



## **Ross Street Terrace Residential**

Assessor's Parcel Nos.: 012-141-59 and 012-141-60

### **Initial Study/Mitigated Negative Declaration**

Lead Agency:

City of San Rafael  
Community Development Department  
1400 Fifth Avenue (P.O. Box 151560)  
San Rafael, CA 94915-1560

Contact: David Hogan, AICP, Contract Planner

**October 26, 2021**

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## ENVIRONMENTAL CHECKLIST

1. **Project Title and Applications** Ross Street Terrace Residential
2. **Lead Agency Name & Address** City of San Rafael  
Community Development Department  
Planning Division  
1400 Fifth Avenue  
San Rafael, California 94901
3. **Contact Person & Phone Number** David Hogan, Contract Planner  
Phone: 408-809-9513  
Email: [dhogan@m-group.us](mailto:dhogan@m-group.us)
4. **Project Location** The site is located in the City of San Rafael, Marin County, California.  
  
33 Ross Street Terrace.  
Assessor's Parcel Nos. 12-141-60  
  
41 Ross Street Terrace.  
Assessor's Parcel Nos. 12-141-59
5. **Project Sponsor's Name & Address** Coby Friedman  
96 Forrest Ave.  
Fairfax, CA 94930
6. **General Plan Designation** Residential Lots: Low Density Residential  
  
Access Drive: Low Density Residential (north half),  
Medium Density Residential (south half)
7. **Zoning** Single Family Residential with Hillside Overlay (R-7.5-H)
8. **Description of Project**

### Setting and Background

The project site is located between Clayton Street and Ross Street. The site consists of two legal lots currently addressed as 33 and 41 Ross Street Terrace. Ross Street Terrace is an unimproved-right-of-way that was originally offered for dedication but never formally accepted. The right-of-way runs between Ross Street in the south to the privately owned extension of Clayton Street in the north.

The two residential lots were legally created in 1963. However, under the requirements of the current zoning on the property, both of the lots are smaller than the minimum established zoning code requires (i.e., are less than 7,500 square feet). The sizes of the existing lots are 6,092 square feet for the upper lot and 4,787 square feet for the lower lot. Average overall slopes range between 36% and 41%, respectively. The existing lots do not currently have drivable access to the maintained city road network.

The area of the project, including the area of the right-of-way for the access drive is approximately 31,000 square feet. The right-of-way for Ross Street Terrace effected by the project and the two lots are referred to as the project site throughout this document. This description does not include those portions of Ross Street Terrace north of the residential lots subject to the Environmental and Design Review Permits.

The site is sloping from the west to the east. Average overall slopes are approximately 40% and development on the site is subject to the Hillside Standards contained in Municipal Code Chapter 14.12. The project site is also located in the Wildland Urban Interface area of the Gerstel Park Neighborhood. The site is located within the San Rafael Creek drainage area which flows into San Francisco Bay.

Project Description

The project proposes to shift the dividing lot lines between the two existing lots, construct a single-family residence on each of the two vacant parcels, and construct a 480 foot long two-lane 16-foot wide access drive from Ross Street to the front of the proposed units.

The Lot Line Adjustment would reconfigure the shape of the existing parcels to move the access drive portion of the upper lot from the north side of site to the south side. Both existing lots are smaller than required by the Zoning Code for new subdivisions, however, because the lots already exist, they are considered legal. The sizes of the existing and proposed lots are summarized below:

<u>Existing Parcels:</u>		<u>Proposed Parcels:</u>	
Upper Lot (Lot 59)	6,092 SF	Upper Lot	6,092 SF
Lower Lot (Lot 60)	4,787 SF	Lower Lot	4,787 SF

The project would construct a three-bedroom, two bath, two-story home on each lot. The approximate sizes of the proposed single family homes units are 2,646 square feet for the upper unit and 2,697 square feet for the lower unit. Both units include a two-car garage and an elevated open patio deck. The site has been designed so that each unit has a view toward the east. Each unit would have two guest parking spaces in front of each building.

The preliminary grading plans show that the project will move approximately 2,030 cubic yards of material and require the export of about 1,340 cubic yards. Two-thirds of the grading will occur within the Ross Terrace right-of-way, most of it in the middle and northern areas. The destination for the exported material has not yet been identified but will be identified during the grading and hauling permit processes. The project involves the removal or relocation of a number of fences that have been erected on the two residential properties or across portions of the right-of-way for Ross Street Terrace by adjacent property owners. About half of the right of way will be landscaped with low water use landscape materials.

According to the arborist report, 67 trees are in and around the project site. Of these 55 of the trees are in the area of project affect. The location of these trees is provided in Table 1. As shown, most of the affected trees are located with the right-of-way for Ross Street Terrace. Twelve of the evaluated trees are located either on adjacent properties or are within the Ross Terrace right-of-way north of the area being disturbed by the project and are not included in this project summary.

<b>Locations</b>	<b>Total Trees</b>	<b>Significant Trees</b>	<b>Proposed To Remain</b>	<b>Other Trees</b>	<b>Proposed To Remain</b>
Project Site	11	11	1	0	0
Ross Street Terrace	44	30	3	14	2
<b>Total</b>	<b>55</b>	<b>41</b>	<b>4</b>	<b>14</b>	<b>2</b>

There are also fourteen other trees that are smaller than 12 inches in diameter at breast height. These include 9 eucalyptus, 2 acacia, 1 California Bay, 1 Olive, and 2 others. Twelve of these fourteen smaller trees are proposed for removal. All of the trees are located within the Ross Street Terrace right-of-way.

As summarized below, the project proposes to remove 37 significantly-sized trees. The City of San Rafael defines a tree as significant in the hillside overlay district when the diameter at breast height is 12 inches or larger (6 inches for larger for live oaks). A summary of the significant trees on the project site by species, how many

would be removed by the project, as well as a summary of the tree species to be planted as part of the project are provided below. Trees not within the area being affected by the project are not included in the summary table.

<b>Significant Tree Species</b>	<b>Existing Trees</b>	<b>To Be Removed</b>	<b>Trees To Remain</b>	<b>Proposed New Trees</b>	<b>Total Trees</b>
Acacia sp.	9	9	0	0	0
Live Oak	18	15	3	4	7
Olive	2	1	1	0	1
Eucalyptus sp.	2	2	0	0	0
Cherry Plum	2	2	0	0	0
Others (7 species)	8	8	0	0	0
Western Redbud	0	0	0	4	4
Santa Cruz Ironwood	0	0	0	6	6
Little Gem Magnolia	0	0	0	5	5
Strawberry Tree	0	0	0	1	1
<b>Total</b>	<b>41</b>	<b>37</b>	<b>4</b>	<b>20</b>	<b>24</b>

New trees and landscaping will also be installed as part of the project. The project will replant twenty trees, most are located along the proposed access drive.. All new trees are proposed to be 24” Box specimens.

Project Application Entitlements

The project involves the following planning applications:

- Lot Line Adjustment (LLA19-008); to shift the location of the access “flag” to the upper residential lot from the east side of the site to the west side.
- Environmental and Design Review Permit (ED19-090); for a new single-family residence on the Lot -59.
- Environmental and Design Review Permit (ED19-091); for a new single-family residence on the Lot -60.
- Exception (EX20-006). To allow the following:
  - Reductions in the natural state.
    - Upper Lot (Lot -59): 3,759 SF (61.7%) required, 1,902 SF (54.2%) proposed.
    - Lower Lot (Lot -60): 3,126 SF (65.3%) required, 1, 733 SF (53.2%) proposed.
  - Increased driveway grade.
    - Access Drive: ≤18% required, 24.9% over 75 feet proposed of

**Other Public Agencies Whose Approval Is Required**

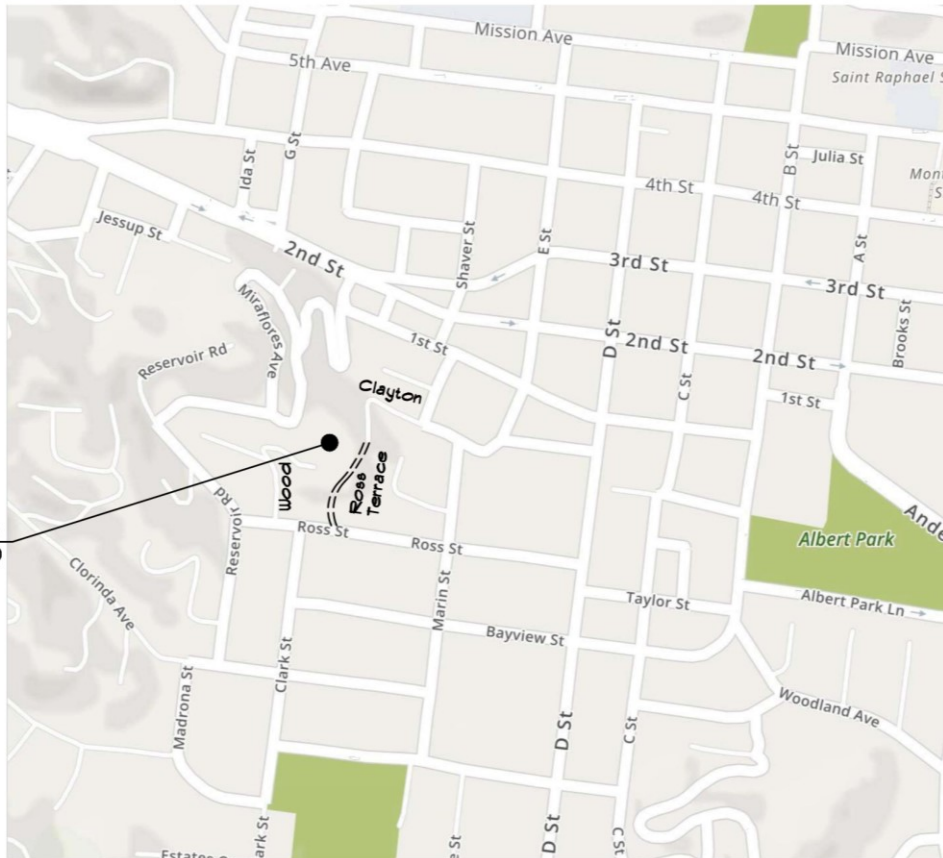
No other approvals are required from other public agencies

# EXHIBITS

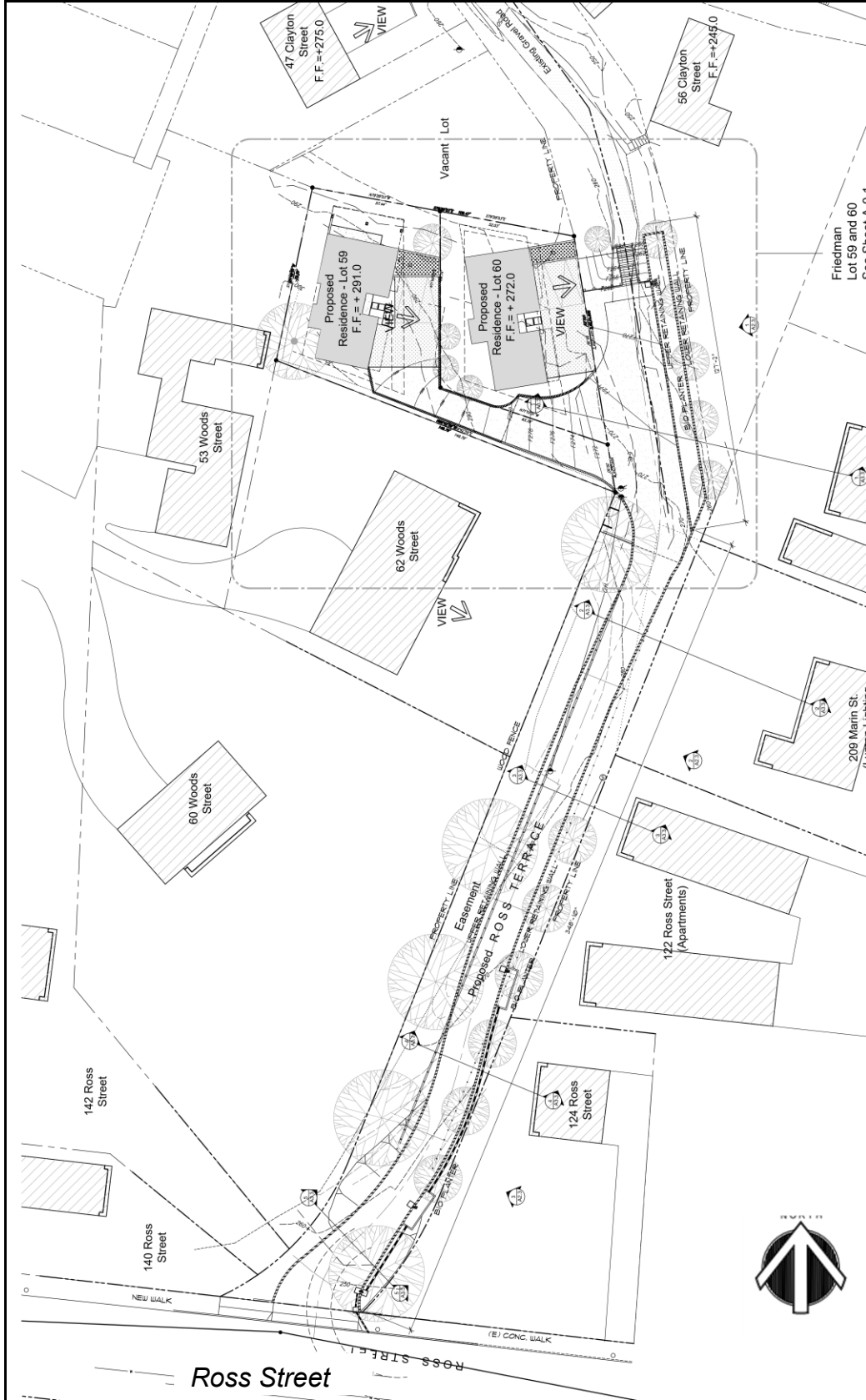
## EXHIBIT 1. Location Map



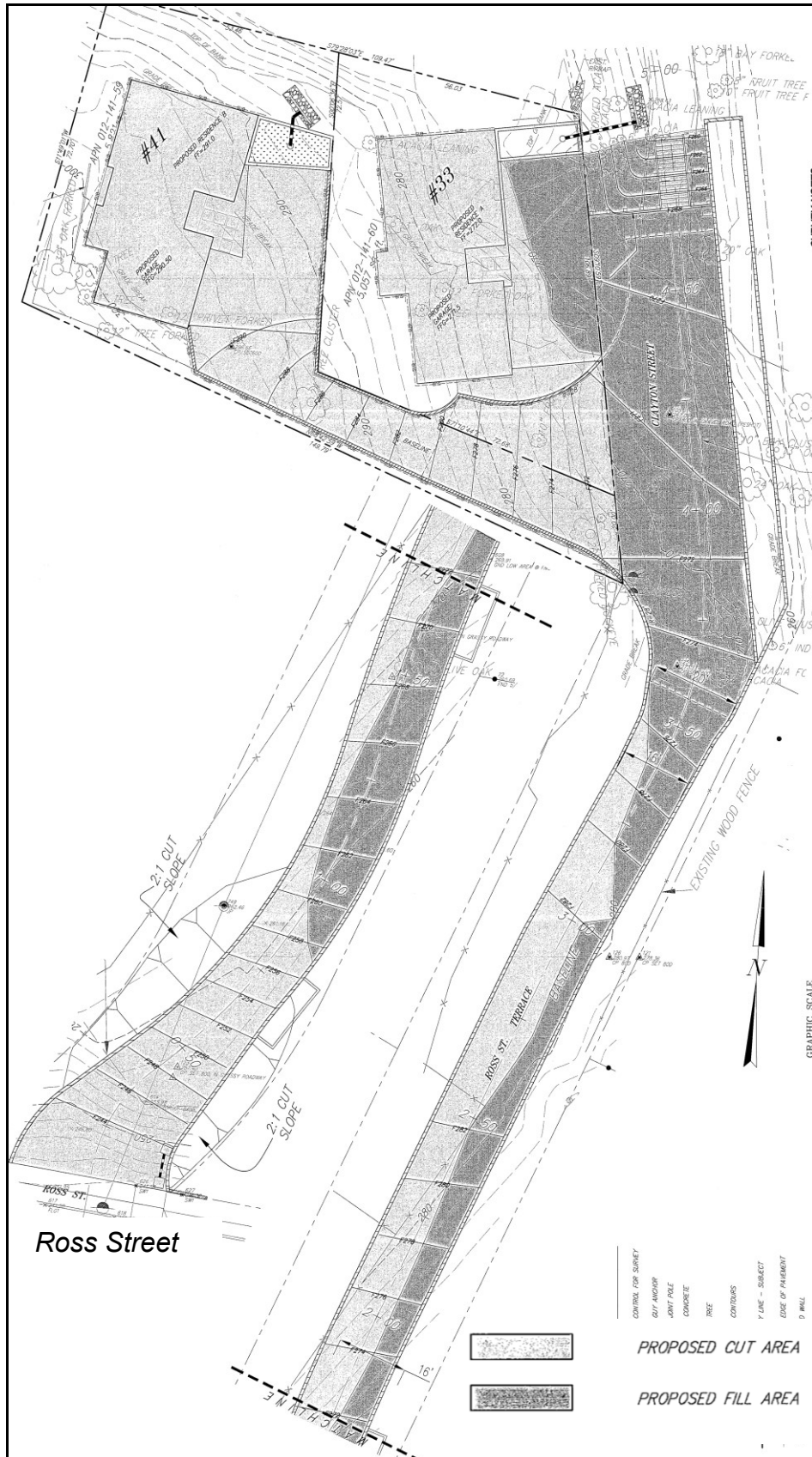
ROSS TERRACE:  
Lot 59 & Lot 60



## EXHIBIT 2. Site Plan



**EXHIBIT 3. Grading Diagram, Areas of Cut and Fill**





## EXHIBIT 4. Sample Elevations and Elevations

### Roofing



Roof soffits:  
T&G Wood - Cedar  
Clear stain



Composite Shingle Roofing:  
Certaineed Landmark Pro Solaris  
Max Def Moire Black

### Siding



Vertical Siding:  
T&G Wood- Cedar  
Clear stain



Panel Siding  
Hardie P



Upper Front Elevation



Lower Front Elevation

parts



Horizontal Siding:



Garage Doors:



Windows:

D

I  
C

D

Patio/Entry D  
Black Metal v

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Aesthetics                      | <input type="checkbox"/> Agriculture/Forestry Resources | <input type="checkbox"/> Air Quality                       |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources  | <input type="checkbox"/> Energy                            |
| <input type="checkbox"/> Geology /Soils                  | <input type="checkbox"/> Greenhouse Gas Emissions       | <input type="checkbox"/> Hazards & Hazardous Materials     |
| <input type="checkbox"/> Hydrology /Water Quality        | <input type="checkbox"/> Land Use /Planning             | <input type="checkbox"/> Mineral Resources                 |
| <input type="checkbox"/> Noise                           | <input type="checkbox"/> Population/Housing             | <input type="checkbox"/> Public Services                   |
| <input type="checkbox"/> Recreation                      | <input type="checkbox"/> Transportation                 | <input type="checkbox"/> Tribal Cultural Resources         |
| <input type="checkbox"/> Utilities/Service Systems       | <input type="checkbox"/> Wildfire                       | <input type="checkbox"/> Mandatory Finding of Significance |

**DETERMINATION**

On the basis of this initial evaluation:

- I find that the proposed project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect has been either (1) adequately analyzed in an earlier document pursuant to applicable legal standards, or 2) addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an EARLIER EIR or NEGATIVE DECLARATION pursuant to applicable legal standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

Leslie Mendez, Planning Manager

Name, Title

## EVALUATION OF ENVIRONMENTAL IMPACTS

Evaluation of the Project environmental impacts is prepared as follows:

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors, as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Negative Declaration: Less Than Significant with Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following: (a) Earlier Analyses Used. Identify and state where they are available for review; (b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis; (c) Mitigation Measures. For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.
9. The explanation of each issue should identify: (a) the significance criteria or threshold, if any, used to evaluate each question; and (b) the mitigation measure identified, if any, to reduce the impact to less than significance.

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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**I. AESTHETICS**

Except as provided in Public Resources Code (PRC) Section 21099, Would the project:

- a. *Have a substantial adverse effect on a scenic vista?*

Discussion:

**Less Than Significant Impact:** A scenic vista is characterized as a panoramic view of attractive or impressive natural scenery. The scenic quality, sensitivity level, and view access are important considerations when evaluating potential impacts to a scenic vista. 2040 General Plan (General Plan) Policy CDP-1.5 (Views) calls for the protection of views. This is also implemented through the City’s adopted Hillside Design Guidelines. The Hillside Design Guidelines are further implemented by Chapter 14.12 of the Municipal Code contains special scenic-oriented development provisions for sites located within 100 vertical and horizontal feet of the crest of an identified ridgeline. The project site is an urban infill development in the Gerstle Park Neighborhood of San Rafael. The project site is located well below the ridgeline. From more distant locations, views of the two houses will be visible among trees and other structures, just like the rest of the area. The project would not be specifically noticeable (i.e., be individually discernable) from more distant locations since the project would blend in with the existing structures and landscaping. As a result, the project will not have a significant effect on a scenic vista.

**(Sources: 1, 2, 4, 22)**

- b. *Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*

Discussion:

**No Impact:** The project is not located adjacent to a State scenic highway. As a result, there are no impacts.

**(Sources: 1, 2, 4, 22)**

- c. *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?*

Discussion:

**No Impact:** The project is in an urbanized residential area and potential aesthetic impacts are discussed under impact discussion I.a above. For the purpose of this evaluation, an area is considered to be urbanized if the majority of the nearby parcels are smaller than a quarter of an acre size, mostly occupied with structures, and do not include agricultural or grazing lands. The surrounding parcels generally range in size from 5,000 square feet to 30,000 square feet, are largely occupied by a variety of single and multiple family residential structures and are not use for agricultural purposes. As a result, no non-urban visual impacts will occur.

**(Sources: 1, 2, 4)**

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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- |   |                          |                          |                                     |                          |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| d. Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

**Less Than Significant Impact:** The project would involve the construction of two additional single-family residences in a residential neighborhood. The project would result in additional security lighting and interior lighting typical of single-family residences. The project also includes ground-level lighting along the access drive. This additional lighting will be the same as the lighting found throughout the surrounding area and would be consistent with other lighting found in the area. Section 14.16.227 of the Municipal Code (Light and Glare) contains standard provisions that will mitigate any future light or glare impacts. In addition, Paragraph G of Section 14.16.227 requires that all new lighting is subject to the requirements for a 90-day post-installation inspection to reduce any light or glare impacts. As a result, no significant impacts are anticipated, and no mitigation is required.

*(Sources: 1, 2, 4)*

## II. AGRICULTURE AND FOREST RESOURCES

In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resource Board.

Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use, or a Williamson Act contract?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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 511104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Result in the loss of forest land or conversion of forest land to non-forest use?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

Discussion-All Impacts:

**No Impact:** The project site is located in an urbanized hillside area in the Gerstle Park Neighborhood of San Rafael and is zoned for single family residential land uses. The site is not designated as prime farmland and there are no Williamson Act contracts associated with the property. The property is also not used for or designated for timber production. Therefore, no impacts would result from the project.  
(Sources: 1, 2, 3)

### III. AIR QUALITY

Where available, the significance criteria established by the applicable Air Quality Management District or Air Pollution Control District may be relied upon to make the following determinations.

Would the project:

- a. Conflict with or obstruct implementation of the applicable air quality plan?

Discussion:

**Less Than Significant Impact.** The project site is in Marin County, which is located within the San Francisco Bay Area Air Basin. The Bay Area Air Quality Management District (BAAQMD) is responsible for assuring that Federal and California Ambient Air Quality Standards are attained and maintained. In June 2010, BAAQMD adopted thresholds of significance to assist in the review of projects under CEQA. These thresholds were designed to establish the level at which BAAQMD believed a project's air pollution emissions could potentially cause significant environmental impacts. The BAAQMD's adoption of significance thresholds contained in the 2011 CEQA Air Quality Guidelines, was called into question by an order issued March 5, 2012, in California Building Industry Association v. BAAQMD. In December 2015, the Supreme Court determined that an analysis of the impacts of the environment on a project, commonly known as "CEQA-in-reverse" is only required under two limited circumstances: (1) when a statute provides an express legislative directive to consider such impacts; and (2) when a proposed project has the potential to exacerbate existing environmental hazards or conditions.

The significance thresholds contained in the 2017 CEQA Air Quality Guidelines are applied to this project. For projects, the determination of a significant cumulative air quality impact should be based on the consistency of the project with the Bay Area's most recently adopted Clean Air Plan. A project would be consistent with the 2010 Clean Air Plan if the project does not exceed the growth assumptions in the Plan. The primary method of determining consistency with the 2010 Clean Air Plan growth assumptions is consistency with the General Plan land use designation(s) and zoning district(s) for the site. The Clean Air Plan assumptions for projected air emissions and pollutants based on the land use and development projection assumptions in the San Rafael 2020 General Plan. The project is consistent with the adopted General Plan which allows the development of a single-family home on each of the two residentially zoned lots. No land use changes were made to the project site with the adoption of the 2040 General Plan. Furthermore, the project does not exceed any of the significance thresholds established by BAAQMD that could mandate a full project specific air quality analysis. The lowest BAAQMD analysis threshold for single family residential products is 56 residential units (for operational impacts). Since the project consists of only 2 units, the proposed project would not require additional analysis and would not result in a significant impact. Therefore, the project is consistent with the Air Quality Management Plan and no significant impacts are anticipated and not mitigation is necessary.

(Sources: 1, 2, 3, 4, 13, 17)

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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b. *Result in a cumulatively considerable net increase any criteria pollutant for which the project region is non – attainment under an applicable federal or state ambient air quality standard?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion:

**Less Than Significant Impact.** The Bay Area is considered a non-attainment area for ground-level ozone and PM<sub>2.5</sub> under both the Federal and California Clean Air Acts. The region is also a nonattainment area for PM<sub>10</sub> under the California Clean Air Act. To attain ambient air quality standards for ozone and particulate matter, the BAAQMD has established thresholds of significance for particulate matter (specifically for PM<sub>10</sub> and PM<sub>2.5</sub>) as well as for ozone precursors (reactive organic gases and oxides of nitrogen).

Site preparation and grading can generate fugitive dust in the form of PM<sub>10</sub> and PM<sub>2.5</sub>. Sources of fugitive dust include winds erosion of disturbed soils and trucks carrying uncovered soil loads. The BAAQMD CEQA Air Quality Guidelines considers these impacts to be less-than-significant if best management practices (BMPs) are implemented to reduce these emission sources. These best management practices are standard conditions of project approval and are implemented as through the City building permit process. In addition, evaporative emissions from architectural coatings are also common air pollutants during construction. These are also regulated by directly by BAAQMD. Given the small scale of the project, no cumulatively considerable emissions are likely. Implementation of the BMPs will reduce any potential air quality impacts associated with grading and new construction to a less than significant level. Once project construction is completed the primary source of air pollution will be related to automobile use. Most motor vehicles on the road today are of a modern design which emit comparatively tiny amounts of air pollutants. As a result, no significant impacts are anticipated. No Mitigation is required.

*(Sources: 1, 2, 4, 13, 17)*

c. *Expose sensitive receptors to substantial pollutant concentrations?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
--------------------------	--------------------------	-------------------------------------	--------------------------

Discussion:

**Less Than Significant Impact.** Project impacts related to increased community risk can occur either by introducing a new sensitive receptor, such as a residential use, in proximity to an existing source of Toxic Air Contaminants (TACs) or by introducing a new source of TACs with the potential to adversely affect existing sensitive receptors in the project vicinity. The project would add two additional single-family residences into an existing residential neighborhood. Temporary project construction activity would generate dust and equipment exhaust that could affect nearby sensitive receptors, but the amount of grading is relatively limited (in both areal extent and total export). In addition, the closest major roadway, 2<sup>nd</sup> Street with average traffic volumes of between 22,000 and 24,000 trips per day, is about six hundred feet away from the site of the two new residences. No other substantial sources of TACs were identified within 1,000 feet of the project site. Therefore, any impacts would be less than significant. No Mitigation is required.

*(Sources: 1, 2, 3, 4)*

d. *Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

Discussion:

**No Impact.** The proposed project does not include any uses that would produce objectionable odors. The proposed use is consistent with surrounding uses and long-term operation of two additional residential structures would not create objectionable odors. No impacts will occur, and no mitigation is required.

(Sources: 1, 2, 4)

**IV. BIOLOGIC RESOURCES**

Would the Project:

- a. *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

Discussion:

**Less Than Significant Impact with Mitigate Incorporated.** The project is located within a hillside area that is substantially urbanized. The Biologic Resources Assessment indicated that the project site is occupied by Mixed Ornamental Woodland. This plant community is composed of a mixture of non-native ornamental and native trees. Small areas of Mixed Ornamental Woodland are not considered sensitive biological communities. The dominant trees include silver wattle (*Acacia dealbata*), red gum (*Eucalyptus camaldulensis*), coast live oak (*Quercus agrifolia*), California bay (*Umbellularia californica*), olive (*Olea europaea*), cherry plum (*Prunus cerasifera*), and blackwood acacia (*Acacia melanoxylon*). The relatively steep slopes contain a sparse to dense understory shrub layer which is dominated by non-native invasive French broom (*Genista monspessulana*). The herbaceous layer is also dominated by non-native, invasive forbs and grasses, including Bermuda buttercup (*Oxalis pes-caprae*), white flowered onion (*Allium triquetrum*), upright veldt grass (*Ehrharta erecta*) and Dogtail grass (*Cynosaurus echinatus*). Based upon a search of the biologic resource databases, 33 special-status plant species and 22 special-status wildlife species have documented occurrences within the vicinity (defined as the area of the San Rafael 7.5' USGS Topographic Map) of the project area. None of these special-status species were documented during the site visits and no impacts are anticipated to special-status species. However, the existing trees have the potential to be used as nesting habitat for bird species whose nesting activities are protected by Federal and State regulations. As a result, there is the potential for a significant impact to one or more of these species if construction disrupts the process of nesting and raising young. To prevent any significant impacts the following mitigation measure is required.

**Mitigation Measure BIO-1: Protection of Nesting Special Status Avian Species.**

To avoid impacts to nesting birds, all tree and vegetation removal within the Study Area shall be conducted outside of the nesting bird season, between September 1 and January 31, to the extent feasible. If tree and vegetation removal occurs within the nesting season, between February 1 and August 31, a qualified biologist will conduct a nesting bird survey no sooner than 14 days prior to the start of work; and if no active nests are found, work may begin. If active nests are found during the survey, the qualified biologist shall establish a protective buffer zone around the nest within which no work will be allowed. The buffer shall be clearly marked. The buffer shall be maintained until the young have fledged the nest or the nest becomes inactive (e.g., due to predation). If work ceases for longer than 14 days, another nesting bird survey shall be conducted. If active nests are found during the survey, the qualified biologist shall establish a protective buffer zone around the nest within which no work will be allowed.



	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

The implementation of Mitigation Measure BIO-1 will any reduce impacts to nesting bird species to a less-than significant-level.

**(Sources: 1, 2, 3, 4, 7, 8)**

- b. *Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.** The project is located on a hillside terrace adjacent to an ephemeral drainage (flows only in direct response to a substantial rainfall event). There are no riparian areas, wetlands, or other sensitive natural communities onsite. Therefore, the project will not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or by the U.S. Fish and Wildlife Service and no mitigation is required.

**(Sources: 1, 2, 4, 8)**

- c. *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

**No Impact.** No wetlands or non-wetland waters were observed on the Project site. Therefore, no impacts are anticipated, and no mitigation is required.

**(Sources: 1, 2, 4, 8)**

- d. *Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites??*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.**

The Project site is located in an area with roads and surrounded by other, mostly, residential structures. The site is not located between other large natural or conservation areas. The site and surrounding area have contained roads and residences since the late 1800's. The three undeveloped lots (including the vacant parcel to the east) and the undeveloped right of way represent an isolated undeveloped area less than one acre in size. At present there is ongoing, year-round, human activity in the area which make use of the site for nursery sites for medium and large native species unlikely. However, the use by very small and small native and non-native species for nursery purposes is expected to occur. As previously noted, the site does not contain waterways or wetlands. Though unlikely, it possible that portions of the site could potentially be used for some of those purposes, particularly by smaller species. The site lacks the potential to be a wildlife corridor since it does not connect natural or open space areas. With this limited potential for use, the project will not have a significant adverse impact the wildlife migration or nursery-related activities and no mitigation is required.

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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**(Sources: 1, 2, 4, 7, 8)**

e. *Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.**

The Arborist Report for the project identified 41 significant and 14 smaller trees within the project’s area of impact. Eleven of the trees, all significant-sized, are located on the two residential parcels. As outlined in the project description, the majority of the potentially affected trees are located within the right-of-way for Ross Street Terrace. According to Chapter 14.12 of the municipal code, the project should comply with the adopted Hillside Development Design Guidelines. The Guidelines encourage the retention of trees not otherwise affected by project construction and encourage (but do not require) the planting of replacement trees at a ratio of 3 replacement trees for each significant tree removed. The project would remove 37 of 41 significant trees and would replant 20 additional trees along the access drive and the proposed residences. The project also includes new landscaping consisting of ground cover, and shrubs. All new landscaping will be conditioned to comply with the provisions of the water efficient landscape ordinance. As proposed, the project would be in compliance with these local standards and will reduce any impacts to a less than significant level, and no additional mitigation is required.

**(Sources: 1, 2, 4, 6)**

f. *Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

**No Impact.** There are no Habitat Conservation Plans, Natural Community Conservation Plans, or other approved habitat protection/preservation plans that apply to the site. Therefore, there is no impact, and no mitigation is required.

**(Sources: 1, 2, 8)**

**V. CULTURAL RESOURCES**

Section 15064.5 of the State CEQA Guidelines defines a historical resource as either a resource listed in or determined to be eligible by the State Historical Resources Commission, for listing in the California Register of Historical Resources; a resource listed in a local register of historical resources or identified as significant in an historical resource survey meeting certain state guidelines; or an object, building, structure, site, area, place, record or manuscript which a lead agency determines to be significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided that the lead agency’s determination is supported by substantial evidence in light of the whole record. A project could have a significant effect on the environment if it “may cause a substantial adverse change in the significance of an historical resource.” Impacts to those cultural resources not determined to be significant according to the significance criteria described above are not considered significant for the purposes of CEQA.

Would the Project:

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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- a. *Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines §15064.5?*

Discussion:

**No Impact.** CEQA Guideline Section 15064.5 defines a historic resource as something eligible for listing on the California Register of History Resources. The site currently vacant and does not contain a historic structure or monuments. Also, the project site is not connected to any potentially significant historic event. Because the site does not contain any designated or historic structures will occur and no mitigation is required.

**(Sources: 1, 3, 4, 9, 19, 22)**

- b. *Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*

Discussion:

**Less Than Significant Impact.** The project is located on a sloping hillside and terrace and is in an area with a low potential for archeologic and historic resources. In addition, the location of the property and the lack of attractions for continued use by pre-historic hunter-gatherer groups (e.g., water, shelter, outcrops of usable rocks, and/or a vantage point for hunting over an obvious food or water source) make it unlikely that archeologic deposits or tribal cultural resources are present. Based on a review of regional databases, City records, and other available data, no prehistoric or archaeological resources are known to occur on the site or within the immediate vicinity. This topic is also discussed under Topic XVIII (Tribal Cultural Resources) of this Initial Study. Although construction of the proposed project would have no impact on known archaeological resources, there is a possibility that archeologic resources could be encountered. To prevent any significant impacts the following mitigation measure is required:

**Mitigation Measure CUL-1: Protect Archaeological Resources Identified during Construction:** The project sponsor shall ensure that construction crews stop all work within 100 feet of the discovery until a qualified archaeologist can assess the previously unrecorded discovery and provide recommendations. Resources could include subsurface historic features such as artifact-filled privies, wells, and refuse pits, and artifact deposits, along with concentrations of adobe, stone, or concrete walls or foundations, and concentrations of ceramic, glass, or metal materials. Native American archaeological materials could include obsidian and chert flaked stone tools (such as projectile points), midden (culturally derived darkened soil containing heat-affected rock, artifacts, animal bones, and/or shellfish remains), and/or groundstone implements (such as mortars and pestles).

Mitigation Measure CUL-1 applies to both properties. The implementation of Mitigation Measure CUL-1 would any reduce impacts to less-than significant-level. Following project construction, occupation of the residences is not expected to affect archaeological resources.

**(Sources: 1, 3, 4, 5, 7, 9, 19, 22)**

- c. *Disturb any human remains, including those interred outside of formal cemeteries?*

	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

Discussion:

**Less Than Significant Impact with Mitigation Incorporation:** As discussed under Topics V.b and XVIII, there are no formal cemeteries or known human remains on the subject site. However, the potential for their presence cannot be entirely ruled out. Construction-related excavation could potentially expose, disturb, or damage previously undiscovered human remains. Therefore, to reduce the potential disturbance of unknown human remains during construction to less than significant levels, the following mitigation measure is required:

**Mitigation Measure CUL-2: Protect Human Remains Identified During Construction:** The Project proponent shall treat any human remains and associated or unassociated funerary objects discovered during soil-disturbing activities according to applicable State laws. Such treatment includes work stoppage and immediate notification of the Marin County Coroner and qualified archaeologist. If the Coroner's determination that the human remains are probably Native American, the Native American Heritage Commission (NAHC) shall be notified in accordance with the requirements in PRC Section 5097.98. A qualified archaeologist, the Project proponent, a representative from the City of San Rafael, and the NAHC-designated Most Likely Descendent shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of any human remains and associated or unassociated funerary objects. The agreement would take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, and final disposition of the human remains and associated or unassociated funerary objects. The PRC allows 48 hours to reach agreement on these matters.

Mitigation Measure CUL-2 applies to both properties. The implementation of Mitigation Measure CUL-2 throughout the ground-disturbing construction phase of the project would minimize potential impacts on any buried human remains and related funerary objects that may be accidentally discovered to a less-than-significant level.

*(Sources: 1, 2, 3, 4, 19)*

## VI. ENERGY

Would the Project:

- a. *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Discussion:

**Less Than Significant Impact:** Project construction will result in the short-term use of energy. This includes both fossil fuels to operated vehicles and larger machinery and electricity to operate small and hand-held equipment. However, this construction-related energy usage will be of short duration and does not represent a significant impact. Long-term energy use will result from operation of the project and would include activities such as lighting, heating, and cooling of the new residences. Implementation of the project would result in an incremental increase in energy usage compared to current conditions. The new residence and ADU as well as the reconstructed residence will be required to comply with Title 24 of the California Code of Regulations, Building Energy Efficiency Standards that mandate more efficient (less wasteful) energy consumption. These energy code requirements will ameliorate any potential impacts related to the wasteful and inefficient consumption of energy resources. Therefore, the project would not result in significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation. No mitigation is required.

*(Sources: 1, 2, 4, 11, 13)*

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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b. *Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact:** The project would be required to comply with Title 24, Part 6 of the California Code of Regulations, Building Energy Efficiency Standards. Additionally, the project is not located in an identified area designated for renewable energy productions nor would the project interfere with the installation of any renewable energy systems. The project would not conflict with or obstruct applicable State and local plans for promoting use of renewable energy and energy efficiency. Therefore, the impact is considered less than significant, and no mitigation is required.

*(Sources: 1, 2, 4, 11)*

## VII. GEOLOGY AND SOILS

A Soil Investigation was prepared for the site by Reese & Associates, Consulting Geotechnical Engineers (2019) and was used in the assessment of onsite soil and geotechnical conditions.

Would the Project:

a. *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

i) *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less than Significant:** The site is located within the seismically active San Francisco Bay Area. The closest known active faults near the project are the Hayward and San Andreas faults, which are located roughly approximately 7 miles to the northeast and 8.5 miles southwest, respectively. Both of these faults are capable of magnitudes of 7 or greater. In the event of a major earthquake in the Bay Area, the site would experience seismic shaking. The Geotechnical Report also indicated that there are no known active faults are known to cross the project site. Because the site is not located within an Alquist-Priolo Special Study Zone, the potential for fault surface rupture in the immediate vicinity of the project is very low. As a result, any impacts would be less than significant, and no mitigation is required.

*(Sources: 1, 2, 3, 4, 5, 15)*

ii) *Strong seismic ground shaking?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact:** According to the Geotechnical Report, the site is located in a seismically active region and would experience ground shaking from a major earthquake on any of the active Bay Area faults. The Report identifies seven named fault zones within 30 miles. The intensity of ground shaking will depend on the characteristics of the causative fault, distance from the fault, the earthquake magnitude and duration, and site-specific geologic conditions. The potential for strong seismic shaking at the project site is high. Due to their proximity and historic rates of activity, the San Andreas and Hayward Faults present the highest potential for severe ground shaking which could affect subsurface soil conditions and onsite structures. The Geotechnical Report provides recommendations to address and

	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

mitigate these issues and demonstrates that onsite construction is feasible. Following project approval, seismic ground shaking issues will be addressed with a more detailed, construction level, geotechnical report required for building permit issuance based upon the approved project. This standard requirement will reduce impacts from future seismic ground shaking to a less than significant level and no further mitigation is required.

**(Sources: 1, 2, 3, 4, 5, 15)**

iii) *Seismic related ground failure, including liquefaction?*                       

Discussion:

**Less Than Significant Impact:** Liquefaction refers to the sudden, temporary loss of soil strength during strong ground shaking. The effects of liquefaction can vary from cyclic softening resulting in limited strain potential to flow failure which cause large settlements and lateral ground movements. Lateral spreading refers to a specific type of ground failure characterized primarily by horizontal displacement of surficial soil layers as a consequence of a subsurface granular layer. Lateral spreading can occur on relatively flat sites with slopes less than two percent under certain circumstances. Lateral spreading can cause ground cracking and settlement. Liquefaction can occur when groundwater levels are less than thirty feet below the ground surface and onsite soils have higher percentages of sand. According to the Geotechnical Report onsite soils are too shallow (i.e., the underlying sandstone of the Franciscan Formation which is close to the ground surface) to experience seismic related ground failure and liquefaction. No mitigation is required.

**(Sources: 1, 2, 3, 4, 5, 15)**

iv) *Landslides?*                       

Discussion:

**Less Than Significant Impact:** As previously discussed, the site is underlain by sandstone and shale which are part of the Franciscan Complex. The Franciscan Complex is an assemblage of metamorphosed and deformed rocks, associated with the San Andreas Fault and with east-dipping subduction zone at the western edge of North America. The Geotechnical Report evaluated the presence of historic landslides in and around the site. While historic landslides have been identified in the surrounding area, no landslides or earthflows were identified onsite. The closest identified historic landslide is located approximately 400 feet to the west of the site on the other side of the hill. However, given the steepness of some of the existing slopes in the area, there is a possibility that future landslides could occur either above or on the project site. The issue of the stability of future slopes will be addressed through the standard requirements associated with the issuance of a grading or building permit; the preparation of a construction-level geotechnical/soil investigation required based upon the approve project design. Implementation of this standard requirements will reduce the risk of landslides, to a less than significant level and no further mitigation is required

**(Sources: 1, 2, 3, 4, 5, 15)**

b. *Result in substantial soil erosion or the loss of topsoil?*                       

Discussion:

**Less Than Significant Impact.** The area of the residential lots has average slopes of between 30% and 40%. Slopes along the access drive are similar in the north-south direction. Steep slopes always have a higher potential for soil erosion. The project contains a number of retaining walls that will help to

	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

moderate the number of steep slopes and reduce the potential for soil erosion. Proposed project grading will require the preparation and City approval of a grading plan. The grading plan will incorporate erosion control measures to minimize or prevent soil loss. These measures include actions to be taken both during and after construction as required by the City of San Rafael Department of Public Works' Grading and Construction Erosion and Sediment Control Plan Permit Application Package as well as any applicable Regional Water Quality Control Board standards. Implementation of these standard requirements will reduce impacts from loss of soil or topsoil erosion to a less than significant level and no further mitigation is required.

**(Sources: 1, 2, 4, 5, 6, 22)**

- c. *Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on, or off, site landslide, lateral spreading, subsidence, liquefaction or collapse?*

Discussion:

**Less Than Significant Impact:** As noted above, the results of the Geotechnical Report prepared for the project indicated that in site soils are relatively shallow and comprised of discontinuous accumulations of sandy silt, silty clay sand, sandy clays, and silty gravel with varying depth of between 1 and 3½ feet over weathered sandstone of the Franciscan Complex. The Franciscan Complex is not considered to be an unstable surface for construction. Only in an area that contains previously placed fill are these combinations of silt, gravel and sand, was bedrock not encountered. This area is under the access drive below where the driveway to the upper unit intersects the access drive. The fill appears to have been taken from near the northeast corner of the lower lot at some point in the past. The project is not located on an unstable geologic unit or soil. Any possible issues with onsite soils will be addressed through the standard requirements for the issuance of a building permit: the preparation of a construction-level geotechnical/soil investigation required for the issuance of a building permit. Implementation of these standard requirements will reduce impacts from unstable soils to a less than significant level and no further mitigation is required.

**(Sources: 1, 2, 4, 5, 22)**

- d. *Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

Discussion:

**Less Than Significant Impact.** As discussed above, soils containing higher percentages of clays have the potential to be expansive. Soil expansion can occur when clay particles interact with water, which can cause seasonal volume changes in the soil matrix. The clay soil swells when saturated and then contracts when dried. The phenomenon generally decreases in magnitude with increasing confinement pressures at increasing depths. Expansive soils can also cause or contribute to soil creep on sloping ground. The Geotechnical Report did not identify any issues with expansive onsite soils. Any possible issues with onsite soils will be addressed through the standard requirements for the issuance of a building permit: the preparation of a construction-level geotechnical/soil investigation required for the issuance of a building permit. Implementation of these standard requirements will reduce impacts from previously unidentified expansive soils to a less than significant level and no further mitigation is required.

**(Sources: 1, 2, 4, 5)**

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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e. *Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

**No impact.** No septic tanks would be used as part of the proposed project. The project will be required to connect to the existing San Rafael Sanitation District sanitary sewer. As a result, no impacts associated with the use of septic tanks would occur as part of the proposed project.

**(Sources: 1, 2, 4, 5)**

f. *Directly or indirectly destroy a unique paleontological resource or site or unique geological feature?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact:** The site is underlain by rocks of the Franciscan Complex as well as slightly younger sandstones and shales. These rocks have been described as an assemblage of deformed and metamorphosed rock units which do not generally contain unique palaeontologic resources or fossils. As a result, any impacts are less than significant. No mitigation is required.

**(Sources: 1, 2, 4, 5)**

## VIII. GREENHOUSE GAS EMISSIONS

Would the Project:

a. *Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.** Greenhouse Gases (GHGs) trap heat in the atmosphere and affect atmospheric temperatures. While a certain amount of heat trapping is responsible for maintaining a habitable planet, excessive atmospheric heating, also known as the greenhouse effect, can upset or alter climate patterns that human societies rely upon. The most common GHGs are carbon dioxide (CO<sub>2</sub>) and water vapor but there are also several others, most importantly methane (CH<sub>4</sub>), nitrous oxide (N<sub>2</sub>O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), and sulfur hexafluoride (SF<sub>6</sub>). These are released into the earth's atmosphere through a variety of natural processes and human activities. Sources of GHGs include:

- CO<sub>2</sub> and N<sub>2</sub>O are byproducts of fossil fuel combustion.
- N<sub>2</sub>O is associated with agricultural operations such as fertilization of crops.
- CH<sub>4</sub> is commonly created by off-gassing from agricultural, livestock, and landfill operations.
- Chlorofluorocarbons (CFCs) were widely used as refrigerants, propellants, and cleaning solvents but their production has been stopped by international treaty.
- HFCs are now used as a substitute for CFCs in refrigeration and cooling.
- PFCs and sulfur hexafluoride emissions are commonly created by industries such as aluminum production and semi-conductor manufacturing.

While GHGs are emitted locally they have global implications. Each GHG has its own potential to affect atmospheric warming. This is expressed in terms of a global warming potential based upon carbon dioxide,



	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

the most common greenhouse gas. On this CO2 being assigned a value of one and sulfur hexafluoride being several orders of magnitude stronger. In GHG emission inventories, the weight of each gas is multiplied by its GWP and is measured in units of CO2 equivalents (CO2e).

An expanding body of scientific research supports the theory that global climate change is currently affecting changes in weather patterns, average sea level, ocean acidification, chemical reaction rates, and precipitation rates, and that it will increasingly do so in the future. The climate and several naturally occurring resources within California that support human life are adversely affected by the global warming trend. Climate change could result in sea level rise will increase coastal flooding, saltwater intrusion and degradation of wetlands as well as changes in the pattern and amount of rainfall. Mass migration and/or loss of plant and animal species could also occur. Potential effects of global climate change that could also directly affect human health include more extreme heat waves and heat-related stress; an increase in climate-sensitive diseases; more frequent and intense natural disasters such as flooding, hurricanes and drought; and increased levels of air pollution.

The project involves the construction and occupation of two single-family residences. Their construction and the occupation of two additional residential units will contribute a small increment of increase in GHG emissions. The construction of the single-family residences is consistent with the General Plan will not conflict with applicable plans to reduce greenhouse gas emissions. In addition, the BAAQMD screening criteria provide a conservative estimate above which a project would be considered to have a potentially significant impact to air quality. Projects that are below the screening criteria levels are expected to result in less than significant impacts to greenhouse gases since pollutant emissions would be minimal and a quantitative analysis of the project's air quality emissions is not required. The smallest screening criteria for single family residential development is 56 units. Since the project proposes to add only two units, no significant impacts are anticipated, and no mitigation is required.

*(Sources: 1, 2, 3, 4, 11, 12, 13, 17)*

b. *Conflict with an applicable plan, policy or regulation for the purpose of reducing the emissions of greenhouse gases?*

Discussion:

**Less Than Significant Impact.** The project would involve the construction and occupation of two residential units and would contribute to a small incremental increase in GHG emissions. As a result, the provisions of the City's Climate Change Action Plan are applicable to the project. The local climate action plan is an effort by the City to achieve the GHG emission reductions envisioned by the California Global Warming Solutions Act in 2006 (Senate Bill 32), affirms the importance of addressing climate change by codifying into statute the GHG emissions reductions target of at least 40 percent below 1990 levels by 2030 contained in Executive Order B-30-15. In addition, the current regional Clean Air Plan was adopted by the Bay Area Air Quality Management District (BAAQMD) in 2017. The Plan provides a comprehensive strategy to improve air quality, protect public health, and protect the climate, utilizing all the tools and resources available to the Air District. The Clean Air Plan is designed to work in conjunction with the Plan Bay Area 2020 and the Regional Transportation Plan adopted that was also adopted in 2017.

While the adoption of a local climate action plan (CAP) is not mandatory, the adoption of a CAP is one way to satisfy the State's CEQA requirements by enabling Lead Agencies to mitigate greenhouse gas emissions. When a project's GHG emissions are significant, lead agencies must consider a range of potential mitigation measures to reduce those emissions.

	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

The City of San Rafael adopted a Climate Change Action Plan in May 2019, established goals and measures to reduce greenhouse gas emissions 19% below 1990 levels by 2020 (equivalent to 31% below 2005 levels), and 42% below 1990 levels by 2030 and meets or exceeds the State’s goals for those years. The Plan includes measures to reduce greenhouse gas emissions for larger projects from transportation, energy usage, waste reduction, water conservation, and sequestration of carbon. Examples of CAP programs applicable to the project include: Energy Efficiency-C4: Green Building Reach Code, Waste Reduction-C2: Residential Organic Waste, and Waste Reduction-C3: Construction & Demolition Debris and Self-Haul Waste. In addition, because the project is consistent with the Land Use and Density contained in the General Plan and does not conflict with the adopted Climate Change Action Plan, no significant impacts are anticipated, and no mitigation is required.

**(Sources: 1, 2, 3, 4, 11, 12, 13)**

**IX. HAZARDS AND HAZARDOUS MATERIALS**

Would the Project:

- a. *Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*

Discussion:

**Less Than Significant Impact:** The project is residential in nature and does not involve activities that would involve the routine transport, use or disposal of hazardous materials, beyond those that would normally occur in and around a residential structure. Therefore, any impacts would be less than significant level and no mitigation is required.

**(Sources: 1, 2, 3, 4, 12)**

- b. *Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Discussion:

**Less Than Significant Impact.** The project is residential in nature and does not involve activities that would create a significant hazard to the public. Therefore, no impacts are anticipated.

**(Sources: 1, 2, 4, 12)**

- c. *Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Discussion:

**Less Than Significant Impact.** The project is residential in nature and does not involve activities that would involve the routine transport, use or disposal of hazardous materials, beyond those that would normally occur in and around single-family residentials. The closest public schools (Laura Dell Elementary School and James B. Davidson Middle School) are both over half a mile away. There are a number of private educational facilities near the project site. The Head Start Short School, at the corner of Marin Street and Bayview Street, is about 600 feet from where the proposed access drive would connect to Ross Street. Other facilities include the Marin Academy and Trinity Pre-school and Kindergarten. Trinity Pre-School

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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and Kindergarten, on Woodland Avenue near Octavia Street, is located about a third of mile from the project site. Marin Academy is located over half a mile from the site. These facilities are far enough from the project site to not be significantly affect by project construction. Therefore, any impacts would be less than significant level and no mitigation is required.

**(Sources: 1, 2, 3, 4)**

- d. *Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*
- 

Discussion:

**No Impact:** The project is located in a hillside residential area and is not included on the list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. Therefore, no impacts are anticipated.

**(Sources: 1, 2, 3, 4)**

- e. *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?*
- 

Discussion:

**No impact.** The project is not located within an airport land use plan or within two miles of a public airport or public use airport. The nearest general aviation airport is the private Marin Ranch/San Rafael Airport located approximately 3½ miles northeast of the subject property. Therefore, no impacts would result from implementation of the project and no mitigation is required.

**(Sources: 1, 3)**

- f. *Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*
- 

Discussion:

**No impact.** The project involves the construction and occupancy of two single-family residences along with the construction of the access drive. The project would not alter the existing road network in and around the site and would not impair or physically interfere with an adopted emergency response or evacuation plan. The existence of an additional driveway accessing Ross Street will not interfere with emergency evacuation plans applicable to the Gerstle Park Neighborhood. The proposed driveway will provide access to the public road network. Any impacts will be less than significant; no mitigation is required.

**(Sources: 1, 2, 4, 20, 21)**

- g. *Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?*
-

	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

Discussion:

**Less Than Significant.** The project involves the construction of two additional single-family homes and a driveway to provide access to the public road network. The project is located on a south-facing slope of Moore Hill and is in an area identified by the City as a Wildland Urban Interface (WUI). The boundary of the WUI is located along the eastern edge of the Ross Street Terrace right-of-way. The entire project area is within the WUI and any future occupants of the two new residences will be exposed to an additional increment of risk from a fire in this area. This WUI area extends westward up over the higher ridgeline. Areas within the WUI commonly contain steep vegetated slopes and narrowing winding streets, many of which are dead ends. Given the topography, vegetation, and development pattern in the surrounding area, the project has a potential to expose new residents on the site to a risk of property loss, injury, or death from a wildland fire similar to others living in nearby WUI areas. However, the clearing of the existing ruderal vegetation along with the reduction in the number of trees along with the new access drive and installation of the retaining walls will help to reduce the hazard of future fires by reducing the fuel load and provide a fire break to areas south of the project that are outside of the WUI but could still be affected by fire. To ameliorate some of the potential hazards associated with this location the residential buildings will contain sprinklers and the sites will be required to comply with the safety provisions of Chapter 4.12 (Wildland-Urban Interface - Vegetation Management Standards) of the San Rafael Municipal Code. These requirements are standard conditions of project approval and ordinance standards required for incorporated for all projects within the WUI. In addition, as part of the approval, the Fire Department is requiring the placement of a fire hydrant near the proposed residences. These standard requirements, combined with the design of the site, will reduce any impacts to a less than significant level and no additional mitigation is required.

*(Sources: 1, 2, 3, 4, 7, 20, 21)*

**X. HYDROLOGY AND WATER QUALITY**

Would the Project:

- a. *Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Discussion:

**Less Than Significant Impact.** The proposed project would not violate water quality standards or violate discharge requirements. Site development activities would involve grading, construction, and paving. These activities have the potential to affect for surface water runoff by carrying sediment and pollutants into stormwater drainage systems and waterways. The accumulation of sediment could result in the blockage of flows, potentially causing increased localized ponding or flooding. Construction activities would require the use of gasoline and diesel-powered heavy equipment, such as bulldozers, backhoes, water pumps, and air compressors. Chemicals such as gasoline, diesel fuel, lubricating oil, hydraulic oil, lubricating grease, automatic transmission fluid, paints, solvents, glues, and other substances could be used during construction. An accidental release of any of these substances could degrade the quality of the surface water runoff and adversely affect receiving waters. A standard condition of approval for construction projects will require that prior to the issuance of a grading or building permit, the applicant shall prepare an Erosion and Sediment Control Plan (ESCP) in accordance with the requirements of the City of San Rafael Department of Public Works. The ESCP will identify potential pollutant sources that may affect the quality of storm water runoff discharges from the construction site, document the Best Management Practices (BMPs) to be used during all phases of construction; and document implementation of the BMPs.

	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

Once completed, the new single-family residences would include new landscaping which may involve the application of pesticides and nutrients that could end up in the surface and ground water. However, these pollutants are expected to be minute amounts, typical of single-family residences. In addition, the design of the project includes bioretention basins and retaining walls which will also reduce runoff (by eliminating steep slopes) and this would help to protect the quality of receiving waters. As previously discussed, the existing cross-site drainage pattern will remain largely unchanged. The standard requirement identified above would ensure that impacts related to water quality would be less than significant because they would ensure that minimize the potential for discharge of pollutants that could impact water quality during construction activities. Occupation of the existing and proposed residences will also not result in a significant effect on water quality. No mitigation is required.

**(Sources: 1, 2, 4, 5, 6)**

- b. *Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

Discussion:

**Less Than Significant Impact.** The project is located within the Marin Municipal Water District (MMWD) and would utilize domestic water provided by the MMWD. As a result, the proposed project would not substantially deplete groundwater supplies. There are also no wells on the project site or proposed as part of the project. Given the shallow nature of onsite soils the project would not have a noticeable impact to groundwater recharge since onsite slopes and soils are generally not conducive to the recharge of groundwater. In addition, surface runoff would be required to meet Marin County Stormwater Pollution Prevention Program (MCSTOPP) standards and regulations for stormwater runoff as required by the City of San Rafael. Therefore, the proposed project would not interfere substantially with ground water recharge. For these reasons, the potential impact is considered less than significant, and no mitigation is required.

**(Sources: 1, 2, 4, 5, 6)**

- c. *Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:*
- i) *Result in substantial erosion or siltation on- or off-site;*

Discussion:

**Less Than Significant Impact.** The existing drainage pattern follows the natural topography which slopes toward the east, though some runoff flows to the north and south along the Ross Street Terrace right-of-way to either Ross Street or Clayton Street. The existing site runoff is over the ground surface and has the potential to create erosion, especially over bare or unprotected ground. The project will reduce the potential for erosion through the construction of the access drive and other paved surfaces and by directing runoff into retention basins. Also, project grading will require the preparation and City approval of a grading plan. The grading plan will incorporate erosion control measures to minimize or prevent soil loss. These measures include actions to be taken both during and after construction as required by the City of San Rafael Department of Public Works' Grading and Construction Erosion and Sediment Control Plan Permit Application Package as well as any applicable Regional Water Quality Control Board standards. Implementation of this standard requirement from the City of San Rafael, MCSTOPPP, and RWQCB will ensure that the project will not violate any water quality standards or

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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impair water quality. Implementation of these standard requirements will reduce impacts from loss of soil or topsoil erosion to a less than significant level and no further mitigation is required

**(Sources: 1, 2, 4, 5, 6)**

ii) *Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.** The site is undeveloped. Any naturally occurring runoff currently flows over adjacent properties before entering the City storm drain system. The drainage pattern on the site generally flows from north to south across the adjacent uphill properties, Ross Terrace, and the project site. The proposed project will alter the existing drainage pattern at the western end by channeling more runoff directly into the storm drain system (via the access drive) and reduce the amount of overland flow reaching adjacent properties. The drainage pattern in the other areas will remain similar to the existing pattern. Marin County and the City of San Rafael require that proposed development not increase the discharge storm drain peak flow and volume. Bioretention basins have been incorporated into the preliminary site plan, landscape and drainage plans in order to eliminate impacts to water quality and quantity downstream. Construction level plans will be required to satisfy the City of San Rafael Urban Runoff Pollution Prevention Ordinance to ensure that no new net run-off or pollutants from stormwater runoff will result from the proposed development project. The program requires that there be no substantial increase in the amount of runoff that could result in flooding on- or off-site. As previously discussed, the project would be required to minimize impacts from construction activities in accordance with requirements of MCSTOPP and the City of San Rafael. For these reasons, the impact would be considered less than significant, and no additional mitigation is required.

**(Sources: 1, 2, 3, 4, 6)**

iii) *Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.** As discussed above, the project will contribute an additional increment of runoff to the storm drain system and will be required to comply with the City of San Rafael Urban Runoff Pollution Prevention Ordinance to ensure that pollutants are adequately prevented from entering the City's stormwater system and the project is designed with no new net run-off from a 10-year recurrence interval design storm. Compliance with this standard requirement will ensure that the proposed project would not result in increased downstream flows that would exceed the capacity of the stormwater drainage systems or a significant impact. As a result, any impacts are considered to be less than significant; no additional mitigation is required.

**(Sources: 1, 2, 3, 4, 6)**

iv) *Impede or redirect flood flows?*

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

**No Impact.** The site is not within FEMA (Federal Emergency Management Agency) flood hazard zone and will not impeded (obstruct) or redirect flood flows. Though as previously discussed the project will

	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

redirect some of the existing ground surface runoff away from adjacent properties. As a result, no impacts to flood flows will occur, and no mitigation is required.

**(Sources: 1, 2, 4, 6, 14)**

- d. *In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?*

Discussion:

**No Impact.** The project is located on the east slopes of Moore Hill which projects out from the ridgeline separating the City of San Rafael and the Town of Ross. The site is not in a flood hazard, tsunami or seiche hazard zones. As a result, no impacts will occur, and no mitigation is required.

**(Sources: 1, 3, 4)**

- e. *Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

Discussion:

**Less Than Significant Impact.** The project will not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. As previously discussed, the proposed project would be required to comply with City development standards, including the City of San Rafael Urban Runoff Pollution Prevention Ordinance, to ensure that no new net run-off or pollutants from stormwater runoff from the site would result from the proposed project. For these reasons, the impact would be considered less than significant, and no mitigation is required.

**(Sources: 1, 2, 3, 4, 6)**

## XI. LAND USE AND PLANNING

Would the Project:

- a. *Physically divide an established community?*

Discussion:

**No Impact.** The project is located in an undeveloped area situated between existing residences fronting on Woods Street and Miramar Avenue to the west, Clayton Street to the north, Marin Street to the east, and Ross Street to the south. The existing slopes and fences create natural barriers between the north and south directions. The west-east travel direction is also limited due to the extremely steep slopes adjacent to Ross Street. The undeveloped right-of-way is used informally by local people to connect between Ross and Clayton Streets and as a place to enjoy a close-to-home outdoor experience. The construction of the access drive and new residences will reduce the amount of this informal use within the right-of-way but would not divide the existing community. Consequently, any impacts would be less than significant, and no mitigation is required.

**(Sources: 1, 2, 3, 4)**

- b. *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?*

	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

Discussion:

**Less Than Significant Impact.** The City of San Rafael has adopted numerous plans and policies for the purpose of avoiding or mitigating an environmental effect, including but not limited to policies contained in the City’s General Plan, the City's Manual of Stormwater Quality Control Standards for New Development and Redevelopment, the City’s Climate Change Action Plan, and the San Rafael Municipal Code. The project will comply with the appropriate and applicable provisions. Any impacts will be considered less than significant and no mitigation is required.

*(Sources: 1, 2, 4, 11)*

**XII. MINERAL RESOURCES**

Would the Project:

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. <i>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?</i>                                | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. <i>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?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion – All Impacts:

**No Impact.** There are no identified mineral resources on the project site. As a result, there would be no impact. *(Sources: 1, 2, 3)*

**XIII. NOISE**

Would the Project:

- |  |                          |                          |                                     |                          |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. <i>Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?</i> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion:

**Less Than Significant Impact.** The project is located in a hillside residential area three blocks from the primary noise source in the area. The primary noise from vehicular traffic in the downtown area (approximately 700 feet to the north) though some noise from US101 is also perceptible. The ambient noise environment can best be described as a quiet residential area. Community noise levels would not be noticeably changed with the addition of two additional single-family residences. However, the construction of the project would temporarily alter the noise environment through site preparation, grading and trenching, the hauling of materials offsite, and the construction of the new structures. Noise impacts resulting from construction depend upon the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise-sensitive areas. The hauling of excavated materials and construction materials would also generate truck trips on local roadways. Construction hours are specified in Chapter 8.13 of the San Rafael Municipal Code. The allowable construction hours are between 7:00 am to 6:00 pm on weekdays and 9:00 am to 6:00 pm on Saturdays. No construction activities are permitted on Sundays and holidays. These standard requirements will limit construction





	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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b. Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion:

**No Impact.** The project site is vacant. Consequently, construction of the project will not displace any residents and no impacts would occur.

*(Sources: 1, 2, 4)*

**XV. PUBLIC SERVICES**

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

a. Fire protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.** The San Rafael Fire Department currently provides fire protection services to the project site but does not have feasible access for its equipment. The closest fire station is temporary Fire Station #51 located approximately one-half miles to the northeast of the site at 1151 C Street. The project will result in a small incremental increase in the demand for fire protection services. However, the project would not require any new or physically altered government facilities, nor would it degrade the quality of service, response times or other performance objectives for any of the public services. The project has the potential to improve access to parcels adjacent to the project site by providing paved access in an area that is inaccessible to truck-mounted firefighting resources and by installing an addition fire hydrant near the two residences. As a result, there would be no significant impacts.

*(Sources: 1, 3, 4)*

b. Police protection?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**No Impact.** The San Rafael Police Department currently provides police protection to the project site. The project will result in a small incremental increase in the demand for police services. However, the construction of two new single-family residences would not require the construction of a new or physically altered government facilities, nor would it impact the quality of service, response times or other performance objectives for police protection. The construction of two single family homes would increase security in the project vicinity by providing more “eyes” on the area. In addition, the project will improve access to the project site and adjacent areas that currently do not have adequate access. As a result, there would be no impact.

*(Sources: 1, 4)*

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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c. *Schools?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.** The project is in the Gerstle Park neighborhood and is served by the San Rafael Unified School District (SRUSD). Any school age children that may live in the proposed residences would be allowed to attend SRUSD facilities. The specific schools are Sun Valley Elementary School, James B. Davidson Middle School, and San Rafael High School. Mitigation for impacts on schools is governed by Government Code Section 65995(h), which states that the payment or satisfaction of a fee, charge, or other requirement levied or imposed pursuant to Section 17620 of the Education Code is deemed to be full and complete mitigation of the impacts for the planning, use, development, or the provision of adequate school facilities. The City requires payment of school impact fees to the school district prior to the issuance of building permits. As such, potential impacts are considered less than significant. No mitigation is required.

*(Sources: 1, 2)*

d. *Parks?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.** Within the City of San Rafael, there are a total of 25 parks and three community centers. Existing San Rafael City parks and recreation facilities near the project site include the recreation complex at Sun Valley Elementary School and Gerstle Park. The project will result in a small incremental increase in the demand for park and recreation facilities. As part of the project approvals, the project would be required to comply with all City of San Rafael impact fees prior to building permit issuance. As a result, the impacts of the project will be less than significant, and no mitigation is required.

*(Sources: 1, 2, 3, 4)*

e. *Other public facilities?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.** The project will result in a small incremental increase in the demand for other public services. However, this increase will not require any new or physically altered government facilities, nor would it impact the quality of service, response times or other performance objectives for any of the public services. Therefore, no substantial adverse physical impacts would result. For these reasons, the impact would be considered less than significant. No mitigation is required.

*(Sources: 1, 4)*

## XVI. RECREATION

Would the project:

a. *Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

Discussion:

**Less Than Significant Impact.** As described under Topic XV.d, the proposed project's impact on existing neighborhood and regional parks would be less than significant. The project will result in a small incremental increase in the demand for park and recreation facilities. Local residents will lose much of informal outdoor appreciation use that is currently provided by the undeveloped the Ross Street Terrace right-of-way. This could result in an incremental increase in the use of other facilities. However, this is not expected to result in a significant increase in the use of recreational facilities which would cause or accelerate physical deterioration of the facilities. Therefore, the impact of the proposed project upon existing parks and recreation facilities would be less than significant and no mitigation is required.

*(Sources: 1, 2, 3, 4)*

- b. *Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?*

Discussion:

**Less Than Significant Impact.** As described under Topics XV.d and XVI.a, the proposed project would not require the expansion or construction of additional recreation facilities. As a result, any impacts would be less than significant. No mitigation is required.

*(Sources: 1, 2, 4)*

**XVII. TRANSPORTATION**

Would the Project:

- a. *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadways, bicycle and pedestrian facilities?*

Discussion:

**Less Than Significant Impact.** The construction of two single-family residences is consistent with the adopted City General Plan, the implementation programs, and local ordinances. The project would not create conflicts with transportation related programs since it does not alter the road network. The existing Ross Street Terrace right of way is undeveloped and impassible to motor vehicles. Therefore, impacts would be less than significant. No mitigation is required.

*(Sources: 1, 2, 4)*

- b. *Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?*

Discussion:

**Less Than Significant Impact.** CEQA Guidelines Section 15064.3 contains guidelines for evaluating transportation system impacts using Vehicle Miles Travelled (VMT) as a threshold of significance. To implement these provisions the Governor's Office of Planning and Research issued the 'Technical Advisory on Evaluating Transportation Impacts in CEQA' in 2018. The Technical Advisory provides a screening threshold for small projects. According to the Advisory, projects which generate less than 110 vehicle trips per day are assumed to have a less than significant transportation impact. Single family residences normally generate approximately 10 vehicle trips per day on average. The number of vehicle

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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trips for two new single-family residences, approximately 20 per day, is substantially less than the 110 trip per day screening threshold. Therefore, impacts would be less than significant, and no mitigation is required.

**(Sources: 1, 2, 4)**

- c. *Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?*

Discussion:

**Less Than Significant Impact** The project involves the construction of a 500-foot-long access drive within the undeveloped Ross Street Terrace right-of-way. The access drive will provide access to only the proposed residences. The undeveloped right-of-way is not currently usable by passenger cars and trucks. Parts of the access drive near the connection to Ross Street will be steep but consistent with City standards. The existing travel lanes on Ross Street are somewhat narrow and are often lined with parked cars. The project will not alter this existing condition. As a result, the project will not create or increase transportation hazards to the public road network. Therefore, the project will not create new roadway design hazards and any impacts will be less than significant. No mitigation is required.

**(Sources: 1, 2, 4)**

- d. *Result in inadequate emergency access?*

Discussion:

**Less Than Significant Impact.** The project includes the construction of an access drive which complies with the requirements of the San Rafael Fire Department. As previously discussed under Topic IX.f, the project has the potential to improve emergency access in this project vicinity by providing paved access. There is currently no emergency access to the undeveloped residential sites. As a result, any new impacts would be less than significant, and no additional mitigation is required.

**(Sources: 1, 2, 4)**

**XVIII. TRIBAL CULTURAL RESOURCES**

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe.

Is the project:

- a. *Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code Section 5020.1(k).*

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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b. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion – All Impacts:

**No Impact.** There are no known tribal cultural resources located on the project site. Pursuant to the requirements of AB 52, the City contacted the Native American representatives identified by the Native American Heritage Commission (NAHC) for a list of identified tribal cultural resource organizations in the county on September 21, 2020. A project description with location map was provided to these individuals on October 21, 2020. The Federated Indians of Graton Rancheria (FIGR) responded to the consultation notice within the 30-day period. Staff met with a FIGR cultural resource representative on December 4, 2020, and subsequently provided additional requested information (the Geotechnical Report and the CHRIS letter from the Northwest Information Center). After reviewing the information, FIGR requested no project-modifications or mitigation. The standard requirements noted under Topic V also addresses the inadvertent discovery of tribal cultural resources and human remains. As a result, no impacts are anticipated, and no additional mitigation is required.  
*(Sources: 1, 2, 4, 9, 10)*

**XIX. UTILITIES AND SERVICE SYSTEMS**

Would the Project:

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment facilities or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.** The project involves the construction of two new single-family residences and will not require new or expanded public utility infrastructure (beyond the service connections to the individual units). Residential service connections will be made to the existing service networks in Ross Street for water and wastewater service. Connection to the existing electric power and telecommunication services will also be provided onsite from existing service lines. No connections for natural gas service is proposed. For these reasons, the impact is considered less than significant, and no mitigation is required.  
*(Sources: 1, 2, 4)*

b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

Discussion:

**Less Than Significant Impact.** Local water service is provided by Marin Municipal Water District (MMWD). MMWD has indicated that providing water service to the new residential buildings would not impair the District's ability to continue service. The project would create a small incremental increase in the demand for water supply, but an insignificant increase in relation to the total demand for potable water within MMWD. According to the 2040 General Plan, potential development consistent with the Plan would be required to implement the water-efficient requirements specified in the SRMC and in MMWD's Water Conservation Ordinance. Any new water infrastructure or improvements must be designed, constructed, and operated in accordance with the applicable regulations in the MMWD Code. In addition, potential future development pursuant to the proposed General Plan 2040 would be required to comply with and implement the General Plan goals, policies, and programs. The two new residences would be required to incorporate low water use appliances, etc. as part of the building permit approval process. With these standard requirements, any impacts would be less than significant, and no additional mitigation is required.

*(Sources: 1, 2, 3, 4, 16)*

- c. *Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?*

Discussion:

**Less Than Significant Impact.** The San Rafael Sanitation District (SRSD) collects and transports wastewater to the Central Marin Sanitation Agency (CMSA) facility located near San Quentin for treatment. Wastewater generation and impacts to CMSA have been addressed in the San Rafael General Plan and the agency master plan. The project is consistent with the adopted City General Plan. The project would create a small incremental increase in the demand for wastewater treatment. This increase represented by the service to the project site would not result in substantial impacts and any impacts would be less than significant. No mitigation is required.

*(Sources: 1, 2, 3, 4, 12)*

- d. *Generate solid waste in excess of State or local standards or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?*

Discussion:

**Less Than Significant Impact.** Solid waste collection and disposal services for the site are handled by Marin Sanitary Service. Solid waste collected within the City of San Rafael is disposed of at the Redwood Landfill. The Redwood Landfill is a fully permitted Class III disposal site located approximately 15 miles north of the project site and is used for more than 95 percent of Marin County's solid waste disposal. The Redwood Landfill has a permitted capacity of 19,100,000 cubic yards. Nearly one-half of the materials brought to the site are reused or recycled, contributing to one-third of the recycling that occurs in Marin County. Redwood Landfill is permitted to accept 2,310 tons of material daily. The project would create a small incremental increase in the amount of generated solid waste and would not significantly change the amount of solid waste generated within the City since the project would not significantly change the number of people living in the City. Furthermore, the project would not result in the generation of additional household waste, generate solid waste in excess of State or local

	<i>Significant Impact</i>	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
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standards, or impair the achievement of solid waste reduction goals. Therefore, potential impacts are considered less than significant, and no mitigation is required.

**(Sources: 1, 2, 3, 4, 18)**

- e. *Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

Discussion:

**Less Than Significant Impact.** The Marin Hazardous and Solid Waste Joint Powers Authority (JPA) oversees household hazardous waste collection, recycling and disposal, and ensure the JPA’s compliance with State recycling mandates. The JPA is comprised of the cities and towns of Belvedere, Corte Madera, Fairfax, Larkspur, Mill Valley, Novato, Ross, San Anselmo, San Rafael, Sausalito, and Tiburon, along with the County of Marin. The purpose of the JPA is to ensure compliance with the California Integrated Waste Management Act and its waste reduction mandates. Therefore, waste collection and recycling activities within the area of the JPA will comply with the applicable requirements and no significant impacts are anticipated. No mitigation is required.

**(Sources: 1, 2, 18)**

**XX. WILDFIRE**

If located in or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones. Would the Project:

- a. *Substantially impair an adopted emergency response plan or emergency evacuation plan?*

Discussion:

**Less Than Significant Impact.** As discussed under Topic IX (Hazards and Hazardous Materials), the project site is located in an urbanized area and not in or near a state responsibility area or on or near lands classified as very high fire severity zones. However, the project is in an area the City defines as the Wildland Urban Interface (WUI). WUI areas have an increased hazard from wildfires usually because of a combination of topography, vegetation, and access. Residents living in WUI area have an increased risk from wildland fires. The proposed driveway will provide emergency access to the new residences. Furthermore, the project will not impair citywide emergency response or emergency evacuation plan since the project area does not provide access to any other properties. The proposed project will be reviewed by City of San Rafael Fire Department and will comply with all Fire Code requirements related to emergency access. Therefore, the impact is less than significant, and no mitigation is required.

**(Sources: 1, 20, 21)**

- b. *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?*

Discussion:

**Less Than Significant Impact.** As discussed under Topic IX above, the project is located in an urbanized part of the City of San Rafael. The site is not located in or near a state responsibility area or on or near lands classified as very high fire severity zones. However, the project site is located in an area the City defines as a Wildland Urban Interface (WUI). WUI areas have an increased hazard from wildfires



	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

usually because of a combination of topography, vegetation, and access. As a result, the two new single-family residences could be exposed to an increased risk of wildland fires. The project will be constructed pursuant to the City's standard requirements for new construction, including installation of fire sprinklers and fire-retardant building materials. Therefore, the impact is expected to be less than significant, and no mitigation is required.

**(Sources: 1, 2, 3, 4)**

- c. *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?*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.** As discussed under Topic IX above, the project site is located in an urbanized area and not in or near a state responsibility area or on or near lands classified as very high fire severity zones. However, the project site is located in an area the City defines as a Wildland Urban Interface (WUI). WUI areas have an increased hazard from wildfires usually because of a combination of topography, vegetation, and access. The project includes the addition of a fire hydrant near the proposed new single-family residences. In addition, the proposed driveway access and a reduction in the amount of non-irrigated ruderal vegetation also has the potential to reduce fire hazards while providing a fire break between areas in the WUI and the existing residential areas to the south. Therefore, any impact is considered less than significant. No mitigation is required.

**(Sources: 1, 2, 3, 4)**

- d. *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*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion:

**Less Than Significant Impact.** The project is located in a mid-slope area on a hillside in the City's WUI area. As a result, the project has the potential to either expose others to, or be exposed to, potential post-fire slope instability. The site, as well as areas immediately below the undeveloped Ross Street Terrace right-of-way, could be affected by post-fire landslides and runoff. The proposed access drive could partially reduce those impacts to downslope areas. However, these impacts are not unique to the site and are similar to other residences in the vicinity of the project. As a result, the impacts are expected to be less than significant. No additional mitigation is required.

**(Sources: 1, 2, 3, 4)**

**XXI. MANDATORY FINDINGS OF SIGNIFICANCE**

Does the project:

- a. *Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range*

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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	<i>Less-than- Significant with Mitigation Incorporated</i>	<i>Less-than- Significant Impact</i>	<i>No Impact</i>
<i>Significant Impact</i>			

*of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?*

Discussion:

**Less Than Significant Impact.** The project in an in-fill residential project in a hillside residential and has experienced consistent human impacts since the late 1800's. As discussed in this Initial Study, with implementation of the mitigation measures identified above, the project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. For these reasons, the impact would be considered less than significant.

**(Sources: All)**

- b. *Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?*

Discussion:

**Less Than Significant Impact.** The project would have minor potential environmental impacts which can all be mitigated to a less than significant level. Potential cumulative impacts would be limited due to the small scale of the development. The proposed project is an in-fill project that would not result in any impacts that are cumulatively considerable. Furthermore, the development is consistent and anticipated by the current General Plan and Zoning ordinance in terms of intensity. For these reasons, the impact would be considered less than significant.

**(Sources: All)**

- c. *Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

Discussion:

**Less Than Significant Impact.** As summarized throughout this Initial Study, the project would not result in substantial environmental effects on human beings. The proposed project is an in-fill residential project located in a similar residential area and would not have a substantial development impact either directly or indirectly on human beings. Mitigation measures are identified in this Initial Study to reduce any potentially significant impacts to human beings. For these reasons, the impact on human beings would be considered less than significant.

**(Sources: All)**

## SOURCE REFERENCES

The following is a list of references used in the preparation of this document. Unless attached herein, copies of all reference reports, memorandums and letters are on file with the City of San Rafael Department of Community Development. References to Publications prepared by Federal or State agencies may be found with the agency responsible for providing such information.

1. City of San Rafael 2040 General Plan, <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2021/09/FullDocument-Adopted080221.pdf>.
2. City of San Rafael Zoning Ordinance, [https://library.municode.com/ca/san\\_rafael/codes/code\\_of\\_ordinances?nodeId=TIT14ZO](https://library.municode.com/ca/san_rafael/codes/code_of_ordinances?nodeId=TIT14ZO).
3. Marin County GIS; Marin Map; [www.marinmap.org](http://www.marinmap.org), accessed repeatedly throughout 2020 and 2021.
4. Application Packet. including site plan, architectural plans, landscape plans, civil plans, and additional materials and exhibits, dated September 15, 2021.
5. Geotechnical Report Update – Proposed Development of Lots 59 and 60, Clayton Street and Ross Street Terrace, San Rafael, Gray Geotech, April 1, 2020.
6. Preliminary Stormwater Control Plan, 33 & 41 Clayton Street, San Rafael, CA, Arthur J. Smith, May 5, 2020.
7. Updated Arborist Report for vacant lots 59 and 60 (APN #012-141-59 and APN# 012-141-60) and Ross Street Terrace, San Rafael, Marin County, CA, WRA Environmental Consultants, July 6, 2021.
8. Biologic Resources Assessment for vacant lots 59 and 60 (APN #012-141-59 and APN# 012-141-60) and Ross Street Terrace, San Rafael, Marin County, CA, WRA Environmental Consultants, March 27, 2020.
9. Negative Record search of the Native American Heritage Commission Sacred Lands File (SLF), Native American Heritage Commission, September 23, 2020.
10. Formal Notice Inviting Tribal Consultation, City of San Rafael Planning Division, October 21, 2020.
11. City of San Rafael, Climate Change Action Plan 2030, <https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2019/06/Att-D-CCAP-2030-Final-Draft-4-23-19.pdf>
12. Central Marin Sanitation Agency, 2017 Facilities Master Plan, October 2018, <https://www.cmsa.us/documents/projects-and-programs>
13. CEQA Air Quality Guidelines, Bay Area Air Quality Management District, 2017, [https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa\\_guidelines\\_may2017-pdf.pdf?la=en](https://www.baaqmd.gov/~media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en).
14. Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). Community Panel No. 06041CO456F, effective March 16, 2016.
15. Association of Bay Area Governments, Hazard Viewer, <https://mtc.maps.arcgis.com/apps/webappviewer/index.html>, accessed May 14 2021.

16. Marin Municipal Water District, 2015 Urban Water Management Plan, <https://www.marinwater.org/DocumentCenter/View/4016/MMWD-2015-UWMP-Final-Report?bidId=>
17. BAAQMD website: <http://www.baaqmd.gov/>, assessed May 14, 2021.
18. Waste Management, Redwood Landfill, <https://redwoodlandfill.wm.com/about-us/index.jsp>, accessed May 14, 2021.
19. City of San Rafael, Archaeology Sensitivity Map, adopted October 2001.
20. CalFire, Fire Hazard Safety Zones in State Responsibility Areas, November 7, 2007.
21. Cal Fire, Fire Hazard Safety Zones in Local Responsibility Areas, October 16, 2008.
22. Site Inspection conducted on September 18, 2020.

## MITIGATION MONITORING AND REPORTING PROGRAM

### MITIGATION MONITORING AND REPORTING PROGRAM

Project Name: Ross Street Terrace Residential

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Monitoring Compliance Record (Name/Date)
<b>IV. BIOLOGIC RESOURCES</b>				
<b><u>Impact IV.a</u></b>				
<p><b>Mitigation Measure BIO-1: Protection of Nesting Special Status Avian Species.</b></p> <p>To avoid impacts to nesting birds, all tree and vegetation removal within the Study Area shall be conducted outside of the nesting bird season, between September 1 and January 31, to the extent feasible. If tree and vegetation removal occurs within the nesting season, between February 1 and August 31, a qualified biologist will conduct a nesting bird survey no sooner than 14 days prior to the start of work; and if no active nests are found, work may begin. If active nests are found during the survey, the qualified biologist shall establish a protective buffer zone around the nest within which no work will be allowed. The buffer shall be clearly marked. The buffer shall be maintained until the young have fledged the nest or the nest becomes inactive (e.g., due to predation). If work ceases for longer than 14 days, another nesting bird survey shall be conducted. If active nests are found during the survey, the qualified biologist shall establish a protective buffer zone around the nest within which no work will be allowed.</p>	Require as a condition of approval	Planning Division	Incorporate as condition of project approval	
		Planning Division	Planning Division to verify appropriate professional prior issuance of building permit	
<b>V. CULTURAL RESOURCES</b>				
<p><b>Mitigation Measure CUL-1: Protect Archaeological Resources Identified during Construction:</b> The project sponsor shall ensure that construction crews stop all work within 100 feet of the discovery until a qualified archaeologist can assess the previously unrecorded discovery and provide recommendations. Resources could include subsurface historic features such as artifact-filled privies, wells, and refuse pits, and artifact deposits, along with concentrations of adobe, stone, or concrete walls or foundations, and concentrations of ceramic, glass, or metal materials. Native American archaeological materials could include obsidian and chert flaked stone tools (such as projectile points), midden (culturally derived darkened soil containing heat-</p>	Require as a condition of approval	Planning Division	Incorporated as condition of project approval	
	Project sponsor to designate qualified professional (pursuant to NAHC requirements and obtains approvals	Planning / Building Division	Planning / Building Divisions to verify appropriate professional prior issuance of building permit	

Mitigation Measure	Implementation Procedure	Monitoring Responsibility	Monitoring / Reporting Action & Schedule	Monitoring Compliance Record (Name/Date)
affected rock, artifacts, animal bones, and/or shellfish remains), and/or groundstone implements (such as mortars and pestles).	from appropriate agencies) prior to issuance of building permits		If Cultural Resources are identified the Project sponsor halts work immediately	
<b>Mitigation Measure CUL-2: Protect Human Remains Identified During Construction:</b> The Project proponent shall treat any human remains and associated or unassociated funerary objects discovered during soil-disturbing activities according to applicable State laws. Such treatment includes work stoppage and immediate notification of the Marin County Coroner and qualified archaeologist. If the Coroner's determination that the human remains are probably Native American, the Native American Heritage Commission (NAHC) shall be notified in accordance with the requirements in PRC Section 5097.98. A qualified archaeologist, the Project proponent, a representative from the City of San Rafael, and the NAHC-designated Most Likely Descendent shall make all reasonable efforts to develop an agreement for the treatment, with appropriate dignity, of any human remains and associated or unassociated funerary objects. The agreement would take into consideration the appropriate excavation, removal, recordation, analysis, custodianship, and final disposition of the human remains and associated or unassociated funerary objects. The PRC allows 48 hours to reach agreement on these matters.	Require as a condition of approval	Planning Division	Incorporated as condition of project approval	
	Include this requirement in building and grading plan sets as a requirement for permit issuance	Planning Division	Planning Division to verify that the requirement is included on plan set(s)	Project sponsor to halt work immediately upon discovery of human remains

**PROJECT SPONSOR'S INCORPORATION OF MITIGATION MEASURES**

As the project sponsor or the authorized agent of the project sponsor, I, Coby Friedman, undersigned, have reviewed the Initial Study for the **Ross Street Terrace Residential** project and have particularly reviewed all mitigation measures and monitoring programs identified herein. I accept the findings of the Initial Study and mitigation measures and hereby agree to modify the proposed project applications now on file with the City of San Rafael to include and incorporate all mitigation measures and monitoring programs set out in this Initial Study.

Coby Friedman  
Property Owner (authorized agent)

10/5/2021  
Date

**DETERMINATION FOR PROJECT**

On the basis of this Initial Study and Environmental Checklist I find that the proposed project could have a Potentially Significant Effect on the environment; however, the aforementioned mitigation measures to be performed by the property owner (authorized agent) will reduce the potential environmental impacts to a point where no significant effects on the environment will occur. A Mitigated Negative Declaration will be prepared.

David Hogan  
Signature

10/26/21  
Date

David Hogan  
Printed Name

Contract Planner  
Title

**REPORT AUTHORS AND CONSULTANTS**

David Hogan  
David Hogan, Contract Planner  
City of San Rafael, Community Development Department