April 28, 2019					•				•						•								Comment is a copy of comment 7 outlined above. Comment 8 additionally includes discussion of impacts that use of nighttime artificial light has on humans and animals, and suggests use of best management practices for reduction of light pollution.

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9	Kate Powers April 29, 2019		•		•	•					•			•	•				•		•	•		Requests that the EIR address cumulative impacts thoroughly, as well as thoroughly conducts analysis of the No Project Alternative. Commenter lists major roadways that the EIR should include as part of a detailed analysis, and that should include new and updated traffic and congestion models. Additionally, the comment includes several policies and programs that should be thoroughly analyzed to understand the role they play in reducing congestion and increasing safety. The comment requests that the EIR adequately address impacts on air quality, greenhouse gas emissions, noise, and light, that the proposed Plan's may have, and requests the EIR compare these impacts thoroughly to cumulative impacts. The comment requests that the EIR heavily consider impacts to hydrology and water quality, including showing existing creeks and wetlands on all site maps, including BayWAVE data, identify policies that meet climate- safe infrastructure, describe anticipated rates and volumes of stormwater runoff, drainage capacity, filtrations, and possible soil erosion in watersheds, identify areas that would place housing and other structures within the Federal Emergency Management Agency 100- year flood hazard zone, and assess toxicity of soils and describe how sediment and any contaminants will be prevented from entering creek systems and the nearby estuary.

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																								<p>The comment requests that the EIR consider all impacts the proposed Plan's may have on biological resources, including promoting the status of San Rafael as a "Tree City." Furthermore, the comment requests that the EIR describes viewsheds of surrounding hills, and requests the creation of simulations of how scenic views from a variety of angles that may be impacted by future growth. Finally, the comment requests the EIR assess impacts and the cumulative effects of alternative development scenarios on population growth and increases in housing production.</p>
10	<p>Leyla Hill President, Los Ranchitos Improvement Association P.O. Box 4146 San Rafael, CA 94913 lriaboard@gmail.com</p> <p>April 29, 2019</p>																							<p>Requests the EIR consider removing the Los Ranchitos neighborhood from the San Rafael sphere of influence, and requests that the General Plan Update include goals, programs, and policies that are consistent with the Marin County Open Space District Strategic Master Plan.</p>

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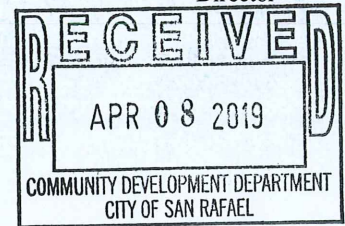
Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kate Gordon
Director

Notice of Preparation



March 29, 2019

To: Reviewing Agencies

Re: General Plan 2040 and Downtown Precise Plan
SCH# 2019039167

Attached for your review and comment is the Notice of Preparation (NOP) for the General Plan 2040 and Downtown Precise Plan draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Raffi Boloyan
San Rafael, City of
1400 Fifth Street
San Rafael, CA 94901

with a copy to the State Clearinghouse in the Office of Planning and Research at state.clearinghouse@opr.ca.gov. Please refer to the SCH number noted above in all correspondence concerning this project on our website: <https://ceqanet.opr.ca.gov/2019039167/2>.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

cc: Lead Agency

Notice of Completion & Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

2019039167**Project Title:** General Plan 2040 and Downtown Precise PlanLead Agency: City of San RafaelContact Person: Raffi BoloyanMailing Address: 1400 Fifth StreetPhone: 415-485-3423City: San RafaelZip: 94901County: Marin**Project Location:** County: MarinCity/Nearest Community: San RafaelCross Streets: CitywideZip Code: 94901Longitude/Latitude (degrees, minutes and seconds): _____ ° _____ ' _____ " N / _____ ° _____ ' _____ " W Total Acres: 32,640Assessor's Parcel No.: Citywide

Section: _____

Twp.: _____

Range: _____

Base: _____

Within 2 Miles: State Hwy #: 101, 580Waterways: San Pablo Bay, San Francisco BayAirports: San Rafael AirportRailways: SMARTSchools: San Rafael Elementary S**Document Type:**CEQA: ☒ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) _____

Governor's Office of Planning & Research

☐ Mit Neg Dec

Other: _____

☐ FONSI**Local Action Type:**☒ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Precise Plan☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☒ Other: Precise Plan**Development Type:**☐ Residential: Units _____ Acres _____

Acres _____

☐ Office: Sq.ft. _____ Acres _____

Acres _____

Employees _____

☐ Transportation: Type _____☐ Commercial: Sq.ft. _____ Acres _____

Acres _____

Employees _____

☐ Mining: Mineral _____☐ Industrial: Sq.ft. _____ Acres _____

Acres _____

Employees _____

☐ Power: Type _____ MW _____☐ Educational: _____☐ Waste Treatment: Type _____ MGD _____☐ Recreational: _____☐ Hazardous Waste: Type _____☐ Water Facilities: Type _____ MGD _____

MGD _____

☐ Other: _____**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☒ Vegetation☒ Agricultural Land☒ Flood Plain/Flooding☒ Schools/Universities☒ Water Quality☒ Air Quality☒ Forest Land/Fire Hazard☒ Septic Systems☒ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☒ Sewer Capacity☒ Wetland/Riparian☒ Biological Resources☒ Minerals☒ Soil Erosion/Compaction/Grading☒ Growth Inducement☒ Coastal Zone☒ Noise☒ Solid Waste☒ Land Use☒ Drainage/Absorption☒ Population/Housing Balance☒ Toxic/Hazardous☒ Cumulative Effects☒ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☒ Other: GHG-Energy-Wildfir**Present Land Use/Zoning/General Plan Designation:**Citywide**Project Description:** (please use a separate page if necessary)

The San Rafael General Plan 2020 (General Plan) is due for a comprehensive update, which will provide a framework for land use decisions through the year 2040. The City is preparing a Downtown Precise Plan concurrently with the General Plan to facilitate housing production, placemaking, economic vitality, innovative transportation solutions, and community engagement with an eye toward sustainable, transit-oriented development.

NOP Distribution List

County: Marin

SCH#

20190391167

Resources Agency

☒ Resources Agency
Nadell Gayou

☐ Dept. of Boating & Waterways
Denise Peterson

☐ California Coastal Commission
Allyson Hitt

☐ Colorado River Board
Elsa Contreras

☐ Dept. of Conservation
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☐ Central Valley Flood Protection Board
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Environmental Stewardship Section

☒ S.F. Bay Conservation & Dev't. Comm.
Steve Goldbeck

☐ Dept. of Water Resources
Nadell Gayou

Fish and Game

☐ Depart. of Fish & Wildlife
Scott Flint
Environmental Services Division

☐ Fish & Wildlife Region 1
Curt Babcock

☐ Fish & Wildlife Region 1E
Laurie Harnsberger

☐ Fish & Wildlife Region 2
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Craig Weightman

☐ Fish & Wildlife Region 4
Julie Vance

☐ Fish & Wildlife Region 5
Leslie Newton-Reed
Habitat Conservation Program

☐ Fish & Wildlife Region 6
Tiffany Ellis
Habitat Conservation Program

☐ Fish & Wildlife Region 6 I/M
Heidi Calvert
Inyo/Mono, Habitat Conservation Program

☐ Dept. of Fish & Wildlife M
William Paznokas
Marine Region

Other Departments

☐ California Department of Education
Lesley Taylor

☒ OES (Office of Emergency Services)
Monique Wilber

☐ Food & Agriculture
Sandra Schubert
Dept. of Food and Agriculture

☐ Dept. of General Services
Cathy Buck
Environmental Services Section

☒ Housing & Comm. Dev.
CEQA Coordinator
Housing Policy Division

Independent Commissions, Boards

☐ Delta Protection Commission
Erik Vink

☐ Delta Stewardship Council
Anthony Navasero

☐ California Energy Commission
Eric Knight

☒ Native American Heritage Comm.
Debbie Treadway

☒ Public Utilities Commission
Supervisor

☐ Santa Monica Bay Restoration
Guangyu Wang

☒ State Lands Commission
Jennifer Deleong

☐ Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Cal State Transportation Agency CalSTA

☒ Caltrans - Division of Aeronautics
Philip Crimmins

☐ Caltrans - Planning HQ LD-IGR
Christian Bushong

☒ California Highway Patrol
Suzann Ikeuchi
Office of Special Projects

Dept. of Transportation

☐ Caltrans, District 1
Rex Jackman

☐ Caltrans, District 2
Marcelino Gonzalez

☐ Caltrans, District 3
Susan Zanchi

☒ Caltrans, District 4
Patricia Maurice

☐ Caltrans, District 5
Larry Newland

☐ Caltrans, District 6
Michael Navarro

☐ Caltrans, District 7
Dianna Watson

☐ Caltrans, District 8
Mark Roberts

☐ Caltrans, District 9
Gayle Rosander

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Tom Dumas

☐ Caltrans, District 11
Jacob Armstrong

☐ Caltrans, District 12
Maureen El Harake

Cal EPA

☒ Air Resources Board
Airport & Freight
Jack Wursten

☐ Transportation Projects
Nesamani Kalandiyur

☐ Industrial/Energy Projects
Mike Tollstrup

☐ California Department of Resources, Recycling & Recovery
Kevin Taylor/Jeff Esquivel

☐ State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

☐ State Water Resources Control Board
Cindy Forbes - Asst Deputy
Division of Drinking Water

☐ State Water Resources Control Board
Div. Drinking Water # _____

☒ State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

☐ State Water Resources Control Board
Phil Crader
Division of Water Rights

☒ Dept. of Toxic Substances Control Reg. # _____
CEQA Tracking Center

☐ Department of Pesticide Regulation
CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

☐ RWQCB 1
Cathleen Hudson
North Coast Region (1)

☒ RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)

☐ RWQCB 3
Central Coast Region (3)

☐ RWQCB 4
Teresa Rodgers
Los Angeles Region (4)

☐ RWQCB 5S
Central Valley Region (5)

☐ RWQCB 5F
Central Valley Region (5)
Fresno Branch Office

☐ RWQCB 5R
Central Valley Region (5)
Redding Branch Office

☐ RWQCB 6
Lahontan Region (6)

☐ RWQCB 6V
Lahontan Region (6)
Victorville Branch Office

☐ RWQCB 7
Colorado River Basin Region (7)

☐ RWQCB 8
Santa Ana Region (8)

☐ RWQCB 9
San Diego Region (9)

☐ Other _____

☐ _____
Conservancy

DEPARTMENT OF TRANSPORTATION

DISTRICT 4
P.O. BOX 23660
OAKLAND, CA 94623-0660
PHONE (510) 286-5528
www.dot.ca.gov



*Making Conservation
a California Way of Life!*

April 29, 2019

Barry Miller, Project Manager
City of San Rafael
1400 Fifth Ave. P.O. Box 15160
San Rafael, CA 94915

SCH: 2019039167
04-MRN-2019-00130
GTS ID 15131
Post Mile: MRN – 101

General Plan 2040 and Downtown Precise Plan – Notice of Preparation (NOP)

Dear Barry Miller:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. In tandem with the Metropolitan Transportation Commission's (MTC) Regional Transportation Plan (RTP)/Sustainable Communities Strategy (SCS), Caltrans mission signals a modernization of our approach to evaluating and mitigating impacts to the State Transportation Network (STN). Caltrans' *Strategic Management Plan 2015-2020* aims to reduce Vehicle Miles Travelled (VMT) by tripling bicycle and doubling both pedestrian and transit travel by 2020. Our comments are based on the NOP.

Project Understanding

The City is preparing a *Downtown Precise Plan (Precise Plan)* concurrently with the *General Plan 2040*. The Precise Plan is being funded by a grant from the Metropolitan Transportation Commission. The intent of the Precise Plan is to facilitate housing production, placemaking, economic vitality, innovative transportation solutions, and community engagement with an emphasis on sustainable, transit-oriented development. Both the proposed *General Plan 2040* and the *Downtown Precise Plan* will direct future growth within the study area and address the city's vulnerability to environmental challenges such as sea level rise, wild land fires, and other hazards identified in the *City's Local Hazard Mitigation Plan* and updated *Climate Action Plan*. Both plans are intended to respond to local and regional housing needs, foster economic growth and local job creation, enhance civic identity and placemaking, and protect sensitive natural resources.

Lead Agency

As the Lead Agency, the City of San Rafael is responsible for all project mitigation, including any needed improvements to the STN. The project's financing, scheduling, implementation responsibilities and monitoring should be fully discussed for all proposed mitigation measures, prior to the submittal of an encroachment permit. Potential mitigation measures that include the requirements of other agencies—such as Caltrans—are fully enforceable through permit conditions, agreements, or other legally-binding instruments under the control of the Lead Agency.

Barry Miller, Project Manager
City of San Rafael
April 29, 2019
Page 2

Encroachment Permit

Please be advised that any work or traffic control that encroaches onto the State ROW requires an encroachment permit that is issued by Caltrans. To obtain an encroachment permit, a completed encroachment permit application, environmental documentation, and six (6) sets of plans clearly indicating the State ROW, and six (6) copies of signed and stamped traffic control plans must be submitted to: Office of Encroachment Permits, California DOT, District 4, P.O. Box 23660, Oakland, CA 94623-0660. To download the permit application and obtain more information, visit <http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

Should you have any questions regarding this letter, please contact Michael McHenry at (510) 286-5562 or Michael.mchenry@dot.ca.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "PatC" with a stylized flourish at the end.

PATRICIA MAURICE
District Branch Chief
Local Development - Intergovernmental Review

c. State Clearinghouse



**BAY AREA
AIR QUALITY
MANAGEMENT
DISTRICT**

ALAMEDA COUNTY

John J. Bauters
Pauline Russo Cutter
Scott Haggerty
Nate Miley

CONTRA COSTA COUNTY

John Gioia
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MARIN COUNTY

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NAPA COUNTY

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SAN FRANCISCO COUNTY

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(SF Mayor's Appointee)

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James Spering
Lori Wilson

SONOMA COUNTY

Teresa Barrett
Shirlee Zane

Jack P. Broadbent
EXECUTIVE OFFICER/APCO

Connect with the
Bay Area Air District:



April 29, 2019

Mr. Barry Miller
City of San Rafael
Community Development Department
1400 Fifth Street
San Rafael, CA 94901

RE: Notice of Preparation of the Draft Environmental Impact Report for the General Plan 2040 and Downtown Precise Plan

Dear Mr. Miller:

Bay Area Air Quality Management District (Air District) staff reviewed the Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) for the General Plan 2040 and Downtown Precise Plan (Plan). As we understand, the City will prepare a programmatic level DEIR to evaluate proposed policies of the Plan to determine if any of the future changes will have potential impacts on the environment. Per the NOP, both the proposed General Plan 2040 and the Downtown Precise Plan will direct the City's future growth and are intended to respond to local and regional housing needs.

The Air District has the following specific comments on the environmental analysis that we encourage the City to include in the Plan DEIR:

1. Please provide a detailed analysis of the Plan's potential effects on local and regional air quality. We recommend the DEIR include a discussion on the Air District's attainment status for all criteria pollutants and the implications for the region if these standards are not attained or maintained by statutory deadlines; and a discussion of the health effects of air pollution. The Air District's *CEQA Air Quality Guidelines (May, 2017)* provide guidance on how to evaluate a Plan's construction, operational and cumulative air quality impacts. A copy may be downloaded from: <http://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa>
2. Include in the DEIR an assessment of the potential health risk to current and future sensitive populations within the Plan area from toxic air contaminants (TACs) and fine particulate matter (PM_{2.5}) as a result of Plan build-out. Please include in the assessment an evaluation of potential cumulative health risks from the Plan including impacts from stationary sources, highways, major roadways, and rail lines in the Plan area.
3. The DEIR should also identify, evaluate and include measures to reduce criteria pollutants such as reactive organic gases (ROG), nitrogen oxides (NO_x) and fine particulate matter (PM_{2.5}) and incorporate measures to reduce toxic air contaminants (TACs) to minimize any potential air quality impacts. The Air District's *CEQA Air Quality Guidelines* can assist in identifying and quantifying emission reduction measures.
4. We recommend the DEIR evaluate the Project's consistency with the Air District's *2017 Clean Air Plan, Spare the Air, Cool the Climate (2017 Plan)*. The Air District's *2017 Plan* may be found on the Air District's website: <http://www.baaqmd.gov/plans-and-climate/air-quality-plans/current-plans>

April 29, 2019

5. To address air quality issues early in the planning process we suggest the City review the Air District's Planning Healthy Places guidance document for recommended best practices to reduce exposure and health risk to sensitive populations in local communities. Planning Healthy Places can be found on the the Air District's website: <http://www.baaqmd.gov/plans-and-climate/planning-healthy-places>
6. We recommend the DEIR include a discussion of greenhouse gas (GHG) emissions and the potential impacts based on an evaluation of the Plan's consistency with the California Air Resources Board's (CARB) 2017 Climate Change Scoping Plan and with the State's 2030 and 2050 climate stabilization goals. We also recommend aggressive, creative, climate policies and programs in the Plan.
7. Staff recommends all feasible emission reduction measures be implemented for potentially significant air quality impacts identified in the DEIR.
8. The DEIR should provide a map that clearly identifies the Plan's boundary; existing and future planned sensitive receptors (e.g., residences, schools, day cares, hospitals, and nursing care facilities), and all stationary sources, highways, major roadways, and rail lines within the Plan area.
9. Please discuss how the Plan will address Senate Bill 1000 the Planning for Healthy Communities Act (SB 1000). SB 1000 became effective January 1, 2018. With SB 1000, all California jurisdictions are now required to consider environmental justice issues in their General Plans. SB 1000 requires local jurisdictions that identify disadvantaged communities within the area covered by the city or county's general plan to adopt an Environmental Justice (EJ) element or incorporate EJ goals and policies into other elements of that city's general plans. The bill allows consideration to be given to low-income communities disproportionately affected by pollution and other EJ issues.

Please include in the DEIR all appendices or technical documents related to the air quality, toxic air contaminant, and GHG analyses, such as emission calculation and health risk assessment files. Without all the supporting air quality and GHG documentation, Air District staff and the public may be unable to review the air quality and GHG analysis in a timely manner.

The Air District's website contains a number of tools and resources to assist lead agencies in analyzing environmental impacts, including: previous CEQA comment letters; guidance on quantifying plan level GHG emissions; and risk and hazard screening tools and guidance. View and download available tools here: <http://www.baaqmd.gov/plans-and-climate/california-environmental-quality-act-ceqa/ceqa-tools>

We urge lead agencies to contact Air District staff with any questions and/or to requested assistance during the environmental analysis process. If you have any questions regarding these comments, please contact Andrea Gordon, Senior Environmental Planner at, agordon@baaqmd.gov or 415.749.4940.

Sincerely,



Greg Nudd
Deputy Air Pollution Control Officer

cc: BAAQMD Director Katie Rice

Barry Miller

From: THPO@gratonrancheria.com
Sent: Wednesday, April 10, 2019 12:19 PM
To: Barry Miller
Subject: City of San Rafael, General Plan 2040

Dear Barry Miller,

Thank you for notifying the Federated Indians of Graton Rancheria about City of San Rafael, General Plan 2040, a project within the Tribe's Ancestral Territory. We appreciate being notified and will review your project within 10 business days. If you have an immediate request please contact the Tribal Heritage Preservation Office for assistance by phone at (707) 566-2288 or by email at thpo@gratonrancheria.com.

Sincerely,

Buffy McQuillen

Tribal Heritage Preservation Officer (THPO)

Native American Graves Protection and Repatriation Act (NAGPRA)

Office: 707.566.2288; ext. 137

Cell: 707.318.0485

FAX: 707.566.2291

Antonette Tomic

THPO Administrative Assistant

Federated Indians of Graton Rancheria

6400 Redwood Drive, Suite 300

Rohnert Park, CA 94928

Office: 707.566.2288, ext. 143

Fax: 707.566.2291

atomic@gratonrancheria.com



please consider our environment before printing this email.

Federated Indians of Graton Rancheria and Tribal TANF of Sonoma & Marin - Proprietary and Confidential

CONFIDENTIALITY NOTICE: This transmittal is a confidential communication or may otherwise be privileged. If you are not the intended recipient, you are hereby notified that you have received this transmittal in error and that any review, dissemination, distribution or copying of this transmittal is strictly prohibited. If you have received this communication in error, please notify this office at 707-566-2288, and immediately delete this message and all its attachments, if any. Thank you.

First Name: Brandy
Last Name: Wilson
Email Address: wilson.girazian@gmail.com
Phone Number: 4153143152
Subject: EIR for General Plan 2040

Message: Hi Barry, As the City and the planning commission contemplate the EIR for the General Plan 2040, please include the entirety of Boyd Park and the Falkirk Mansion with the boundary for the Precise Plan for Downtown San Rafael. The National Climate Assessment estimates between now and 2050, San Rafael will 3.5 degrees Fahrenheit warmer. That will dramatically increase the risk of a catastrophic fire that would most directly impact Downtown. As we have already witnessed the threat of the San Rafael Hill catching fire multiple times, the danger is very real and, with increased population density downtown, needs to be resourced accordingly. Thank you, Brandy Wilson

A:
LOCATION
1114 Mission Ave
San Rafael CA 94901-2915



BOARD OF DIRECTORS

William Carney, President
Bob Spofford, Vice President
Jerry Belletto, Secretary
Greg Brockbank
Jim Geraghty
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Jesse Madsen
Samantha Mericle
Sue Spofford

415.457.7656

166 Greenwood Avenue
San Rafael, CA 94901

April 26, 2019

Barry Miller, Consulting Project Manager
City of San Rafael Community Development Department
1400 Fifth Avenue
San Rafael, CA 94901

Re: General Plan 2040 and Downtown Precise Plan EIR

Dear Mr. Miller,
Sustainable San Rafael offers the following comments on the scope and content of the proposed EIR on the City's draft General Plan 2040 and Downtown Precise Plan ("the Plans").

A. Anticipated Changes

The Plans are being developed to address a period of time during which unusually large changes are occurring. The EIR should thoroughly assess the efficacy of the proposed policies and programs to successfully meet these major areas of change:

1. Housing shortages, less affordability, more homelessness.
2. Retail moving online, employment decentralizing.
3. Traffic congestion, transportation innovations.
4. Climate Change and natural system stresses.
5. Diversity and equity challenges.
6. Community character evolving in response to these changes.

B. Basic Alternatives

We believe that five basic alternatives can be used to frame the relative success of the Plans in addressing these changes. Since climate change, and sea level rise in particular, is among the most intractable of the changes facing the city, it figures significantly in all alternatives.

1. No Plan scenario. For this EIR, this 'no project' scenario is likely to have the most impacts, since the purpose of the Plans is to reduce the negative impacts of inaction and 'business-as-usual.'

2. Protection of existing development from sea level rise. The EIR needs to assess the impacts and feasibility of engineered or 'living' levees (and floodgates, as needed) to preserve developed land along the shoreline, much of which was 'reclaimed' from the Bay by earlier levees. The assessment should include how high these levees would need to be, how long they would need to remain functional, their adaptability to be heightened further in the future, and their impact on the development they protect. The cost of the levees, value of assets protected, and financing and maintenance strategies also need to be assessed.

3. Relocation and consolidation of vulnerable development. Relocating a portion of the development in East San Rafael (existing and/or new) to safer infill sites further inland is another option. The EIR should assess how the resulting consolidation of development could help or hinder the city's overall housing goals, economic vitality, transportation and other infrastructure, diversity and equity, and physical character. Transition of the shoreline to water-oriented commercial, recreational, natural, and houseboat uses should also be assessed for all alternatives.

4. Continuing sea level rise scenario. Since there are credible projections that the climate change now underway could precipitate large-scale melting of polar ice caps, triggering ongoing sea level rise on an uncertain timeline, it may be prudent for the EIR to test the Plans' impacts on the City's abilities to deal with such continuing and cumulative change. An alternative assuming the gradual transformation of the largest public investment in the region, the 101 and 580 freeway rights-of-way, to serve as both an elevated transportation and infrastructure spine and a levee protecting inland areas, could provide valuable insight into the long-term viability of the Plans.

5. Comprehensive planning scenario (the draft Plans). This 'project alternative' represents how the city can comprehensively balance the opportunities and challenges inherent in the various changes underway, now and for the long-range future. We believe the EIR should pay particular attention to the degree of co-benefit and integration among the multiple policies and programs in the Plans, and suggest mitigations that increase such synergy. For example, transportation improvements like providing a shoreline bike path or raising a flood-prone portion of freeway could be combined with 'living levees' protecting inland areas from sea level rise, while enhancing habitat and recreation. Combining solutions to several issues at once could suggest cost-efficient mitigations addressing the complexity of the changes occurring.

C. Necessary Benchmarks

Several key metrics need to be established and mapped by the EIR to provide the basis for evaluating these alternatives.

1. Sea level rise expected by 2100. (Use *highest* current BCDC and Marin County projections.)(Alternatives 1 – 3 and Alt. 5.)
2. Sea level rise expected by 2140 if global temperature rise stays within 2 degrees Celsius. (Use *highest* IPCC projections.)(Alt. 4.)
3. Housing numbers, types and affordability levels to accommodate the city's current population and workforce.
4. Housing numbers, types and affordability levels to accommodate projected population and workforce by 2040.

D. Key Policies and Programs

A number of the policies and programs included in the draft Plans so far discussed will be particularly significant in meeting the anticipated changes and should be considered closely in the EIR analysis of the project and the alternatives.

1. Greater housing densities and heights in infill development, especially in Downtown, North San Rafael town center, and commercial districts along major arterials.
2. Mixed-use development, incorporating both housing and jobs.
3. Continued and enhanced affordable housing bonuses.
4. Accessory Dwelling Unit incentives.
5. Innovative and 'interim' building types, such as modular and movable building units, tiny homes, and houseboats.
6. Greater use of Transferable Development Rights (TDRs).
7. VMT and Transportation Management Plan standards.
8. Neighborhood commercial nodes and increased walkability.
9. Increased transit connectivity.
10. Sea level rise overlay zones.
10. Completing a community-based Climate Adaptation Plan.
11. Coordination with County BayWAVE and related efforts.
12. Integrating Local Hazard Mitigation Plan into Environmental Hazards, Transportation and other elements.
13. Integrating Wildfire Action Plan into Conservation element.
14. Continued reduction of greenhouse gases through integration of CCAP2030 measures throughout the Plans—including enhanced coordination, advocacy and funding of such measures at regional, state and federal levels.
15. Extending CCAP2030 objectives and measures on a straight-line basis to achieve 70% GHG reductions by 2040.
16. Refining and applying the zoning and other recommendations of the Downtown Station Area and Civic Center Station Area

Plans, and the findings of the Transit Center Relocation EIR.

17. Enhancing waterfront usage per the Canalfront Plan.

Approached in this manner, we believe that the General Plan 2040 and Downtown Precise Plan, and the associated EIR, can offer our community valuable guidance for a positive future. Thank you for your careful consideration.

Sincerely,

William Carney and Linda Jackson,
Sustainable San Rafael Board of Directors



April 28, 2019

Barry Miller, City of San Rafael
1400 Fifth Avenue
San Rafael CA 94901
Barry.Miller@cityofsanrafael.org

Subject: Scoping comments for SR GP 2040 EIR

The Gallinas Watershed Council is a private, volunteer group of residents in the 94903 area who love the Gallinas creek and want to see it restored. Our group was formed in June 2008 to help promote good watershed management, assist in keeping the creek free of trash, and to push for policies at the city and county level to support creek restoration. The headwaters and the San Pablo Bay marshland stretches of this creek are in county jurisdiction and maintain good ecological function. However, the middle stretch, in the City of San Rafael, does not.

Gallinas Creek was put into a concrete trapezoidal channel in the early 1960's when Terra Linda was being developed. This concrete is reaching the end of its life and will need replacement. Current thinking and planning for good watershed management is moving away from the 1950's era of speeding water off the landscape via a concrete ditches and now looking at integration of creeks and waterways as important community amenities as well as a source of other environmental benefits, such as improved water quality and wildlife habitat.

Towards that end, the US Army Corps of Engineers, The Bay Institute, MCSTOPPP and other partners hired Kamman Hydrology and Engineering to do a *Restoration Feasibility Study and Hydrology Report*¹ (Dec. 2004). This report validated the idea that restoration could proceed without losing important flood protection and laid out four alternative scenarios. Following that report, the Santa Margarita homeowners raised funds via their "Recreate the Creek" project, in conjunction with the city of San Rafael and other partners, to begin a restoration process on the Santa Margarita Creek branch of Gallinas Creek. These reports and projects were in alignment with the November, 2002 San Rafael convened community stakeholder group's plans for the 94903 area which developed the *2010 North San Rafael*

¹https://www.gallinaswatershed.org/about/gallinas-creek-hydrology-report.htmlpH8TbU_RNq%3D%3D&attredirects=0

Gallinas Watershed Council is a fiscal project of MarinLink, a 501(c)(3) nonprofit.

MarinLink's federal tax ID number is 20-0879422.

www.gallinaswatershed.org gwc@gallinaswatershed.org (415) 578-2580

*Vision Promenade Conceptual Plan*². This group envisioned a safe, walkable and bikeable path from upper Terra Linda to the Civic Center to mitigate the split in the community caused by the widening of Highway 101. More recently the city of San Rafael, in conjunction with the Watershed Program of Marin County, produced a plan³ that showed three alternatives for restoring the main stem of Gallinas Creek from Freitas Parkway at Las Gallinas Ave to the intersection at Del Ganado.

In line with all of these historic city, county and community projects and plans, we are asking for language in the EIR to support the restoration of Gallinas Creek. In particular, we ask the consultant to focus on:

- Consideration of the economic, social, environmental, health and safety, etc. benefits of restoring Gallinas Creek according to the Marin County report Upper Gallinas Creek Restoration Opportunities.
- Explore traffic analysis and options along Freitas parkway, including traffic studies at different times of day, to determine current traffic needs on Freitas Parkway above Las Gallinas Ave. Explore other options for traffic calming or traffic redirection in order to implement the Promenade Vision and full Gallinas Creek restoration in this stretch. Recognize that the four lanes of traffic along Freitas were put in assuming future development, including a highway over the hill into Sleepy Hollow, plans which are now obsolete and invalid.
- Explore a continuation of creek restoration/daylighting further up the corridor, along Freitas Parkway and including the Santa Margarita creek tributary along Los Gamos Ave.
- Enumerate other cities' funding structures, from new development and/or from state, federal and local grant programs that support creek restorations, parkland, and other community benefits.
- Align City policies with state, local, and federal policies protecting waters of the state and the endangered species act, recognizing that the Gallinas marsh is home to several threatened and endangered species, including the Black Rail, Ridgway's Rail and Salt Marsh Harvest Mouse.

In addition, the 94901 portion of the city of San Rafael hosts several other small watersheds that should be examined for restoration opportunities. These include Mahon Creek, San Rafael Creek, Erwin Creek, Black Canyon, Sister's, Glenwood and Peacock Gap creeks and their unnamed tributaries. In particular, certain

² <https://www.cityofsanrafael.org/documents/north-san-rafael-vision-promenade-conceptual-plan/>

³ https://www.marinwatersheds.org/sites/default/files/2017-05/GWPUpperGallinasCreekRestorationOpportunities_FINAL_12.07.16.pdf

culverted sections may be failing and could be opened to daylighting, improving access to the public and better water quality.

- Develop full maps for all San Rafael city creeks, including ephemeral drainages, showing daylighted and culverted sections, connections to storm drains, as well as adjoining parklands and open space that currently exist.
- Consider funding opportunities for watershed restoration within city limits, including economic benefits realized by other communities from restored watersheds, daylighted creeks, urban setbacks to increase green parklands, tree planting for urban heat island mitigation and creek shading for water quality and wildlife protection, etc.
- Analyze the open creek area behind Second, Third and Fourth Street businesses at the west end (between D and H streets) and the upstream area in Sun Valley/West End to daylight creeks and develop floodplain support where possible to reduce impacts of downstream flooding and to protect water quality.

Through out all city elements of the 2040 General Plan:

- Include Green Streets policy information to complement Complete Streets and LID policies
- Consider latest scientific and policy benefits of increasing pervious landscapes around malls, industry parking lots and city properties for groundwater infiltration for protection against drought, wildfire and flooding. This would include rain gardens, biofiltration detention areas, etc.
- Look for opportunities to daylight creeks and create safe wildlife corridors as well as greenway parks for people to be in nature and away from the built environment/traffic. Studies have shown measurable results in improved health and longevity for people living in areas where they can interact in nature on a regular basis. This is in alignment with the PCA element of ABAG's planning and a vitally important design element where densities are increasing.

Sincerely,

Margaret Johnston
GWC representative to SR's 2040 General Plan

Judy Schriebman
GWC alternate representative to SR's 2040 General Plan



GALLINAS WATERSHED COUNCIL

PO Box 4284, San Rafael, CA 94913

April 28, 2019

Barry Miller, City of San Rafael
1400 Fifth Avenue
San Rafael CA 94901
Barry.Miller@cityofsanrafael.org

Subject: Scoping comments for SR GP 2040 EIR

The Gallinas Watershed Council is a private, volunteer group of residents in the 94903 area who love Gallinas Creek and want to see it restored. Our group was formed in June 2008 to help promote good watershed management, assist in keeping the creek free of trash, create community, business and agency partnerships, and push for policies at the City and County level to support creek restoration. The headwaters and the San Pablo Bay marshland stretches of this creek are in county jurisdiction and maintain good ecological function. However, the middle stretch, in the City of San Rafael, does not.

Gallinas Creek was put into a concrete trapezoidal channel in the early 1960's when Terra Linda was being developed. This concrete is reaching the end of its life and will need replacement. Current thinking and planning for good watershed management is moving away from the 1950's era of speeding water off the landscape via concrete ditches and now looking at integration of creeks and waterways as important community amenities as well as a source of other environmental benefits, such as improved water quality and wildlife habitat.

Towards that end, the US Army Corps of Engineers, The Bay Institute, MCSTOPPP, and other partners hired Kamman Hydrology and Engineering to do a *Restoration Feasibility Study and Hydrology Report*¹ (Dec. 2004). This report validated the idea that restoration could proceed without losing important flood protection and laid out four alternative scenarios. Following that report, the Santa Margarita homeowners raised funds via their "Recreate the Creek" project, in conjunction with the city of San Rafael and other partners, to begin a restoration process on the Santa Margarita Creek branch of Gallinas Creek. These reports and projects were in alignment with the November, 2002 convened San Rafael

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*Gallinas Watershed Council is a fiscal project of MarinLink, a 501(c)(3) nonprofit.
MarinLink's federal tax ID number is 20-0879422.*

www.gallinaswatershed.org

gwc@gallinaswatershed.org

(415) 578-2580

community stakeholder group whose mission for the 94903 area developed the *2010 North San Rafael Vision Promenade Conceptual Plan*². This group envisioned a safe, walkable and bikeable path from upper Terra Linda to the Civic Center to mitigate the split in the community caused by the widening of Highway 101. More recently the city of San Rafael, in conjunction with the Watershed Program of Marin County, produced a plan that showed three alternatives for restoring the main stem of Gallinas Creek from Freitas Parkway at Las Gallinas Ave to the intersection at Del Ganado.

In line with all of these historic city, county and community projects and plans, we are asking that the draft EIR evaluate alternatives that support the restoration of Gallinas Creek. In particular, we want the scope of the EIR to include:

- Consideration of the economic, social, environmental, health and safety, etc. benefits of restoring Gallinas Creek according to the Marin County report *Upper Gallinas Creek Restoration Opportunities*.³
- Traffic analysis and options along Freitas parkway, including traffic studies at different times of day, to determine current traffic needs on Freitas Parkway above Las Gallinas Ave. Exploration of other options for traffic calming or traffic redirection in order to implement the Promenade Vision and full Gallinas Creek restoration in this stretch. Recognize that the four lanes of traffic along Freitas were put in assuming future development, including a highway over the hill into Sleepy Hollow, plans which are now obsolete and invalid.
- Exploring a continuation of creek restoration/daylighting further up the corridor, along Freitas Parkway and including the Santa Margarita creek tributary along Los Gamos Ave.
- An analysis of other cities' funding structures, from new development and/or from state, federal and local grant programs that support creek restorations, parkland, and other community benefits.
- Aligning City policies with state, local, and federal policies protecting waters of the state and the endangered species act, recognizing that the Gallinas marsh is home to several threatened and endangered species, including the Black Rail, Ridgway's Rail and Salt Marsh Harvest Mouse.

² <https://www.cityofsanrafael.org/documents/north-san-rafael-vision-promenade-conceptual-plan/>

³ https://www.marinwatersheds.org/sites/default/files/2017-05/GWPUpperGallinasCreekRestorationOpportunities_FINAL_12.07.16.pdf

In addition, the 94901 portion of the city of San Rafael hosts several other small watersheds that should be examined for restoration opportunities. These include Mahon Creek, San Rafael Creek, Erwin Creek, Black Canyon, Sister's, Glenwood and Peacock Gap creeks and their unnamed tributaries. In particular, certain culverted sections may be failing and could be opened to daylighting, improving access to the public and better water quality. The scope of the Draft EIR should also include:

- Full maps for all San Rafael city creeks, including ephemeral drainages, showing daylighted and culverted sections, connections to storm drains, as well as adjoining parklands and open space that currently exist.
- Consideration of and possible funding opportunities for watershed restoration within city limits, including economic benefits realized by other communities from restored watersheds, daylighted creeks, urban setbacks to increase green parklands, tree planting for urban heat island mitigation and creek shading for water quality and wildlife protection, etc.
- Analysis of the open creek area behind Second, Third and Fourth Street businesses at the west end (between D and H streets) and the upstream area in Sun Valley/West End to daylight creeks and develop floodplain support where possible to reduce impacts of downstream flooding and to protect water quality.

Please include in the draft EIR opportunities throughout all elements of the 2040 General Plan to:

- Include Green Streets policy to complement Complete Streets and LID policies
- Consider latest scientific and policy benefits of increasing pervious landscapes around malls, industry parking lots and city properties for groundwater infiltration for protection against drought, wildfire and flooding. This would include rain gardens, biofiltration detention areas, etc.
- Find opportunities to daylight creeks and create safe wildlife corridors as well as greenway parks for people to be in nature and away from the built environment/traffic. Studies have shown measurable results in improved health and longevity for people living in areas where they can interact in nature on a regular basis. This is in alignment with the PCA element of ABAG's planning and a vitally important design element where densities are increasing.

In addition, we were unable to find where the light pollution element exists in the 2040 plan but, like noise pollution, it needs to be included. Humans evolved to

the rhythms of the natural light-dark cycle of day and night. The spread of artificial lighting means most of us no longer experience truly dark nights.

Research suggests that artificial light at night can negatively affect human health, increasing risks for obesity, depression, sleep disorders, diabetes, breast cancer and more. The International Dark Skies Association⁴ recognizes the impacts of light pollution on wildlife and human health. Protection of the night sky and avoidance of light pollution should be incorporated wherever lighting is proposed or changed, both for city structures and for individual homes. We ask that the EIR:

- Incorporate BMPs for reduction of light pollution, especially light spilling into marshes, parks and wildlife areas and upward into the sky in every aspect of the 2040 General Plan
- Develop a list of fixtures and bulbs that promote healthy, safe lighting while protecting our need for darkness
Consult the Dark Skies Association website for up to date ordinance and policy language, fixture recommendations, and develop a plan for priority replacement

We appreciate this opportunity to add our scoping comments to the EIR.

Sincerely,

Margaret Johnston
GWC representative to SR's 2040 General Plan

Judy Schriebman
GWC alternate representative to SR's 2040 General Plan

⁴ <http://www.darksky.org/about/>

April 29, 2019

Barry Miller, Consulting Project Manager
City of San Rafael
Community Development Department
1400 Fifth Street
San Rafael, CA 94901
Barry.Miller@cityofsanrafael.org

RE: Scoping comments for San Rafael's General Plan 2040 and Downtown Precise Plan EIR

Dear Barry:

I am a member of the following committees and organizations: San Rafael's 2040 General Plan update steering committee, San Rafael's Bicycle Pedestrian Advisory Committee, Transportation Authority of Marin's Citizen Oversight Committee, and board member and past president of Marin Conservation League. My interests are in land use and transportation planning that supports and improves natural resource protection and watershed restoration. The following are my scoping comments for the preparation of the draft environmental impact report.

I request that the EIR analyze impacts from each alternative as described on page 2 of the Notice of Preparation, "CEQA requires that an EIR evaluate alternatives to a project that could reasonably attain the project objectives while reducing any significant impact of the project, as well as considering the 'No Project' Alternative", with an equal level of detail. I also request that the EIR analysis include anticipated impacts during periods of construction, for the expected life of possible projects, and cumulative impacts of implementation of policies and programs detailed in the General Plan Update. All alternatives and cumulative analysis should include description, impacts, and mitigations from projects currently under review by the City and/or under construction, including the SMART extension to Larkspur and the relocation of San Rafael's transit center, among others.

Transportation/Traffic

Transportation impacts should include new and updated traffic and congestion models and analysis of all major roadways, including measurements of existing traffic loads and road capacity, current and projected levels of service, as well as current and projected greenhouse gas emissions and air pollution due to motor vehicles and congestion. The EIR's analysis should include recent studies by San Rafael's Department of Public Works, the recent Kimley Horn study of the 3rd and Hetherton intersection, the Third Street Rehabilitation Project, and should include available congestion management analysis and traffic data from Marin County's Transportation Authority of Marin. Major roadways should include Lucas Valley/Smith Ranch Road, Freitas Parkway, Las Gallinas Avenue, Nova Albion, Los Ranchitos and Lincoln Avenue, North and Point San Pedro Roads, Irwin, Grand, and Hetherton, East and West Francisco Boulevards, Andersen and Bellam, Kerner, Canal Street and other major roadways in the Canal, and Second, Third, Fourth, Fifth and Mission in downtown among others.

The EIR should describe and analyze impacts from 2040 GP policies or programs on the following:

- Vehicle backups onto highway ramps and adjacent streets. Identify streets and neighborhoods that would experience increased traffic backups, at what times, along with proposed mitigations.
- Vehicle traffic and congestion along major east-west arteries, like 2nd and 3rd streets, as well as north-south arteries.
- Impacts to local roads and highways during emergencies and evacuations, such as during wildfire or flood.
- Sight distances for drivers especially at intersections.
- Identified parking for shoppers, office and hospital (Kaiser) visitors, as well as for transit users. What parking would be removed and what parking spaces would be added under alternative policies?
- Impacts to downtown businesses including the east segment of 4th Street.

Also:

- San Rafael has goals of reduced congestion and improved safe passage for pedestrians and bicyclists in all directions. To what extent will 2040 GP policies augment implementation of the updated Bicycle Pedestrian Masterplan?
- Describe how alternatives will increase public transportation ridership, providing efficient, safe and comfortable experiences for users. Increased ridership will help San Rafael, and other jurisdictions, meet greenhouse gas reduction goals in their climate action plans. The EIR should assess net impacts of San Rafael's General Plan update to greenhouse gas emissions by incentivizing ridership.
- Impacts from transition to electric vehicles, and other developing technologies such as autonomous vehicles, should also be described.
- Completion of the North-South Greenway multiuse path segment through San Rafael, from 2nd Street north to Mission Street along Tamalpais Avenue, is an important link in the pathway corridor. Describe the compatibility and impacts of GP planning on this planned route.
- A priority for San Rafael families is that students are able to walk and bike safely and comfortably through downtown to Davidson Middle School and San Rafael High School from residential neighborhoods on the opposite sides of the freeway. Describe how alternatives will positively or negatively impact safe, comfortable east-west circulation under the highway for students and all other users to access schools, shops and services.

Air quality and greenhouse gas emissions

The EIR should describe and analyze impacts of GP policies on air quality, including odors, as well as cumulative and net increases in air pollutants and greenhouse gas emissions from changes in land use as well as transportation.

Noise and Light

The EIR should assess the extent to which GP alternatives would contribute to light, glare and noise pollution and how these impacts can be mitigated.

Hydrology and water quality

The EIR should show existing creeks and wetlands on site maps, and state impacts or changes resulting from sea level rise scenarios as outlined in the County of Marin's Bay Waterfront Adaptation and Vulnerability Evaluation (BayWAVE). The report catalogs effects of three different water elevation projections for near, mid, and far term periods, with and without a 100-year storm. Projects should consider at minimum the projections for near and mid-term time periods, estimated to be about 10 and 30 years or less.

The EIR should identify General Plan policies that will meet the goals of "climate-safe infrastructure" as set forth in the California Natural Resource Agency's recent report "Paying it Forward: The Path Toward Climate-Safe Infrastructure in California" and describe adaptation strategies to flooding.

The EIR should describe cumulative anticipated rates and volumes of stormwater runoff, drainage capacity of stormwater management systems and any needed expansion, filtration into the Las Gallinas and San Rafael Creek watersheds and possible soil erosion and loss of topsoil due to anticipated large storm events and flooding. Include proposed mitigations, especially for alternatives that would alter existing creeks or flows. Watershed restoration and improvements to hydrologic function of natural systems should occur whenever possible in conjunction with transportation improvements.

Identify areas that would place housing and other structures within a 100-year flood hazard area and current and future areas where people and structures would suffer damage due to failure of dam, levee or flood control infrastructure.

Assess toxicity of soils and describe how sediment and any contaminants will be prevented from entering creek systems and the nearby estuary. Describe how stormwater will be filtered to meet the California State Water Quality Control Board's regulations for Phase II small municipal separate storm sewer systems (M4S). Describe how restoration of creeks, trees and riparian vegetation, and installing green infrastructure and permeable pavement as elements of the alternatives would help mitigate flooding.

Biological resources

The EIR should describe biological resources in the City limit and Sphere of Influence Planning Area. The EIR should analyze GP policy impacts to nearby riparian or wetland habitats and their biological resources, both resident and migratory, including invertebrates, aquatic species and vegetation. Describe current urban wildlife habitat value and migratory corridors and how they will be protected.

San Rafael is a "Tree City". Trees contribute to stormwater reduction, improve air quality and contribute to carbon sequestration and greenhouse gas reduction, lower ambient air temperatures and counteract urban heat island effects, buffer noise, wind, and odors. They provide beneficial visual impacts and provide needed habitat for urban and migrating birds, wildlife and insects (including pollinators). The EIR should identify the impacts from increasing the number of trees throughout the City especially as they grow and as their canopies spread over time.

Aesthetics

Describe the viewshed of the surrounding hills. Provide simulations of how scenic views from a variety of angles will be impacted from future growth.

Population and Housing

The EIR should assess impacts and the cumulative effects of alternative development scenarios on population growth and increases in housing production.

An alternative that should be evaluated is one in which San Rafael makes small investments in growth allowing every neighborhood to evolve gradually over a longer period of time throughout the City limits and that of its Sphere of Influence. San Rafael's success and failure in adapting to sea level rise and impacts from climate change will depend largely on identifying and addressing both San Rafael's unique challenges as well as how it fits into the larger landscape of Marin County and the Bay Area. A longer time frame for gradual growth will provide opportunities for greater adaptation.

The EIR should address the impacts of climate change on land use and development in existing communities and new ones. How will displacement due to environmental hazards be mitigated and those displaced absorbed into the existing community?

The EIR should address impacts of housing policies that not only address housing supply but also impacts of how they might support and improve neighborhood services and the infrastructure of the public realm including streets and pathways, creeks and watersheds, trees, urban parks and green spaces and management of city-owned open spaces.

The EIR should include anticipation of California's housing legislation under current debate and its potential impacts on San Rafael's desired height limits and density. The EIR should assess impacts of San Rafael's General Plan housing policies on renters and homelessness. Will growth and development policies incentivize affordable housing that is truly affordable?

Finally, the EIR should assess, to the extent possible, how the new General Plan's policies will increase San Rafael's resilience, flexibility for change, and financial vitality.

Thank you for the opportunity to provide comments on the scope of the upcoming 2040 General Plan draft EIR.

Sincerely,

Kate Powers



Los Ranchitos Improvement Association
P.O. Box 4146
San Rafael CA 94913 - 4146

April 29, 2019

Barry Miller, Consulting Project Engineer
City of San Rafael
Community Development Department
1400 Fifth Street
San Rafael, CA, 94901

Subject: General Plan 2040 and Downtown Precise Plan EIR

Dear Mr. Miller:

The Los Ranchitos Improvement Association (LRIA) represents over 160 homes in the 94903 area. We have the following three requests for the EIR on SR's 2040 GP update:

1. Consider impacts of removing Los Ranchitos from San Rafael's Sphere of Influence (SOI)
2. Consider impacts of Los Ranchitos being a designated Community Separator in the Marin County General Plan consistent with the 2008 Marin County Open Space District's Strategic Master Plan
3. Align San Rafael's General Plan Open Space policies with the 2008 Marin County Open Space District's Strategic Master Plan

Background for removal from SOI

Reasonably Foreseeable Conditions: The County General Plan Open Space Element and the MCOSD Strategic Master Plan

Since inception in 1949, Los Ranchitos has been zoned for rural agriculture / light farming, equestrian use, 1-acre minimum size parcels, as recognized in the Marin County Agricultural Lands map filed with the state (see attached). During San Rafael's piecemeal annexation of the Terra Linda area, *prior to the formation of LAFCO in 1963*, Los Ranchitos was bypassed. The County created CSA#19 and, in conjunction with San Rafael, Los Ranchitos was placed into SR's SOI **solely** to supply the area with paramedic and fire protection services from the city of San Rafael.

Los Ranchitos is not expected to be annexed to the City within the time frame of the plan due to:

- Existing required services are adequately provided to Los Ranchitos, and *no reasonably foreseeable conditions indicate a future need for any additional urban services*
- Urban improvement upgrade costs associated with conversion of existing and satisfactory rural conditions (no sidewalks, no curbs, few streetlights) to urban standards
- Existing zoning and historical land uses supporting agricultural, light farming, and equestrian uses that are incompatible with urban usage
- *Any proposal for city annexation would pose a direct conflict with the County General Plan Open Space Element and the MCOSD Strategic Master Plan*
- Existing Ridge and Upland Greenbelt (RUG) designation over part of Los Ranchitos shows its role as community separator contiguous with priority MCOSD lands
- Strong landowner opposition precludes annexation

Email: Iriaboard@gmail.com

Background for Community Separator status and Open Space policies:

The MCOSD Open Space Strategic Master Plan

The MCOSD Strategic Master Plan was developed after San Rafael developed their 2020 General Plan. The 2040 GP will need to be consistent with the goals and priorities of this Master Plan.

The Land Conservation element of the 2008 MCOSD Strategic Plan targets preservation of lands within the Central Marin Ridglands as a priority. From the MCOSD Plan, *"Targeted lands serve as community separators and greenbelts as defined in the Countywide Plan, as wildlife corridors, and as links to other public lands."* The Marin County General Plan Open Space element currently overlays the hilly terrain of Los Ranchitos with the Ridge and Upland Greenbelt (RUG) designation; is contiguous with MSOSD's priority Terra Linda/Sleepy Hollow divide lands; and serves as an important community separator between Terra Linda and San Rafael. The landowners of Los Ranchitos are actively working with Marin LAFCO, the MCOSD, and the Board of Supervisors to establish the entire Los Ranchitos area as a designated community separator in the update of the Marin County General Plan Open Space element, in order to be consistent with the MCOSD Open Space Strategic Master Plan and to remove the entire area from the City of San Rafael's sphere of influence.

Note: This conservation action is supported by the North Bay office of Greenbelt Alliance.

San Rafael's NOP and city planning maps only show the SOI city boundaries but do not break out this important Open Space/RUG distinction. LR is not an island but an extension, or peninsula, of the West Marin rural corridor. Our agricultural designation via zoning is part of the extension. Maps attached.

Sincerely,



Leyla R. Hill, President

Los Ranchitos Improvement Association (LRIA)

Preserving and Maintaining Los Ranchitos's unique way of life since 1952

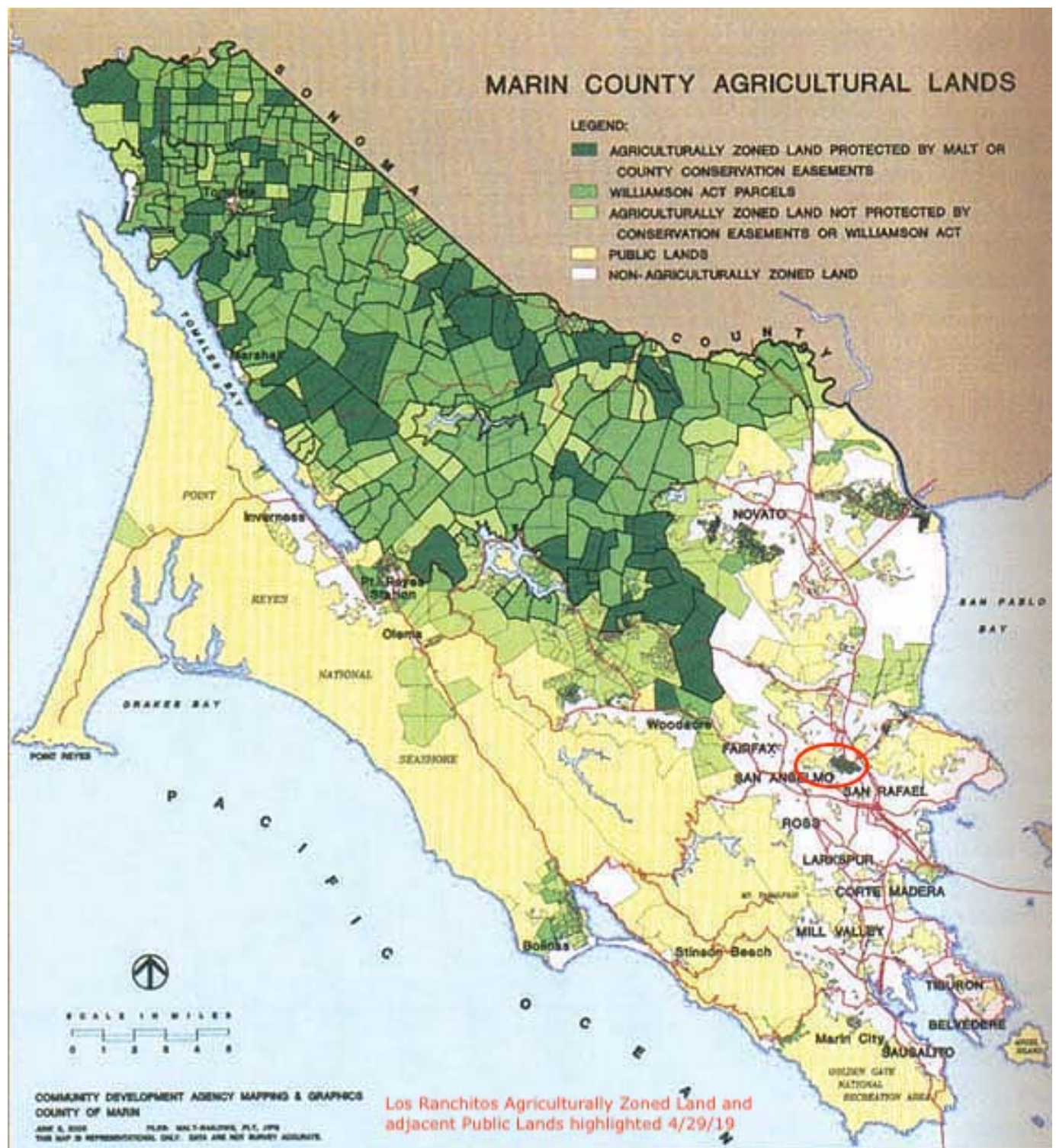
Maps attached:

Marin County Agricultural Lands (Los Ranchitos highlighted)

Terra Linda/Sleepy Hollow Divide Open Space Preserve (Los Ranchitos highlighted)

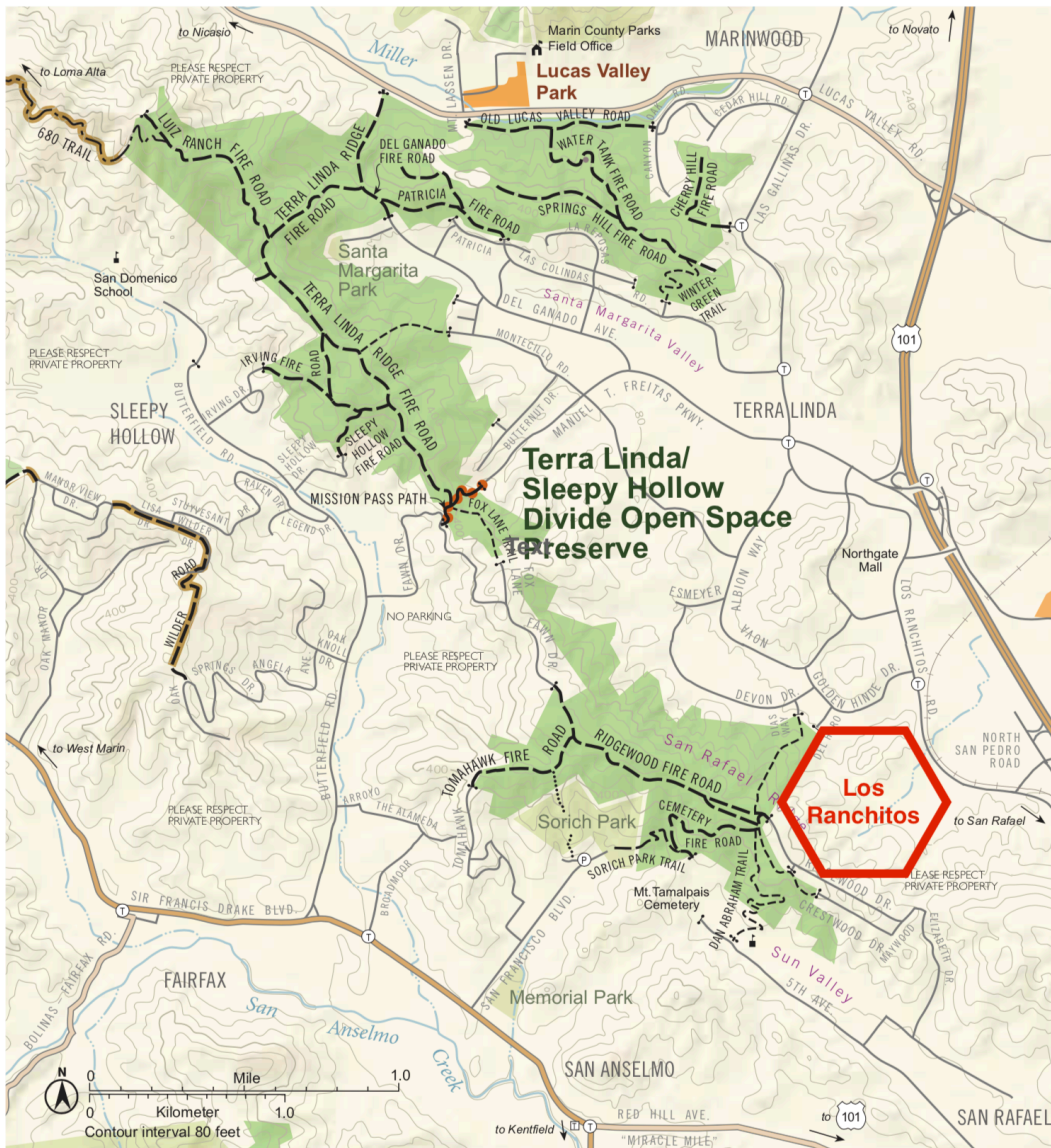
MCOSD (Marin County Open Space District) Roads (Los Ranchitos highlighted)

San Rafael Planning Area Boundary Map





TERRA LINDA/ SLEEPY HOLLOW DIVIDE OPEN SPACE PRESERVE



Featured Open Space Preserve	Multiuse Fire Road (Hikers, Bicyclists & Equestrians)	Parking Lot	Major Road
County Parks	Multiuse Trail (Hikers, Bicyclists & Equestrians)	Golden Gate Transit	Local Road
Adjacent Open Space Preserve	Trail (Hikers & Equestrians)	West Marin Stage	County Trail Easements
Other Public Land	Hiking-only Trail	Gate	County Multiuse Pathways
	Bike Path	School	Regional Trails

marincountyparks.org

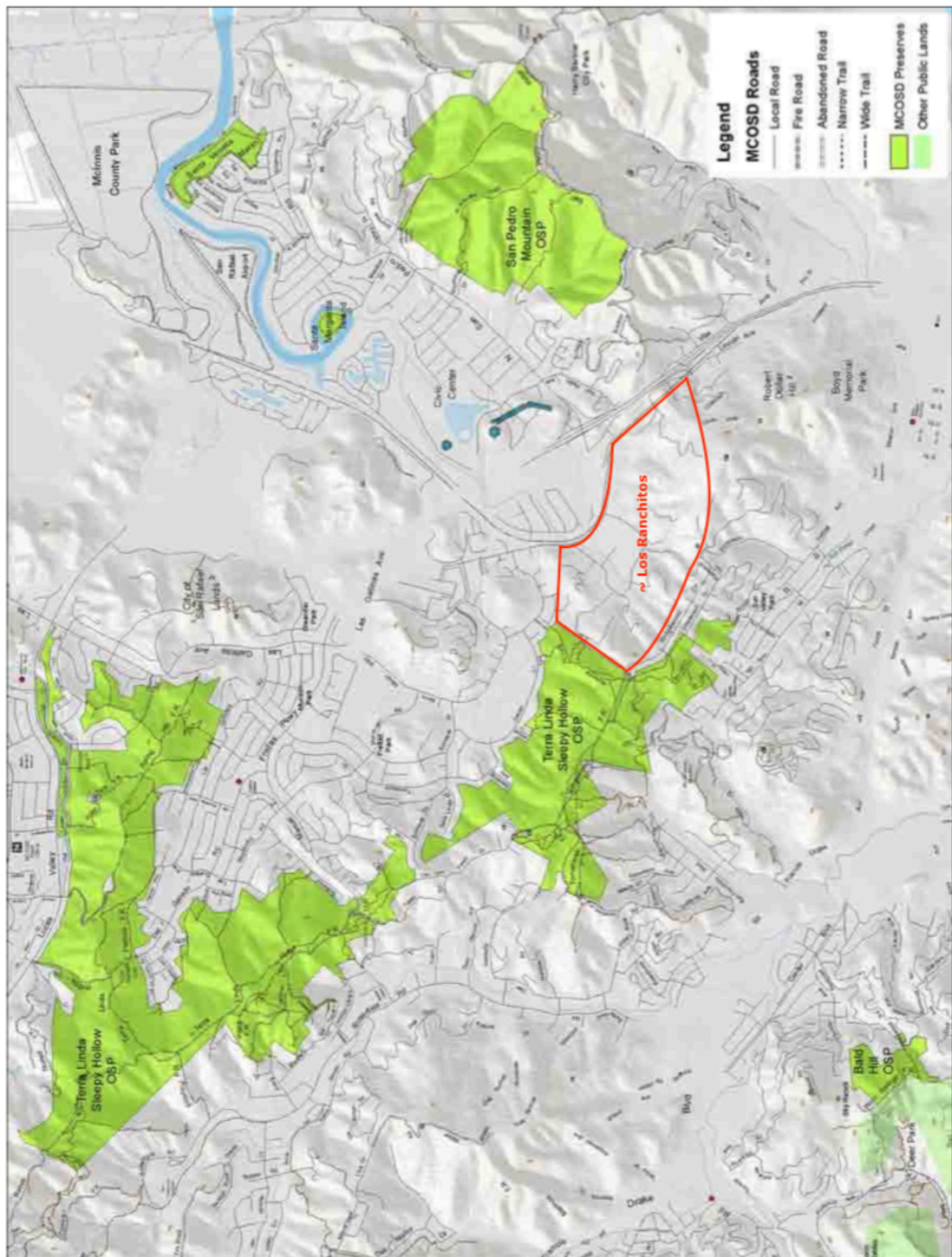




Figure 2
San Rafael Planning Area Boundary Map