CALIFORNIA ENVIRONMENTAL QUALITY ACT

Qualification Assessment of the Metropolis Project for a Section 15183 Exemption

Prepared for:

County of Marin
Community Development Agency
3501 Civic Center Dr, Suite 308
San Rafael, CA 94903

October 2026

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LIST OF ABBREVIATIONS

ACM	asbestos-containing material
ADT	average daily traffic
ADU	accessory dwelling unit
ALUP	Airport Land Use Plan
BMP	Best Management Practice
CalGreen	California Green Building Standards Code
CAP	Climate Action Plan
CDFW	California Department of Wildlife
CESA	California Endangered Species Act
CRPR	California Rare Plant Rank
CWP	Countywide Plan
Cy	cubic yards
dBA	decibel
DU	dwelling unit
EPA	United States Environmental Protection Agency
ESA	Endangered Species Act
ESCP	Erosion and Sediment Control Plan
FAA	Federal Aviation Administration
FIGR	Federated Indians of Graton Rancheria
GHG	greenhouse gas
HCP	Habitat Conservation Plan
HFHSZ	fire hazard severity zones
HRA	health risk assessment
ITP	Incidental Take Permit
LCI	Land Use and Climate Innovation
LGVSD	Las Gallinas Valley Sanitary District
LID	Low Impact Development
LOS	level of service
LRA	Local Responsibility Area
LSA	Lake and Streambed Alteration
LSAA	lake and streambed alteration agreement
MCSTOPPP	Marin County Stormwater Pollution Prevention Program

MOTI	Muwekma Ohlone Tribe of the San Francisco Bay Area
MRP	Municipal Regional Stormwater NPDES Permit
NAHC	Native American Heritage Commission
NPDES	National Pollutant Discharge Elimination System
NWIC	Northwest Information Center
O&M	operations and maintenance
PCB	polychlorinated biphenyl
RCNM	Roadway Construction Noise Model
RIWMP	Regional Integrated Waste Management Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCA	Stream Conservation Areas
sf	square feet
SGMA	Sustainable Groundwater Management Act
SLF	Sacred Land File
SRA	State Responsibility Area
SWPPP	Stormwater Pollution Prevention Plan
TAMDM	Transportation Authority of Marin Demand Model
TCM	Transportation Control Measure
USACE	US Army Corps of Engineers
UWI	Urban-Wildland Interface
VMT	vehicle miles traveled

1 INTRODUCTION

The project applicant is proposing a tentative map for the Metropolis Project, a proposed residential infill project (proposed project) to replace a vacant educational facility located at 160 North San Pedro Road in unincorporated Marin County. The proposed project consists of 36 single-family homes, of which seven would be income-restricted, below market-rate homes. The prior educational facility closed in 2023 and has been vacant since that time.

The County of Marin Board of Supervisors (BOS) adopted the 2007 Marin Countywide Plan Update and has approved multiple amendments through April 15, 2025. The BOS certified the 2007 Final Environmental Impact Report accompanying the Countywide Plan (herein, "2007 Countywide Plan EIR"; State Clearinghouse [SCH] No. 2004022076) on November 6, 2007. The 2007 Countywide Plan was a comprehensive update to the 1997 Countywide Plan. The 2007 Countywide Plan EIR was prepared as a Program Environmental Impact Report (PEIR) in conformance with the California Environmental Quality Act ("CEQA"; California Public Resources Code, Sections 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Sections 15000, et seq.). According to Section 15168 of the CEQA Guidelines, a PEIR may be prepared on a series of actions that can be characterized as one large project. Use of a PEIR gives the Lead Agency an opportunity to consider broad policy alternatives and program-wide mitigation measures, as well as greater flexibility to address project-specific and cumulative environmental impacts on a comprehensive scale. The proposed project is consistent with the existing Countywide Plan land use designations for the site of Low Density Residential (SF5 and SF6) and Medium to High Density Residential (MF4) and zoning designations of Residential Agriculture Combined District (RA-B1 and RA-B2) and Residential Multiple Planned (RMP-29).

In addition, the County of Marin BOS adopted the Housing and Safety Element Update, which modified the Countywide Plan with housing and safety policies, and certified an accompanying Final PEIR in January 2023 (SCH No. 2021120123). The 2023 Housing and Safety Element Update replaced the respective elements and sections in the 2007 Countywide Plan, and the Final PEIR included a variety of new mitigation measures that could apply to housing projects covered as part of the Housing Element Update.

1.1 CEQA COMPLIANCE

The California Public Resources Code Section 21083.3 provides a limited statutory exemption from CEQA for projects consistent with a community plan and the associated certified environmental impact report. The State CEQA Guidelines outline the process for determining the applicability of this statutory exemption in Section 15183.

Both the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR represent "community plans" (the definition includes a general plan) for which an EIR was certified in accordance with Section 15183 of Article 12 (Special Situations) in the State CEQA Guidelines. This guideline section identifies situations when a lead agency "shall not require additional environmental review" for a project consistent with the impact analysis in an applicable community plan EIR. Specifically, Section 15183(a) of the State CEQA Guidelines states that:

> "CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies."

Pursuant to Section 15183(c) of the State CEQA Guidelines, "(i)f an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards…then an additional EIR need not be prepared for the project solely on the basis of that impact."

Accordingly, the purpose of the analysis contained herein is to evaluate whether the project would result in significant impacts that are peculiar to the project or project site, and to determine whether such impacts (if any) can be

substantially mitigated by the imposition of uniformly applied development policies or standards. If any impacts cannot be substantially mitigated with uniformly applied development policies or standards, or if the project results in off-site or cumulative impacts that were not previously evaluated in the 2007 Countywide Plan EIR as modified by the 2023 Housing and Safety Element Update EIR, then additional environmental review is required for the project. Alternatively, if the project does not result in any significant impacts beyond what was evaluated and disclosed as part of the 2007 Countywide Plan EIR as modified by the 2023 Housing and Safety Element Update EIR, then no additional environmental review would be required, and the project would qualify for a Section 15183 exemption.

1.2 RELATIONSHIP TO THE 2007 COUNTYWIDE PLAN EIR

The project site is within unincorporated Marin County (or County), in an area addressed within the Marin Countywide Plan. The Countywide Plan is the governing general plan for the unincorporated areas of the County and establishes goals, policies, and programs that govern existing and future land uses and developments. The Countywide Plan separates Marin County into four corridors loosely following the north-south running ridges and valleys that define the basic topographic structure of the County. The project site is located in the City-Centered Corridor, which generally follows US Highway 101 and is home to nearly 96 percent of the County's population.

As shown in the 2007 Countywide Plan EIR (Exhibit 3.0-12), "Countywide Plan Land Use Designations, Existing and Proposed," the land use designations for the project site are Low Density Residential (SF5 and SF6) and Medium to High Density Residential (MF4). The proposed project has been designed for consistency with the land use designation and zoning for the site, including an affordable housing component and application of the State Housing Density Bonus Law.

The 2007 Countywide Plan EIR evaluated county-wide impacts from implementation of the Countywide Plan on land use, population, and housing; transportation; air quality; noise; hydrology, water quality, and flood hazards; biological resources; geology; agriculture; water supply and demand; public services; cultural resources; and visual resources. A summary of the 2007 Countywide Plan EIR significance determinations is provided under each respective resource topic in Chapter 4, "Project-Specific Consistency Assessment with Prior EIRs" to describe the context of the proposed project's consistency assessment with prior environmental analysis.

1.3 RELATIONSHIP TO THE 2023 HOUSING AND SAFETY ELEMENTS UPDATE TO THE COUNTYWIDE PLAN EIR

The County of Marin BOS adopted the Housing and Safety Element Update and certified the accompanying Final EIR in January 2023. The 2023 Housing and Safety Element Update replaced the respective elements and sections in the 2007 Countywide Plan. As required under state law, the Housing Element identified adequate sites to meet Regional Housing Needs Allocations (RHNA) obligations. Specific parcels on the site inventory were chosen based on "ripeness" for private development – typically when a site contains older structures and/or is underutilized. The project site was not included on the site inventory list. However, housing development is not restricted only to properties on the site inventory. The project site would be consistent with the Housing Element's description of vacant or underused school sites that could accommodate residential development:

- School Site - School sites are properties with schools, with underutilized or unused areas, or sites considered surplus by the school district that could accommodate residential development. Only the portion of the site considered underutilized or unused, or the entire "surplus" site, is considered a candidate housing site.

The projections of residential unit development pursuant to a Housing Element are programmatic estimates that could vary as actual projects are proposed and developed. State housing law, specifically the "No Net Loss" provision of Government Code Section 65863, requires that a jurisdiction maintains a sufficient supply of adequate sites in the Housing Element sites inventory to meet remaining RHNA obligations. The County's Housing Element states:

> To ensure sufficient residential capacity is maintained to accommodate the RHNA, the County will develop and implement a formal, ongoing, project-by-project evaluation procedure pursuant to Government Code Section 65863. Should an approval of development result in a reduction of residential capacity below what is needed to accommodate the remaining need for households at an income level, the County will identify replacement sites as part of the findings for project approval, or if necessary, rezone sufficient sites to accommodate the shortfall and ensure "no net loss" in capacity to accommodate the RHNA within six months.

Thus, the County's Housing Element includes provisions for changes and additions to the sites that could be developed with housing. As a residential project that was not on the original sites inventory, if approved, the project would be part of the anticipated ongoing updates to the housing site list and would count as progress toward meeting RHNA obligations. A summary of the 2023 Housing and Safety Element Update EIR significance determinations is provided under each respective resource topic in Chapter 4, "Project-Specific Consistency Assessment with Prior EIRs." to describe the context of the proposed project's consistency assessment with prior environmental analysis.

1.4 RELATIONSHIP TO THE SANTA VENETIA COMMUNITY PLAN

The project site is within the Santa Venetia Community Plan area. Community plans are part of the Countywide Plan and contain goals and policies for land use and development for a specific local area within unincorporated Marin County. The Santa Venetia Community Plan sets forth goals and policies for protecting natural resources, managing environmental hazards, and planning for land use, parks, open space, and transportation. The community plan also provides an overview of community characteristics and relevant County plans and regulations. The Santa Venetia Community Plan was adopted by the County of Marin BOS on February 14, 2017. The County of Marin BOS determined that adoption of the Santa Venetia Community Plan was within the scope of the 2007 Marin Countywide Plan Final EIR and that no additional environmental review was required. As demonstrated in the analysis in Chapter 4, "Project-Specific Consistency Assessment with Prior EIRs," the proposed project is consistent with the 2007 Countywide Plan and Final EIR; thus, it would be consistent with the Santa Venetia Community Plan, including the following policies related to natural resources.

- NR-1: Movement Corridors. Encourage the protection of wildlife habitat and movement corridors. Fence types, roads, structures, and outdoor lighting that would significantly inhibit or obstruct wildlife movement, especially access to water, should be avoided.
- NR-3: Landscaping and Invasive Plant Control. Encourage the use of drought tolerant, native and fire resistant plants on county-owned and managed properties as well as on private lands. Encourage property owners to remove plants considered invasive (ecologically and economically harmful) by the Marin County Open Space District, especially in natural resource areas (see Chapter 3 for specific areas) and along major travel corridors (North San Pedro Road). Invasive plant species of particular concern in Santa Venetia are French broom, pampas/jubata grass, acacia tree species, and perennial pepperweed.
- NR-5: Sudden Oak Death. Encourage property owners to identify and remove trees that are afflicted with Sudden Oak Death, and to consult with experts (such as the Marin County Agricultural Extension office) to determine appropriate best management practices to prevent and treat infestation.
- NR-7: Native Tree Replacement. Chapter 22.27 (Native Tree Protection and Preservation) to ensure that in-lieu funds collected for tree removal are used for the planting and maintenance of trees on Marin County lands within the community in which they are collected.

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2 PROJECT DESCRIPTION

2.1 PROJECT LOCATION AND SETTING

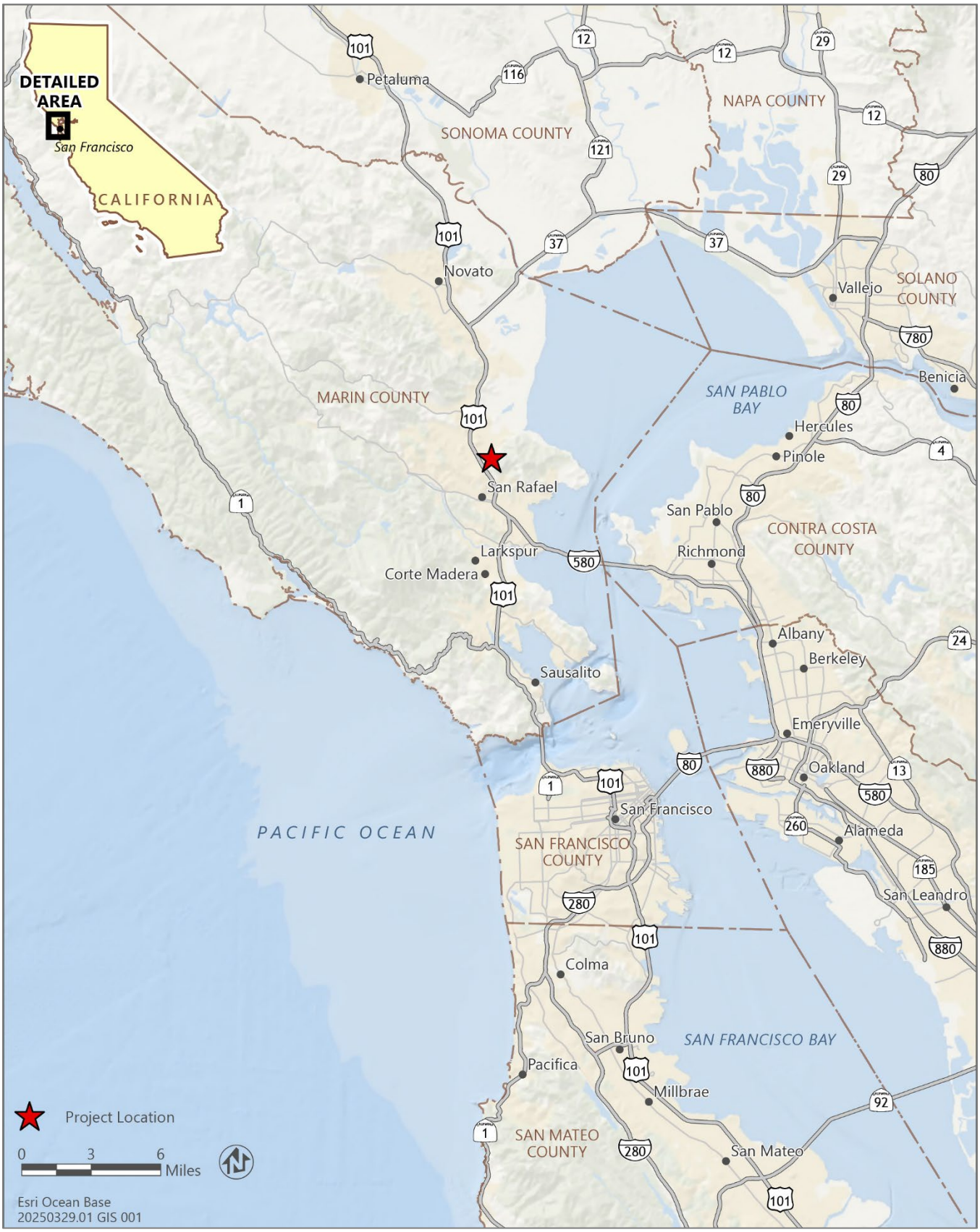
The proposed Metropolis Project is located at 160 North San Pedro Road in an unincorporated area of San Rafael in Marin County, California. The project site was previously occupied by an educational facility that has been vacant since 2023. The project site is approximately 6 acres and comprises Assessor Parcel Numbers (APNs) 179-321-36 and 179-321-37. The project site is designated by the Countywide Plan as Low-Density Residential (SF5 and SF6) and Medium to High-Density Residential (MF4). The property identified as APN 179-321-36 has three zoning designations: Residential Agriculture Combined District (RA-B1, minimum lot size 6,000 square feet), Residential Agriculture Combined District (RA-B2, minimum lot size 10,000 square feet), and Residential Multiple Planned (RMP-29). The property identified as APN 179-321-37 has two zoning designations: Residential Agriculture Combined District (RA-B1, minimum lot size 6,000 square feet) and Residential Agriculture Combined District (RA-B2, minimum lot size 10,000 square feet). The maximum density of these zoning and general plan designations is 7.26 dwelling units (DUs) per acre for RA-B1 and SF 5; 4.4 DU/acre for RA-B2 and SF 6; and 29 DU/acre for RMP-29 and 30 DU/acre for MF4. Under California Government Code Section 65915(q), each component of any density calculation, including base density and bonus density, resulting in fractional units shall be separately rounded up to the next whole number.

Existing development on the project site consists of several one- and two-story, wood-framed buildings totaling approximately 28,000 square feet (sf), including a former church, parish, rectory, and school buildings associated with the vacant former educational facility, as well as a parking lot, asphalt play yard, and landscaping. Additionally, there is an unnamed intermittent creek and associated riparian woodland habitat that bisects the northeast corner of the site from the remainder of the project site to the south. The intermittent creek is a tributary to the South Fork of Gallinas Creek and is designated by the Marin Countywide Plan as a Stream Conservation Area. Two existing pedestrian bridges and one vehicle crossing (over a culvert) cross the creek, and a four-foot-high chain link fence extends along a majority of the western boundary at the top-of-bank. Three culverts currently discharge untreated stormwater from the project site into the creek. The creek flows north off the project site into a culvert and underground at North San Pedro Road. The creek runs underground through a pipe for approximately 1,500 linear feet until it discharges into the South Fork of Gallinas Creek, which combines with the North Fork of Gallina Creek before ultimately discharging into San Pablo Bay. Runoff from the project site is also captured and conveyed through the City of San Rafael storm drain system. There is a total of 145,316 sf of existing impervious surfaces on the project site.

Topography of the project site is relatively flat with a central hill and riparian corridor along the intermittent creek running through the property. Elevations within the site range from approximately 50 feet at the southeast corner of the site near the creek up to approximately 80 feet both on the central hill and in the southwest corner of the property. The hill is vegetated with the remnants of a coast live oak woodland and the area within the creek corridor contains riparian forest consisting of coast live oak and California bay. The most common trees on the project site include 43 coast live oaks (*Quercus agrifolia*), 29 valley oaks (*Quercus lobata*), and 35 California bays (*Umbellularia californica*). Several other species are present in fewer numbers and scattered throughout the site.

The project site is situated in a predominantly residential area of Marin County. The project site is bounded by residential development to the south, North San Pedro Road to the northwest, and commercial development to the northeast. Regional access to the project site is available from US Highway 101 (US 101). From US 101, ingress to the project site is provided via the North San Pedro Road off-ramp. Direct access to the project site is provided via an existing driveway from North San Pedro Road. There are 21 existing onsite parking spaces.

The project site's regional location is shown in Figure 2-1 and the project site aerial is shown in Figure 2-2.



Source: Adapted by Ascent in 2026

Figure 2-1 Regional Location



Source: Data received from BKF Engineers in 2026; adapted by Ascent in 2026

Figure 2-2 Project Site

2.2 PROJECT ELEMENTS

The proposed project would involve demolition and removal of the existing buildings and development of 36 single-family homes. To achieve this, the project applicant is requesting a vesting tentative map (VTM) and Tree Removal Permit to subdivide two existing parcels into individual residential lots. The VTM application would subdivide the approximately 6-acre site into 36 residential parcels, two parcels designated as open space, two parcels reserved for private roadways, and a parcel for drainage easements and bio-retention areas. The project would require the removal 51 trees, including trees classified as "protected" and "heritage" per the Marin County Code Section 22.62.020. The project would restore portions of the existing intermittent creek and corresponding riparian woodland to improve its function as a creek corridor. The project plan is currently presented at a tentative map level of detail. Following tentative map approval, the applicant would prepare detailed project designs for design review by the County.

The following provides a description of each of the project elements. The illustrative site plan is shown in Figure 2-3.

2.2.1 Residential Development

The project would include the development of 36 single-family detached homes on the project site, of which seven (20 percent of the base density) would become income-restricted, below market-rate homes (with deed restrictions). Marin County Development Code Section 22.22.090 requires that affordable units be distributed among required income levels at the following percentages: 5 percent Low Income, 10 percent Moderate Income, and 5 percent Middle Income. In accordance with Marin County Development Code Section 22.22.090, the seven income-restricted homes would be distributed as follows: Low Income (1 home), Moderate Income (4 homes), and Middle Income (2 homes). Each market-rate unit lot would range in size from 2,127 gross sf to 11,085 gross sf, while the affordable unit lots would be smaller, measuring between 835 gross sf and 912 gross sf. Buildings would be a maximum of three-stories and would not exceed 37 feet in height. Figure 2-4 shows the proposed layout of the project and the sizes of each individual lot. The project's total new building floor area is estimated to include approximately 91,000 sf, which would be refined further with later detailed design. Table 2-1 provides a breakdown of the proposed housing type and number of units that would be developed on the project site by zoning district.

Table 2-1 Proposed Housing Type and Number of Units

Zoning District/ Countywide Plan Designation	Allowable Density Countywide Plan Designation	Acreage of Zoning District	Maximum Density per Zoning District	Base Units Proposed	Density Bonus Units Proposed (Maximum of 6 Bonus Units Allowed)	Total Units Proposed
RA B1/SF5	Zoning: Min Lot Size 6,000 sf CWP: 7 DUA	1.21	9 units (8.47)	8 units	0 units	8 units
RA B2/SF 6	Zoning : Min Lot size 10,000sf CWP: 5 DUA	4.45	18 units (17.8)	18 units	2 units	20 units
RMP-29/MF 4	Zoning: 29 DUA CWP: 11-30 DUA	0.29	10 units (9.28)	8 units	0 units	8 units
Total	--	**6.03**	**37 units**	**34 units**	**2 units**	**36 units**

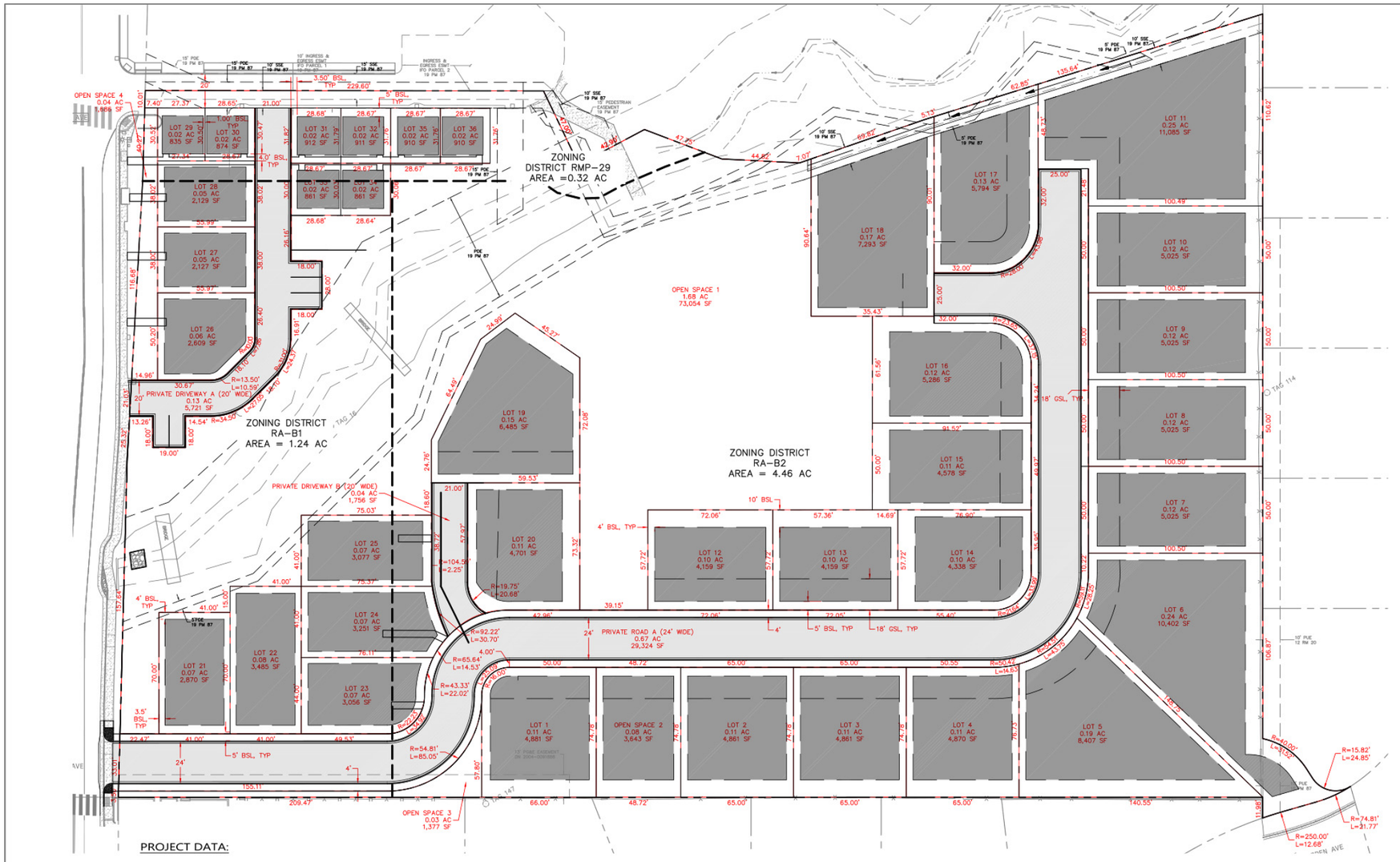
Source: Busch 2026

As a VTM application for residential uses, the project is subject to the rights and protections afforded by the State Density Bonus Law (Gov. Code § 65915), the Housing Crisis Act (Senate Bill 330 ["SB 330"]), and the Housing Accountability Act (Gov. Code § 65589.5).



Source: ktgy, BKF, & Guzzardo Partnership, Inc. in 2026; adapted by Ascent in 2026.

Figure 2-3 Illustrative Site Plan



Lot	Gross Lot Area	Net Lot Area	Average Slope
EXISTING	298,069	-	33.1%
1	4,881	4,881	13.4%
2	4,861	4,861	15.5%
3	4,861	4,861	9.5%
4	4,870	4,870	3.9%
5	8,407	8,407	12.1%
6	10,402	10,402	7.2%
7	5,025	5,025	5.7%
8	5,025	5,025	7.3%
9	5,025	5,025	14.3%
10	5,025	5,025	12.2%
11	11,085	11,085	10.9%
12	4,159	4,159	12.1%
13	4,159	4,159	5.4%
14	4,338	4,338	2.1%
15	4,578	4,578	6.4%
16	5,286	5,286	8.9%
17	5,794	5,794	11.0%
18	7,293	7,293	6.4%
19	6,485	6,485	6.2%
20	4,701	4,701	9.7%
21	2,870	2,870	12.7%
22	3,485	3,485	10.5%
23	3,056	3,056	14.2%
24	3,251	3,251	6.7%
25	3,077	3,077	4.8%
26	2,609	2,609	4.3%
27	2,127	2,127	1.6%
28	2,129	2,129	1.8%
29	835	835	4.9%
30	874	874	2.3%
31	912	912	2.5%
32	911	911	1.3%
33	861	861	2.7%
34	861	861	1.1%
35	910	910	1.5%
36	910	910	1.4%

NOTES:

1. ALL EXISTING EASEMENTS/ENCUMBRANCES THAT FALL WITHIN PROPOSED SINGLE-FAMILY HOME LOTS WILL BE QUITCLAIMED/ABANDONED AS PART OF PROJECT'S EASEMENT DISPOSITION PLAN

PROJECT DATA:

1. EXISTING AND PROPOSED LOT AREA:
   REFER TO TABLE ABOVE (ON THIS SHEET)
2. EXISTING AND PROPOSED BUILDING AREA:
   TBD (PENDING DESIGN REVIEW)
3. EXISTING AND PROPOSED FLOOR AREA:
   TBD (PENDING DESIGN REVIEW)
4. EXISTING AND PROPOSED FLOOR AREA RATIO:
   TBD (PENDING DESIGN REVIEW)
5. PROPOSED AREA OF ADDITIONAL DISTURBANCE:
   215,000 SF (APPROX. 5.0 ACRES)
6. EXISTING LOT COVERAGE:
   IMPERVIOUS COVERAGE = 145,316 SF
   PERVIOUS COVERAGE = 117,131 SF
7. PROPOSED LOT COVERAGE:
   IMPERVIOUS COVERAGE = 102,093 SF
   PERVIOUS COVERAGE = 160,354 SF
8. GRADING CALCULATIONS (CUBIC YARDS, CY):
   CUT = 11112 CY
   FILL = 10595 CY
   NET = 517 CY
9. EXISTING AND PROPOSED PARKING:
   EXISTING PARKING = 21 STALLS
   PROPOSED PARKING = 5 STALLS
10. MINIMUM SETBACKS FOR EXTERIOR WALLS OF PROPOSED BUILDING AREA:
    REFER TO PLAN
11. MAXIMUM HEIGHT OF PROPOSED BUILDING AREA:
    TBD (PENDING DESIGN REVIEW)

Source: BKF Engineers in 2026; adapted by Ascent in 2026.

Figure 2-4 Vesting Tentative Map

2.2.2 Landscape and Hardscape Improvements

The project would include removal of existing pavement and hardscape and replacement with new landscape and hardscape improvements throughout the project site, including construction of new internal roadways and sidewalks. The proposed project would also retain open space areas and portions of the riparian corridor landscape.

To accommodate the proposed development, the project would require the removal of 51 existing trees from the project site, including one street tree, seven protected trees, and 17 heritage trees. The seven protected trees consist of three coast live oak, one valley oak, one Douglas-fir (*Pseudotsuga menziesii* var. *menziesii*), and two California bay trees, while the 17 heritage trees consist of nine coast live oak, seven valley oak, and one redwood (*Sequoia sempervirens*). The removal of protected trees would require a Tree Removal Permit pursuant to County Municipal Code Section 22.62.020 and would be replaced in accordance with County Municipal Code Section 22.27.040. The project would preserve 107 existing trees on the project site, including five street trees, 23 protected trees, and 40 heritage trees. This includes preservation of all existing trees in the riparian woodland.

The project site would be replanted with various species, including native and non-native trees, shrubs, and grasses. All plants would be California native, Bay Area/Marin County native, or not considered invasive in California. Trees replanted on site would be sited accordingly in conformance with the San Rafael Fire Department's fire protection standards related to vegetation management (e.g., defensible space). On-site landscaping would be designed to reduce the use of potable water. All planting areas would be watered by an automatic, underground irrigation system that includes a weather-based smart controller, remote controlled valves, and high-efficiency emitters. A separate water meter would be provided for the common area irrigation system. The private yards would use the home domestic water meter.

Hardscape improvements would result in a net decrease in impervious surface area within the project site, because of the demolition and removal of the large areas of existing pavement on the site. The project would result in approximately 102,093 sf of impervious surfaces, which would be a decrease of approximately 43,223 sf of impervious surfaces compared to existing conditions. Additionally, the project would include new storm drain systems to accommodate stormwater runoff from the project site that would consist of bioretention facilities, drainage inlets, storm drain pipes, and stormwater control measures consistent with the Bay Area Stormwater Management Agencies Association (BASMAA) Post-Construction Manual and the Marin County Stormwater Pollution Prevention Program (MCSTOPPP) requirements. Figure 2-5 shows the proposed stormwater control plan, including the locations of bio-retention areas.

2.2.3 Creek Restoration

A portion of the outer edge of the "Riparian Zone" along the existing creek corridor is proposed to be restored. Restoration work would require surface ground disturbance to remove approximately 762 square feet of existing pavements and 375 linear feet of existing chain link fence, and light surface grading to amend the soil (i.e., mix the soil with organic and/or inorganic materials to improve soil quality) and install native plants. Equipment used to remove existing pavements could include a jack hammer and skid, and a backhoe would be used to remove the chain link fence and chunks of asphalt and concrete. A small bobcat and/or hand crews would be used to grade and amend the soil and install native plants.

The proposed infrastructure improvements would include the installation of the two new culverts draining into the creek. The installation of these two culverts would require excavation of a 4-foot-wide trench on each side of the creek to install the two new reinforced concrete pipe (RCP) storm drain outfalls directly across from each other; construction of a concrete Type B headwall and 0.5-ton rip-rap keyed into the creek bed at grade at the outfall discharge point; and removal of a minimum of 96 sf of invasive English Ivy (*Hedera helix*) to be replaced with the following native plantings: California blackberry (*Rubus ursinus*) (20 plantings; 1 gallon each), red-flowering currant (*Ribes sanguineum*) (35 plantings; 1 gallon each), western redbud (*Cercis occidentalis*) (3 plantings; 15 gallons each), and spreading rush (*Juncus patens*) (24 plantings; 1 gallon each).

A backhoe with a minimum 4-foot-wide bucket would be used to excavate the area along the creek bank to install the two new culverts, and soil compactor would be used to compact the soil once work is complete.

2.2.4 Parking and Circulation

The project would include the construction of a new vehicle and pedestrian circulation system on the project site, consisting of an internal private driveway (Private Driveway A) and internal private roadway (Private Roadway A) to serve the proposed new homes (see Figure 2-4).

The site plan features two clusters of housing units, each served by separate private driveways/street. The first cluster includes eleven detached homes and includes a new J-shaped private driveway that would connect to North San Pedro Road and the Parno House Driveway. The detached homes and two of the small lot or attached homes would have driveways to Private Driveway A. The other six small lot or attached homes would be accessed from the Parno House Driveway. The second cluster consists of 25 detached homes along a new private street (i.e., Private Roadway A) that would intersect North San Pedro Road opposite Washington Avenue. An approximately 70-foot-long private driveway (referred to hereafter as Private Driveway B) would extend from Private Roadway A to provide access to four residential units. Public sidewalks would be provided on both sides of Private Roadway A, extending throughout the project site.

The project would provide five parking stalls along Private Driveway A. To ensure adequate emergency access in accordance with fire department requirements, no on-street parking would be provided along Private Driveways A or B or Private Roadway A; parking would only be allowed within enclosed garages at each of the proposed new homes.

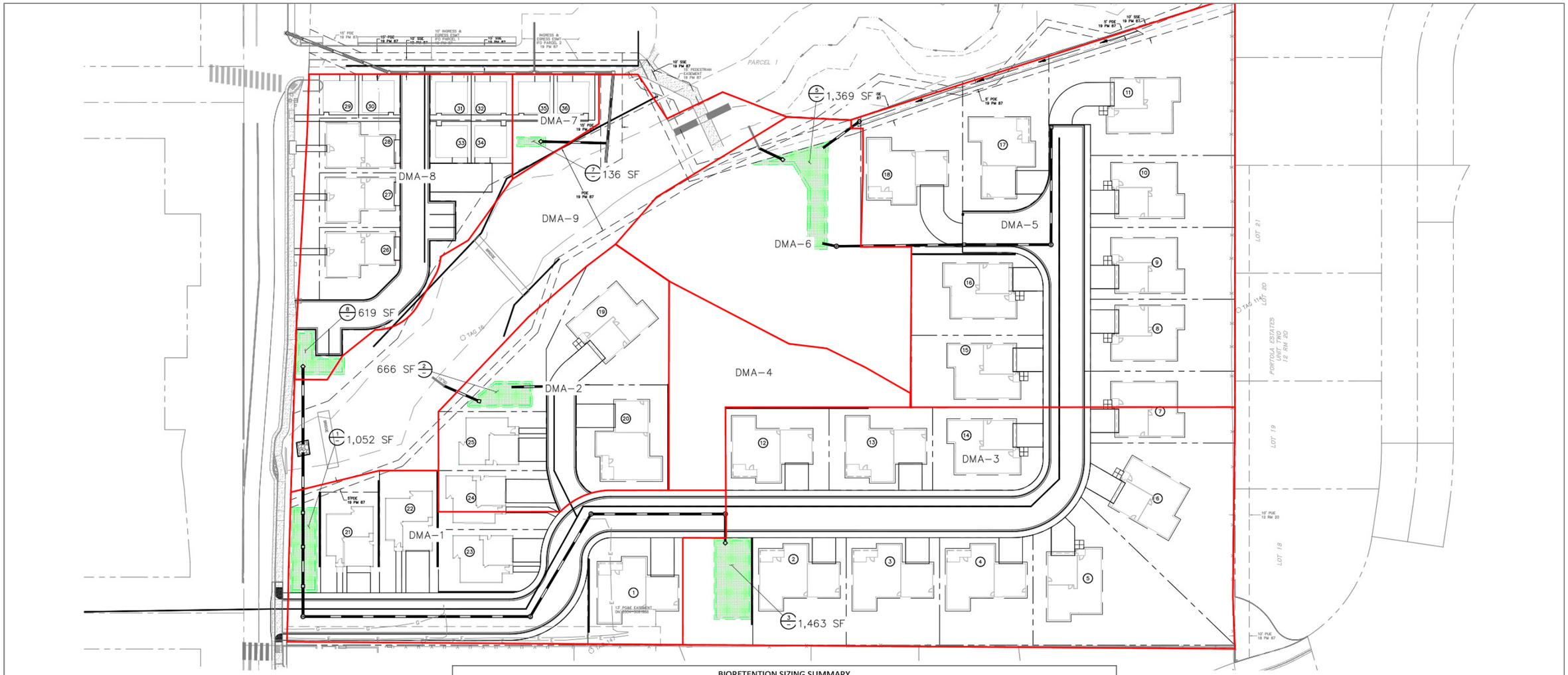
North San Pedro Road, along the project site frontage, is a two-lane roadway with a center two-way left-turn lane starting midway along the site frontage (at approximately the location of the Private Driveway A) and extending eastward past the Parno House Driveway. On-street parking and sidewalks are present along both sides of North San Pedro Road along the project site frontage. Vehicular access to the project site from US 101 would not be altered by the project. The project does not include proposed off-site transportation infrastructure improvements between the project site and US 101.

2.2.5 Lighting

The project would provide exterior lighting throughout the project site for safety and security purposes. New lighting would be limited to the internal private driveway and roadway (including sidewalks) as well as individual housing units. New lighting would consist of low-wattage pole top area lights and bollard lights and would meet Illuminating Society of North America standards. All new lighting would be shielded and directed downward to prevent spillover effects on residential neighbors. No lighting would be installed in any open space areas on the project site, including the central knoll and creek corridor.

2.2.6 Utilities and Infrastructure

The project site location includes existing utility infrastructure for gas, electricity, and telecommunications, some of which would be retained by the project. However, the project would relocate and/or remove some of the existing onsite infrastructure as well as install new utility lines and infrastructure to serve the proposed new homes, including new water, sewer, gas, electricity, and telecommunications. All newly installed utility lines would be constructed within joint trenches, existing roadways, or within the footprint of existing utility infrastructure. Additionally, as discussed above, the project would include new storm drain systems to accommodate stormwater runoff from the project site. The project does not propose any offsite improvements.



BIORETENTION SIZING SUMMARY

DMA#	DRAINAGE AREA SIZE (SF)	PERVIOUS SURFACE (SF)	TYPE OF PERVIOUS SURFACE	IMPERVIOUS SURFACE (SF)	TYPE OF IMPERVIOUS	EFFECTIVE IMPERVIOUS SURFACE (SF)	REQUIRED (SF)	PROVIDED (SF)
DMA-1	29,696	9,551	LANDSCAPE	20,145	PAVEMENT/STRUCTURE	21,100	844	1,052
DMA-2	21,633	10,885	LANDSCAPE	10,748	PAVEMENT/STRUCTURE	11,837	473	666
DMA-3	60,880	28,171	LANDSCAPE	32,709	PAVEMENT/STRUCTURE	35,526	1,421	1,463
DMA-4	10,404	10,404	LANDSCAPE	0	N/A	1,040	42	0
DMA-5	59,554	28,136	LANDSCAPE	31,418	PAVEMENT/STRUCTURE	34,232	1,369	1,369
DMA-6	21,880	21,880	LANDSCAPE	0	N/A	2,188	88	0
DMA-7	3,231	1,672	LANDSCAPE	1,559	PAVEMENT/STRUCTURE	1,726	69	136
DMA-8	22,837	10,507	LANDSCAPE	12,330	PAVEMENT/STRUCTURE	13,381	535	619
DMA-9	28,335	28,335	LANDSCAPE	0	N/A	2,834	113	0
TOTAL	258,450	149,541	-	108,909	-	123,863	4,955	5,305

Source: BKF Engineers in 2026; adapted by Ascent in 2026.

Figure 2-5 Stormwater Control Plan

2.2.7 Project Incentives, Concessions, and Waivers

Under State Density Bonus Law, developments with five or more units are eligible for incentives, concessions, or waivers by setting aside the requisite number of income restricted units A project may use a concession or incentive to reduce site development standards, modify zoning code requirements, and modify other regulatory incentives or concessions proposed by the developer that result in identifiable and actual cost reductions to provide for affordable housing costs. The State Density Bonus Law can be used to modify or waive provisions of an inclusionary ordinance, including a requirement that affordable units be dispersed among the market-rate units.

The project provides at least 10% of the base units as affordable to at least moderate-income households and is therefore entitled to a concession. The project requests an incentive to modify the general affordable housing standards provided in Marin County Development Code Section 22.22.080. Specifically, the project seeks relief from the design and character of affordable housing unit requirements to disperse the units throughout the project site.

Additionally, State Density Bonus Law allows an eligible density bonus project to request an unlimited number of waivers from local development standards. Under the State Density Bonus Law, a project is entitled to a waiver from any development standard that would physically preclude the construction of the project at the densities or with the concessions or incentives permitted by the law. The project is requesting waivers from the following County of Marin development standards.

- Development shall be set back from streams a minimum of 50 feet for parcels 0.5 to 2 acres, and a minimum of 100 feet for parcels 2 acres or more. (Marin Countywide Plan Biological Resources Protection Policy [CWP BIO-4.1])
- Design and character of affordable housing units. Required affordable housing units shall be dispersed throughout the project, and shall contain, on average, the same number of bedrooms as the market rate units in a residential development and shall be compatible with the exterior design and use of the remaining units in appearance, materials, amenities, and finished quality. (Marin County Development Code Section 22.22.08[F])
- The RMP (Residential Multiple Planned) zoning district requires a height limit of 30 feet for primary structures (Marin County Development Code Section 22.10.040, Table 2-5.)
- The RA-B1 (Residential Agriculture, Combined) zoning district requires a minimum of 6,000 sf per lot. (Marin County Development Code Section 22.14.050(B), Table 2-11.)
- The RA-B2 (Residential Agriculture, Combined) zoning district requires a minimum of 10,000 sf per lot. (Marin County Development Code Section 22.14.050(B), Table 2-11.)
- Minimum lot size in the RMP-29 (Residential Multiple Planned) zoning district is established through the Master Plan or Design Review process in compliance with Chapters 22.44 (Master Plans and Precise Development Plans) or 22.42 (Design Review). Through this process, the Review Authority will determine whether the lot area is adequate for a proposed land use. (Marin County Development Code Section 22.10.040(B), Table 2-5, Footnote 1(C) for RMP.)
- A minimum driveway length of twenty feet should be provided from the front of the garage or parking structure to the back of sidewalk or to the edge of pavement where no sidewalk exists. A lesser length may be approved for constrained sites. (Marin County Code Section 24.04.250)
- All limited residential roads shall be no less than 24 feet with curbs. (Marin County Code Section 24.04.110(a))
- All residential roads shall be no less than 36 feet. (Marin County Code Section 24.04.110(a))
- Lots other than corner lots having double frontage with depths of less than two hundred feet will not be approved except where necessitated by topographic or other physical conditions or where ingress or egress from one of the streets is constrained or otherwise prohibited. (Marin County Code Section 24.07.020)

2.2.8 Project Construction

The project is proposed to start construction in March 2027 and would take approximately 33 months. Project construction activities would include demolition, site preparation, and both exterior and interior building work. Project construction would result in approximately 215,000 sf, or 4.9 acres, of ground disturbance and would require 11,112 cubic yards (cy) of cut and 10,595 cy of fill, resulting in 517 cy of soil that would need to be exported from the project site. The grading plan is shown in Figure 2-6. All construction staging would occur within the project site. The following construction equipment would be used during project construction:

- excavator
- rubber tired dozer
- tractor/loader/backhoe
- grader
- scraper
- concrete/industrial saw
- dump truck
- concrete truck
- paver and paving equipment
- forklift
- mobile crane

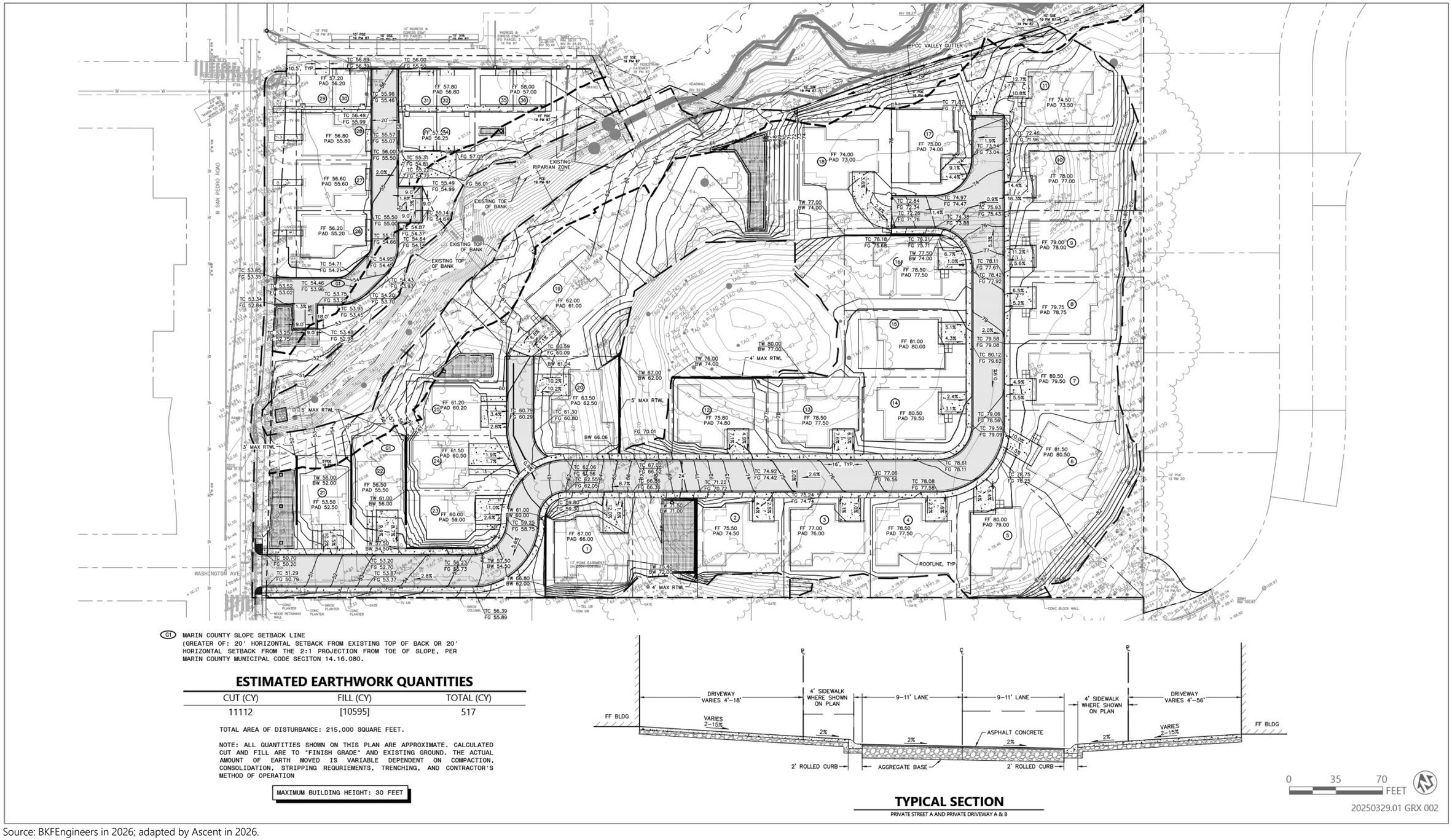
In conformance with Marin County Development Code Section 6.70.030, construction activities would occur between the hours of 7:00 a.m. to 6:00 p.m., Monday through Friday, and from 9:00 a.m. to 5:00 p.m. on Saturdays. The operation of loud noise-generating construction equipment (e.g., backhoes, generators, and jackhammers) would be limited to the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday. Construction activities would be prohibited on Sundays and holidays.

2.3 POTENTIAL PERMITS AND APPROVALS REQUIRED

The permits and approvals required for the project are summarized in Table 2-2.

Table 2-2 List of Required Permits and Approvals

Agency	Permit or Approval	Description
County of Marin	CEQA Guidelines Section 15183 Exemption Determination	The County of Marin is the CEQA lead agency that will consider approval of the project. Prior to that consideration, the County would make a CEQA determination that the project qualifies for exemption under State CEQA Guidelines Section 15183 by concluding it is consistent with the prior program EIRs for the 2007 Marin Countywide Plan and/or 2023 Housing and Safety Element Update.
	Approval of Vesting Tentative Map application	This approval would be required pursuant to Marin County Code (MCC) Section 22.80.030 because one lot is proposed to be subdivided into more than four lots.
	Issuance of Tree Removal Permit	This permit would be required for the removal of protected and heritage trees pursuant to County Code Section 22.62.020.
	Design Review	Homes in the RMP29 zone are subject to design review.
	Building Permit(s)	Building permit(s) would be required for construction of proposed project structures.
Regional Water Quality Control Board – Region 2	Issuance of Clean Water Act Section 401 Permit	This permit is required for activities that may result in discharge of pollutants to waters of the United States.
	Issuance of National Pollutant Discharge Elimination System (NPDES) Construction General Permit	This permit is required for all construction projects disturbing one or more acres of soil and requires preparation of a storm water pollution prevention plan (SWPPP).
	Issuance of Porter-Cologne Act Discharge of Dredge or Fill Materials Permit	This permit could potentially be required for discharge of fill materials to waters of the state.
California Department of Fish and Wildlife	Section 1602 Lake and Streambed Alteration Agreement	Applicant will need to notify CDFW in accordance with Section 1600 requirements. This permit could potentially be required for any work undertaken in or near the creek on the project site.
US Army Corps of Engineers	Issuance of Clean Water Act Section 404 Permit	This permit could potentially be required for activities that may result in discharge of dredge or fill material into waters of the United States, including wetlands.



Source: BKFEngineers in 2026; adapted by Ascent in 2026.

Figure 2-6 Grading Plan

3 ENVIRONMENTAL REVIEW

The analysis presented in Section 4, Project-Specific Environmental Assessment, demonstrates that the proposed project meets the requirements of State CEQA Guidelines Section 15183, and as such, no additional CEQA review, such as a Subsequent or Supplemental EIR or MND, is required for the project. Specifically:

- The proposed project would not result in environmental impacts that are peculiar to the project site (CEQA Guidelines Section 15183(b)(1));
- The proposed project would not result in environmental impacts that were not analyzed as significant effects in the 2007 Countywide Plan EIR or the 2023 Housing and Safety Element Update EIR (CEQA Guidelines Section 15183(b)(2));
- The proposed project would not result in potentially significant off-site or cumulative impacts that were not discussed in the prior EIRs (CEQA Guidelines Section 15183(b)(3)); and
- No previously identified significant effects would be substantially more severe than those analyzed in the 2007 Marin Countywide Plan EIR or the 2023 Housing and Safety Element Update EIR (CEQA Guidelines Section 15183(b)(4)).

Accordingly, and pursuant to State CEQA Guidelines Section 15183, because the proposed project is consistent with the development density, land use designation, applicable policies, and applicable zoning for which the 2007 Marin Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR were certified, and because the project-specific analysis demonstrates that the project would not result in peculiar impacts, new or more severe significant impacts, or new significant cumulative impacts beyond those previously evaluated, no additional environmental review is required. The proposed project would qualify for a State CEQA Guidelines Section 15183 exemption.

3.1 OVERVIEW OF CEQA GUIDELINES SECTION 15183 ANALYSIS

Article 12 (Special Situations) of the State CEQA Guidelines identifies situations for which certain CEQA-compliance procedures may apply. Specifically, Section 15183 of the CEQA Guidelines applies to projects that are consistent with existing zoning, community plan, or general plan policies for which an EIR was previously certified. CEQA mandates that such projects shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. Section 15183 is intended to streamline the review of such projects and reduce the need to prepare repetitive environmental studies. For projects that meet the requirements of Section 15183, the Lead Agency is required to limit its examination of environmental effects to those effects which the Lead Agency determines, in an initial study or other analysis:

1) Are peculiar to the project or the parcel on which the project would be located;
2) Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan with which the project is consistent;
3) Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action; or
4) Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.

If an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by CEQA Guidelines Section 15183(c), then an additional EIR need not be prepared for the project solely on the basis of that impact. Pursuant to CEQA Guidelines Section 15183(h), an environmental effect shall not be considered peculiar to the project or parcel solely because no uniformly applied development policy or standard is

applicable to it. Section 15183(e) allows for the analysis to be limited for those significant environmental effects which were previously identified in the prior EIR, and for which all applicable mitigation measures identified by the prior EIR are found to be feasible. For such effects, the Lead Agency is required to make a finding at a public hearing as to whether the feasible mitigation measures would be undertaken.

Pursuant to State CEQA Guidelines Section 15183(f), an effect of a project on the environment shall not be considered peculiar to the project or the parcel if uniformly applied development policies or standards have been previously adopted by the city or county with a finding that the development policies or standards will substantially mitigate that environmental effect when applied to future projects, unless substantial new information shows that the policies or standards will not substantially mitigate the environmental effect. The finding shall be based on substantial evidence which need not include an EIR. Such development policies or standards need not apply throughout the entire city or county but can apply only within the zoning district in which the project is located, or within the area subject to the community plan on which the lead agency is relying. Moreover, such policies or standards need not be part of the general plan or any community plan but can be found within another pertinent planning document such as a zoning ordinance. Where a city or county, in previously adopting uniformly applied development policies or standards for imposition on future projects, failed to make a finding as to whether such policies or standards would substantially mitigate the effects of future projects, the decision-making body of the city or county, prior to approving such a future project pursuant to Section 15183, may hold a public hearing for the purpose of considering whether, as applied to the project, such standards or policies would substantially mitigate the effects of the project. Such a public hearing need only be held if the city or county decides to apply the standards or policies as permitted in Section 15183.

Section 15183(j) of the State CEQA Guidelines does not affect any requirement to analyze potentially significant off-site or cumulative impacts if those impacts were not adequately discussed in the prior EIR. If a significant offsite or cumulative impact was adequately discussed in the prior EIR, then Section 15183 may be used as a basis for excluding further analysis of that offsite or cumulative impact.

4 PROJECT-SPECIFIC CONSISTENCY ASSESSMENT WITH PRIOR EIRS

The following analysis assesses whether the proposed Metropolis Project qualifies for use of a CEQA Guidelines Section 15183 exemption in relation to whether its environmental impacts are consistent with, and covered by, the analyses and impact conclusions in the 2007 Countywide Plan EIR certified in November 2007 (SCH No. 2004022076), as modified by the 2023 Housing and Safety Element Update to the Countywide Plan EIR (2023 Housing and Safety Element Update EIR) certified in January 2023 (SCH No. 2021120123). The discussion below addresses each of the environmental checklist topics identified in the 2023 Housing and Safety Element Update EIR. The consistency assessment that follows summarizes the significance determinations from the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR, includes an analysis of project-specific impacts, and identifies applicable mitigation measures from the 2007 Countywide Plan ER and 2023 Housing and Safety Element Update EIR. The analysis assumes that the proposed project would implement all applicable mitigation measures identified by the 2007 Countywide Plan EIR, as modified by the 2023 Housing and Safety Element Update EIR. Applicable mitigation measures that were relied on in the evaluation of the project's potential environmental effects are listed under the "Applicable 2007 and 2023 EIR Mitigation Measures" subsection under each respective environmental subject heading below.

If answers to the questions in the column headers of the environmental topic table are all "no," the proposed project would qualify for use of a CEQA Guidelines Section 15183 exemption for its CEQA compliance. The narrative following each table provides explanations of the impact table answers.

4.1 AESTHETICS

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
Except as provided in Public Resources Code section 21099 (where aesthetic impacts shall not be considered significant for qualifying residential, mixed-use residential, and employment centers), would the project:				
a) Have a substantial adverse effect on a scenic vista?	No	No	No	No
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No	No	No	No
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 points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	No	No	No	No
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	No	No	No	No

4.1.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that land uses and development consistent with buildout of the Countywide Plan could degrade the visual quality of Marin County's scenic resources as well as the quality and character of views from Marin County's highways. However, existing provisions of the Marin County Development Code, design review of discretionary projects, and proposed policies and programs contained in the Countywide Plan would substantially reduce adverse changes to visual resources. Policies and programs included in the Countywide Plan would protect scenic quality and views of the natural environment, including ridgelines and upland greenbelts, hillsides, water, and trees from adverse impacts related to development. Additionally, the Countywide Plan includes programs and policies that focus on protecting the County's scenic resources, viewsheds, ridgelines, hillsides, and open space through design standards, clustered and visually sensitive development, ridgeline protections, landscaping requirements, and expanded design review measures that minimize visual impacts and preserve community character. They also emphasize concentrating growth within the City-Centered Corridor while preserving greenbelts, agricultural lands, and open spaces through land conservation, lower-density development standards, and resource protection strategies to maintain the county's visual and natural landscape qualities. For impacts related to views from the County's highways, goals and policies require implementation of Scenic Corridor Protection measures that regulate development intensity, site planning, signage, grading, landscaping, and structural design to preserve visual quality along designated scenic routes. Additional measures, including concentrating growth in urban areas, maintaining low-density development along Highway 1, preserving rural road character, protecting agricultural and open lands, and applying site-specific protections for key scenic vistas would also help maintain viewsheds and reduce visual intrusions along scenic highway corridors. Thus, impacts related to scenic resources, including cumulative impacts, were found to be less than significant.

Regarding community character, the 2007 Countywide Plan EIR concluded that land uses and development consistent with buildout of the Countywide Plan would adversely affect the visual quality and character of Marin County's unincorporated communities and rural areas impacts would be potentially significant. Goals and policies in

the Countywide Plan would minimize impacts on community character by requiring community-based planning, expanded design standards, and design review measures that ensure new development (including buildings, lighting, signage, landscaping, and infrastructure) is compatible with surrounding neighborhoods, natural features, and existing visual character. The 2007 Countywide Plan EIR also included Mitigation Measure 4.12-2 which requires the County to obtain funding for Countywide Plan Program DES-1.a (Add Design Components to Community Plans) and revise the time frame of its implementation to the medium-term or sooner. In addition, the Marin County Community Development Agency would be responsible for revising design guidelines of community plans to be consistent with the Countywide Plan. With revisions to funding and timeframe of implementation of Program DES-1.a, potentially adverse effects of development, including cumulative impacts, on the character of Marin County's urban and rural communities would be reduced to a less-than-significant level.

For impacts related to light pollution and nighttime lighting, the 2007 Countywide Plan EIR also concluded that land uses and development consistent with the buildout of the Countywide Plan would create additional sources of lighting resulting in sky glow, light trespass, and glare and would have a potentially significant impact. The Countywide Plan includes goals and policies which would minimize impacts on the nighttime sky by establishing urban and rural design standards that regulate lighting, signage, and related development features to ensure compatibility with surrounding community character and environmental conditions. Existing Development Code provisions would further reduce lighting impacts by prohibiting excessive or distracting illumination and requiring development to avoid creating glare or substantial interference with neighboring properties. The 2007 Countywide Plan EIR also required Mitigation Measure 4.12-4, which added a new program related to lighting design guidelines to the Countywide Plan and requires preparation of a lighting plan for design review by County staff for new development projects and major remodel projects that would make significant parking lot improvements or add new lighting. However, while adoption and implementation of Mitigation Measure 4.12-4 would reduce adverse changes to visual resources resulting from additional sources of lighting, the 2007 Countywide Plan EIR concluded that impacts from buildout of the Countywide Plan, as well as cumulative impacts, would remain significant and unavoidable.

4.1.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

For impacts related to light and glare, the 2023 Housing and Safety Element Update EIR concluded that with implementation of County Code Section 22.16.030(G) which contains standards for exterior lighting of buildings requiring "exterior lighting visible from off-site should be allowed for safety purposes only, shall consist of low-wattage fixtures, and should be directed downward and shielded to prevent adverse lighting impacts on nearby properties, subject to the approval of the Director." Because low-wattage fixtures, shielding, and downward alignment would minimize light and glare effects, including potentials for nuisance lighting, compliance with these County standards would ensure that impacts related to light and glare from future development facilitated by the Housing Element Update would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

Regarding scenic vistas, the 2023 Housing and Safety Element Update EIR concluded that potential housing facilitated by the Housing Element Update would include development on vacant sites and also replace existing developed areas with new development, which could substantially adversely affect a scenic vista due to changes in densities and building heights that could potentially obscure or degrade scenic vistas and substantially adversely affect a scenic vista. The 2023 Housing and Safety Element Update EIR found that despite existing design review requirements and development standards intended to protect views and community character, the absence of site-specific project designs makes it impossible to determine whether future development would avoid adverse effects on scenic vistas. Therefore, because neither the County's design review process nor use of objective design standards, when adopted, may be adequate to reduce project effects on scenic vistas to a less-than-significant level, and no additional feasible mitigation is available, this impact would remain significant and unavoidable and would also result in a cumulative considerable contribution to cumulative impacts.

Similarly, the 2023 Housing and Safety Element Update EIR also concluded that potential housing facilitated by the Housing Element Update could degrade the existing visual character or quality of public views of the site and its surroundings resulting from densities, building heights, building massing, and other types of exterior building materials and elements that could occur with new development. These effects could degrade the existing visual character or quality of public views of the site, and would be a potentially significant impact. Although some potential housing facilitated by the Housing Element Update would be required to comply with County Code Chapter 22.16 – Discretionary Development Standards and County Code Chapter 22.42 – Design Review, conclusions regarding effects on the visual character and quality of the area would be speculative without specific project designs. Because neither the County's design review process nor use of objective design standards, when adopted, may be adequate to reduce project effects on the visual character or quality of the area to a less-than-significant level, and no additional feasible mitigation is available for ministerial and streamlined projects, this impact would remain significant and unavoidable and would also result in a cumulative considerable contribution to cumulative impacts.

4.1.3 Project-Specific Analysis

The project is located in the City-Centered Corridor of the Countywide Plan, which is primarily designated for urban development and the protection of environmental resources. It is also where approximately 96 percent of the County's population resides and where the majority of development is concentrated in the County (County of Marin 2023b). There are no existing scenic vistas at or near the project site and no officially designated state scenic highways occur within the County. Additionally, the project site is located in an urban area where sources of nighttime lighting currently exist within the surrounding residential neighborhoods.

The proposed project would demolish and remove the existing one- and two-story wood-framed buildings including a former church, parish, rectory, and school buildings associated with the vacant former educational facility, as well as a parking lot, asphalt play yard, and landscaping and construct 36 single-family homes. The project would also restore portions of the existing perennial creek to improve its function as a creek corridor. Proposed architectural styles and colors would be consistent with County development standards. Per Marin County Code, height standards for primary structures in both the RA-B1 and RA-B2 and RMP-29 zoning districts are limited to 30 feet. While the proposed project includes a waiver from County development standards to allow for a maximum height of 40 feet, it is anticipated building heights will not exceed 37 feet. Compared to the existing site conditions, the proposed project would increase building heights and lot coverage which could potentially increase light and glare. However, project lighting and glare levels would be compatible with the surrounding urban environment and reduced through compliance with County Code requirements for street and exterior lighting such as the shielding of lighting fixtures to prevent spillage onto adjacent properties.

The requested waiver for height limits would eliminate a policy inconsistency regarding the height of proposed residences. Otherwise, the proposed project would be consistent with all applicable County policies, programs and codes pertaining to aesthetic community development and design standards. Additionally, the proposed project would conform to the existing zoning and General Plan land use designations on-site. Because the project is located in the City-Centered Corridor, surrounded by existing residential development, and would be consistent with all applicable County policies, programs and codes pertaining to aesthetic community development and design standards, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no aesthetic effects that would be peculiar to the project or subject parcel that would alter the aesthetic impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.1.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures from the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR would be applicable to the proposed project.

4.2 AGRICULTURE AND FOREST RESOURCES

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
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, as updated) prepared by the California Department 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 Resources 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?	No	No	No	No
b) Conflict with existing zoning for agricultural use or a Williamson Act contract?	No	No	No	No
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No	No	No	No
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No	No	No	No
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?	No	No	No	No

4.2.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that implementation of the Countywide Plan would change the land use designation of parcels under Williamson Act contracts from an agricultural designation and zoning to an open space designation. Such changes would recognize acquisition of these lands by the National Park Service as part of the Point Reyes National Seashore. Continued use of these lands as open space would be compatible with the provisions of the Williamson Act. Therefore, this impact is less than significant and would make a less than cumulatively considerable contribution to cumulative impacts.

Regarding conversion of agricultural land, implementation of the Countywide Plan would result in conversion of both County and State designated farmlands to non-agricultural uses. While these changes primarily would reflect existing State and federal ownership of these lands as part of their respective park and recreational areas, conversion would still occur and would be a significant impact. While Mitigation Measure 4.8-1 was required which would reduce the amount of agricultural processing, retail sales, and visitor-serving development on agricultural lands and therefore, the conversion of State and County designated agricultural lands, conversion would still occur. Such conversion, however small, would still represent a significant impact. Furthermore, there is no mitigation available for the

conversion of State and County designated agricultural lands to open space uses. Therefore, the 2007 Countywide Plan EIR found that impacts, including cumulative impacts, would remain a significant unavoidable.

4.2.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR concluded that none of the proposed candidate housing site locations are on designated Prime Farmland, Farmland of Statewide Importance, or Unique Farmland. Additionally, development under the Housing Element would not conflict with forest land or timberland because there are currently no County-designated Forest Resource or Timberland zones, and none of the proposed candidate housing sites are located in a designated forestland or timberland area. Therefore, development on those sites would not result in the conversion or loss of these types of farmland or the loss of or conflict with forest land or timberland and no impact would occur.

Regarding conflicts with agricultural use zoning or Williamson Act contracts, development under the Housing Element on some of the parcels proposed as candidate housing sites would occur in agricultural zoning districts (e.g., A2, A60, ARP); however, as stated in County Code Section 22.08.030 (Agricultural District Land Uses and Permit Requirements), some residential uses (affordable housing, agricultural worker housing, group homes for six or fewer residents, ADUs, and junior ADUs) are principally permitted uses in the A2 and ARP districts, and other residential uses (group homes for seven or more residents) are allowable subject to approval of a Use Permit. All County development standards must be complied with in these districts. In addition, none of the proposed candidate housing sites are under a Williamson Act Contract. Thus, the 2023 Housing and Safety Element Update EIR concluded that impacts, including cumulative impacts, would be less than significant.

For impacts related to conversion of or change in farmland to non-agricultural uses, housing facilitated by the Housing Element Update may require changes in land use designation and/or zoning for proposed sites that are located on parcels designated as Farmland of Local Importance or Grazing Land. Sites zoned for agricultural use would not require rezoning if the proposed use is permitted or conditionally permitted as provided for in County Code Chapter 22.08 – agricultural and resource-related districts. For uses not permitted or conditionally permitted by the County Code, several adopted Countywide Plan policies that protect agricultural uses would apply to these new uses. Thus, the 2023 Housing and Safety Element Update EIR found that with compliance with Countywide Plan policies and County agricultural and resource-related districts regulations, any potential impacts, including cumulative, related to the conversion or change in farmland to non-agricultural use from future development facilitated by the housing element would be less than significant.

4.2.3 Project-Specific Analysis

Under the Marin County Code, the project site is within the residential agriculture combined district; however, the project site and surrounding area are identified as urban and built-up land by California Department of Conservation's California Important Farmland Finder database (DOC 2026a) and no agricultural or forestry activities occur onsite. Additionally, no agricultural uses, forestland, or timberland production zones exist on the project site, adjacent properties, or surrounding area. Moreover, the project site and surrounding area are not included in a Williamson Act contract (DOC 2026b). Therefore, the proposed project would not convert active farmland, forestland, or timberland production areas to non-farmland, non-forestland, and non-timberland production uses. Thus, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. Additionally, there is nothing peculiar to the project or subject parcel that would change or affect the agricultural and forestry impacts analyzed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.2.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures from the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR would applicable to the proposed project.

4.3 AIR QUALITY

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied on to make the following determinations.				
Are significance criteria established by the applicable air district available to rely on for significance determinations?	No	No	No	No
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	No	No	No	No
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	No	No	No	No
c) Expose sensitive receptors to substantial pollutant concentrations?	No	No	No	No
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	No	No	No	No

4.3.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that although the Countywide Plan incorporates numerous policies promoting smart growth, alternative transportation, and reductions in vehicle miles traveled (VMT), projected VMT under implementation of the Countywide Plan would continue to increase faster than population growth, resulting in inconsistency with the Bay Area 2005 Ozone Strategy, the applicable air quality plan in place at the time the 2007 Countywide Plan EIR was drafted. 2007 Countywide Plan EIR Mitigation Measure 4.3-1 required implementation of Mitigation Measure 4.2-1 which adds new policies and programs to the Transportation section of the Built Environment Element including a policy for reducing VMT per person by single occupant automobile by ten percent and VMT reduction monitoring; however, VMT is still predicted to grow higher than the rate of population growth. Therefore, the 2007 Countywide Plan EIR found that impacts related to inconsistency with Clean Air Plan were found to be significant and unavoidable.

The Countywide Plan contains policies and programs that support the Clean Air Plan Transportation Control Measures (TCMs), however there is no policy that would directly address parking strategies to reduce vehicle travel consistent with TCM #15 which encourages local jurisdictions to reduce vehicle travel by implementing innovative parking strategies, such as reduced parking requirements, parking fees, parking cash-out programs, shared parking, and other parking management incentives. The 2007 Countywide Plan EIR Mitigation Measures 4.3-2(a-b) add a program to the Design Section of the Built Environment Element and identify a funding source to prioritize earlier implementation of programs AIR-3.a, AIR-3.d, AIR-3.e, TR-2.g, TR-2.k, and TR-1.c which would reduce impacts related to inconsistency with Clean Air Plan TCMs to less than significant.

According to the Bay Area Air District (formerly the Bay Area Air Quality Management District or BAAQMD) CEQA Guidelines, for a general plan to have a less-than-significant impact with respect to odors and/or toxic air contaminants (TACs) buffer zones must be established around existing and proposed land uses that would emit these air pollutants. The Countywide Plan includes policies and programs to reduce exposure from existing and future

sensitive receptors from existing and future sources of odors and toxic air contaminants. Additionally, 2007 Countywide Plan EIR Mitigation Measures 4.3-3(a-c) revise Countywide Plan Policy AIR 2-1 of the Natural Systems and Agriculture Element including clarifying that buffers should be established from air pollution sources rather than only point sources and requiring a Health Risk Analysis for Sensitive Receptors. With implementation of these mitigation measures, the 2007 Countywide Plan EIR found that development facilitated by the Countywide Plan would be less than significant and the Countywide Plan's contribution to cumulative impacts would be less than cumulatively considerable.

With respect to carbon monoxide, the 2007 Countywide Plan EIR found that increases in traffic under the Countywide Plan would result in greater carbon monoxide concentrations along roadways. However, at the most congested intersections, the modeled carbon monoxide levels would remain under the National Ambient Air Quality Standard and California Ambient Air Quality Standard. Thus, the 2007 Countywide Plan EIR found that impacts associated with carbon monoxide concentrations along roadways would be a less-than-significant impact.

Construction associated with implementation of the Countywide Plan would result in emissions of fugitive dust and TACs, primarily from diesel exhaust. Existing state and regional regulations address handling of hazardous air pollutants and air quality policies and programs contained in the Countywide Plan would require individual projects to comply with applicable air quality regulations and implement appropriate dust and emissions controls. Thus, the 2007 Countywide Plan EIR found that impacts associated with fugitive dust from construction projects would be less than significant and would make a less-than-cumulatively-considerable contribution to cumulative impacts.

4.3.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR found that future development facilitated by the Housing and Safety Element Update would increase VMT at a rate greater than projected population growth, resulting in inconsistency with the Bay Area Air District's 2017 Clean Air Plan and a significant air quality impact. Implementation of Mitigation Measure 6-1 would reduce VMT from new residential development by applying transportation demand management and other strategies; however, impacts were found to remain significant and unavoidable.

Construction of future development facilitated by the Housing and Safety Element Update would also result in short-term construction-related criteria air pollutant emissions that have the potential to have an adverse effect on air quality. Individual projects would comply with County and regional requirements regarding fugitive dust resulting in less than significant impacts; however, generation of other criteria air pollutants during construction could have a potentially significant impact. 2023 Housing and Safety Element Update EIR Mitigation Measure 6-2 requires future projects to implement Program AIR-1.b by evaluating projected construction emissions against applicable Bay Area Air District significance thresholds and incorporating project-specific emissions reduction measures, where necessary. Criteria air pollutant construction emissions associated with implementation of the Housing and Safety Element Update could continue to exceed applicable Bay Area Air District thresholds and could generate a cumulatively considerable net increase in criteria air pollutants for which the region is in nonattainment. Thus, this impact was found to be significant and unavoidable.

Additionally, future development facilitated by the Housing and Safety Element Update would result in short-term construction-related emissions, including emissions of TACs from diesel-powered construction equipment, which could have an adverse effect on receptors who are exposed to them. Even with implementation of 2023 Housing and Safety Element Update EIR Mitigation Measure 6-3, which builds upon the construction emissions evaluation requirements of Mitigation Measure 6-2, TAC construction emissions associated with implementation of the Housing and Safety Element Update could result in significant adverse health risks at receptor locations. Thus, this impact was found to be significant and unavoidable.

Implementation of the Housing and Safety Element Update would primarily facilitate residential development and would not introduce substantial stationary or mobile operational sources of TACs or other criteria air pollutants. Accordingly, implementation of the Housing and Safety Element Update would not expose sensitive receptors to

substantial concentrations of toxic air contaminants or criteria air pollutants. Thus, this impact was found to be less than significant.

Similarly, development consistent with the Housing and Safety Element Update would not facilitate land uses commonly associated with objectionable odors, such as landfills, wastewater treatment plants, or industrial facilities. Construction activity occurring during residential development facilitated by the Housing Element Update could produce temporary odors from fuel combustion and/or the use of solvent and paints that would quickly disperse and would not affect a substantial number of people. Thus, this impact was found to be less than significant.

4.3.3 Project-Specific Analysis

The air quality memo prepared by Illingworth & Rodkin Inc. identified that a construction emissions and health risk assessment (HRA) for the proposed project was completed in December 2025 (Illingworth & Rodkin Inc. 2026, 2025). The analysis concluded that, with the implementation of Countywide Plan Implementing Program AIR-1.g, air pollutant emission impacts would be below the Bay Area Air District's thresholds of significance for criteria air pollutants. The analysis also concluded that, with implementation of Control Measure AQ-1, construction cancer risk levels would be 4.37 per million, below the Bay Area Air District's single-source threshold of less than 10 in a million. The project's site plans have been updated slightly since preparation of the air quality assessment by eliminating the loop road and creating a hammerhead turn around. Project construction activities would not substantially change, and the updated January 2026 site plans show that the project units would not be located closer to existing TAC sources. Therefore, the air quality memo prepared for the project concluded that the impact findings and control measures identified in the December 2025 assessment would not change due to the updated site plans and no further analysis of construction-related air quality impacts is required.

Regarding consistency with applicable air quality plans, population growth and VMT (which correlates with population growth) are the primary metrics used in air quality plans when developing emissions forecasts and formulating the reduction measures necessary for air districts to attain and maintain the national ambient air quality standards and the California ambient air quality standards. As discussed below in Section 4.13, "Population and Housing," the proposed project would not result in substantial unplanned population growth beyond what was evaluated in the 2023 Housing and Safety Element Update EIR. Moreover, as discussed below in Section 4.15, "Transportation," the project's estimated VMT per capita would be lower than the VMT evaluated in the 2023 Housing and Safety Element Update EIR.

As discussed in Section 2, "Project Description," the proposed project would construct 36 new single-family homes. In terms of operational emissions, the primary emissions sector associated with residential uses is mobile sources. Other emissions sources associated with residential development include area sources such as landscaping and consumer products (e.g., aerosol sprays, cleaning products). The Bay Area Air District provides screening criteria to provide lead agencies with a conservative indication of whether a project could result in the generation of operational criteria air pollutants or precursors that exceed the Bay Area Air District's numerical thresholds of significance. According to the Bay Area Air District's CEQA Guide, a project that meets the following criteria would have a less-than-significant impact related to operational criteria air pollutants and precursors (BAAQMD 2022):

- The project size is at or below the applicable operational screening level size shown in Table 4-1 [of the Bay Area Air District's CEQA Guide].
- Operational activities would not include stationary engines (e.g., backup generators) and industrial sources subject to Air District rules and regulations.
- Operational activities would not overlap with construction-related activities.

Table 4-1 of the Bay Area Air District CEQA Guide indicates that single family residential projects with 421 or fewer dwelling units would not result in operational emissions that would exceed Bay Area Air District thresholds. Accordingly, the proposed project with construction of 36 new single-family homes would fall below the project size screening criteria. The project does not propose stationary sources of emissions and operation of the project would not overlap with the construction phase. Thus, the proposed project would not exceed any of the Bay Area Air

District's operational screening criteria and would therefore not generate significant operational emissions of criteria pollutants.

No new or more severe impacts or cumulative impacts related to air quality would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no effects related to air quality that would be peculiar to the project or subject parcel that would alter the air quality impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.3.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures from the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR would be applicable to the proposed project.

4.4 BIOLOGICAL RESOURCES

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
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 Wildlife or the US Fish and Wildlife Service?	No	No	No	No
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the US Fish and Wildlife Service?	No	No	No	No
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?	No	No	No	No
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?	No	No	No	No
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	No	No	No	No
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?	No	No	No	No

4.4.1 Discussion

The information presented in this assessment is based on the results of the Biological Site Assessment 160 & 164 North San Pedro Road Residential Project Marin County, California and updates to the Biological Site Assessment (Huffman-Broadway Group 2025; Huffman-Broadway Group 2026a), addendum to the Biological Site Assessment (Huffman-Broadway Group 2026b), Preliminary Arborist Report (HortScience-Bartlett Consulting 2026), Stream Conservation Area Evaluation (Huffman-Broadway Group 2024), Riparian Planting Plan (Sares Regis 2026a), and Tree Disposition Plan (Sares Regis 2026b). The Biological Site Assessment, updates to the Biological Site Assessment, and the addendum to the Biological Site Assessment, which all together will be referred to as the Biological Site Assessment in this analysis, are included as Appendix BIO-1, the Preliminary Arborist Report is included in Appendix BIO-2, the Stream Conservation Area Evaluation is included as Appendix BIO-3, Riparian Planting Plan is included in Appendix BIO-4, and Tree Disposition Plan is included in Appendix BIO-5.

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 Wildlife or the US Fish and Wildlife Service?

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that land uses and development could result in adverse effects on special-status species in Marin County. Site-specific habitat suitability assessments and focused surveys would be necessary to determine the extent of any special-status species on undeveloped lands proposed for development.

The Countywide Plan included several policies and implementation programs related to the protection of special-status species in the plan area, such as Policies BIO-1.1 and BIO-2.1, which acknowledge the environmental review process pursuant to CEQA and the importance of protecting sensitive resources such as special-status species. For example, Policy BIO-1.1 specifically requires protection of sensitive biological resources including habitat for special-status species through careful environmental review of proposed development applications, including consideration of cumulative impacts, participation in comprehensive habitat management programs with other local and resource agencies, and continued acquisition and management of open space lands that provide for permanent protection of important natural habitats. Policy BIO-2.2 restricts or required modification of proposed development in areas that contain essential habitat for special-status species, sensitive natural communities, wetlands, Baylands, coastal habitat, and riparian habitats, as necessary to ensure the continued health and survival of these species and sensitive areas. In addition, Policy BIO-2.3 requires preservation of ecotones (natural transitions between habitat types), particularly around wetlands, riparian corridors, and other sensitive habitats, and Policy BIO-2.6 restricts development near sensitive habitat during the nesting season, protecting important bird nesting areas. Implementation of Program BIO-1.c would provide up-to-date information on occurrences of special-status species and is intended to aid in educating landowners and possible development applicants of habitat protection and management of sensitive resources, such as special-status species, including those activities authorized under ministerial permits. In addition, Program BIO-2.a requires a site assessment by a qualified professional when proposed development applications may adversely affect sensitive resources, including occurrences of special-status species.

The 2007 Countywide Plan EIR concluded that even with adherence to the Countywide Plan policies and programs protecting biological resources and compliance with state and federal law, mitigation measures would still be required for this impact to be considered less than significant. Mitigation Measure 4.6-1 added a new policy to the Biological Resources section of the Countywide Plan as follows: the new Policy BIO-2 (new) required active participation in the FishNet4C program and working cooperatively with participating agencies to implement recommendations to improve and restore aquatic habitat for listed anadromous fish species and other fishery resources. Mitigation Measure 4.6-1 has since been completed. In addition, since certification of the 2007 Countywide Plan EIR, the FishNet4C program organization no longer exists and work involving aquatic habitat restoration and improvement for listed anadromous fish species and other fishery resources is now managed by the Marin Resource Conservation District. With incorporation of this mitigation measure, the impact on special-status plants and wildlife was considered less than significant with mitigation.

Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update determined that development associated with the Housing Element Update could have a substantial adverse effect, either directly or through habitat modification, on special-status species, since development could occur on undeveloped or partially developed sites near areas where special-status species or their habitats occur.

As noted above, the Countywide Plan included many previously adopted policies and implementing programs that serve to protect special-status species. The 2023 Housing and Safety Element Update noted that many of the project components of the Housing Element Update are consistent with the previously adopted policies and programs analyzed in the Countywide Plan and the 2012 Housing Element Update EIR. Relevant previously adopted policies and

programs that would protect and avoid impacts on special-status species and their habitats include Policy BIO-1.1, Policy BIO-1.3, Policy BIO-2.1, Policy BIO-2.2, Policy BIO-2.8, Policy BIO-2.9, Program BIO-2.a, and Policy BIO-5.2. Policies BIO-1.1, BIO-2.1, BIO-2.2, BIO-2.8, and Program BIO-2.a are specifically related to development and the protection of special-status species. These policies include requirements for environmental review pursuant to CEQA of proposed development applications, coordination with trustee agencies during environmental review, site assessments for projects that may adversely affect special-status species, evaluation of potential impacts, identification of mitigation measures to protect species, and confirmation that development does not encroach on wildlife habitat. Policies BIO-1.3 and BIO-2.9 are not explicitly related to development but also provide for the protection of habitat for certain colonial roosting and nesting species and raptors, and require project applicants to consult with agencies with review authority at the beginning of project planning.

The 2023 Housing and Safety Element Update determined that for the Housing Element, with adherence to the Countywide Plan policies and programs protecting biological resources and compliance with state and federal law, impacts on special-status species would be less than significant.

Project-Specific Analysis

The project site is predominantly developed and currently occupied by a vacant educational facility, parking lot, access roads, asphalt play yard, two pedestrian bridges across the creek, landscaping, and contains some natural plant communities, primarily in the margins along the edges of the project site and within the existing riparian corridor. The Biological Site Assessment included multiple site visits, including focused plant surveys on May 29, June 30, and July 29 2026 (Appendix BIO-1). Focused plant surveys could not rule out fragrant fritillary (*Fritillaria liliacea*), as this species has a typical blooming period of February through April. Other than fragrant fritillary, the Biological Site Assessment determined that special-status plants are not present on the project site (Appendix BIO-1). The Biological Site Assessment also determined that Crotch's bumble bee (*Bombus crotchii*) and monarch butterfly (*Danaus plexippus*) may occur on the project site (see Appendix BIO-1 for details).

Fragrant fritillary has a California Rare Plant Rank (CRPR) of 1B.2. The 1B ranking is for plants that are rare, threatened, or endangered in California and elsewhere, with the majority also being endemic to California (CNPS 2026). Many of these plants have declined significantly over the last century. The ranking of '0.2' means that this species is moderately threatened in California (20 to 80 percent of occurrences are threatened / moderate degree and immediacy of threat) (CNPS 2026). Fragrant fritillary is possibly but not likely present on the project site, though could not be ruled out during focused surveys due to timing of surveys not overlapping typical blooming period of the species (Appendix BIO-1). As such, project activities could trample, break, or crush fragrant fritillary individuals, which could be a potentially significant impact.

Impacts on fragrant fritillary would be addressed mainly through implementation of Countywide Plan Program BIO-2.a, which requires a Biological Site Assessment be conducted by a qualified professional when proposed development applications may adversely affect sensitive resources, including occurrences of special-status species. As outlined in Program BIO-2.a, the assessment is intended to determine the presence or absence of any sensitive resources that could be affected by development, evaluate the potential impacts, and identify measures for protecting the resource and surrounding habitat. Program BIO-2.a has been implemented for the proposed project, because the required Biological Site Assessment has been completed by the applicant (Appendix BIO-1).

The Biological Site Assessment outlined specific protection measures for fragrant fritillary that have been adopted as part of the proposed project description to minimize impacts on this species, including Protection Measure BIO-1 (Fragrant Fritillary Survey), which will require two focused fragrant fritillary surveys conducted between February and April, spaced approximately 30 days apart. In addition, Protection Measure BIO-2 (Fragrant Fritillary Transplant) will require transplantation of fragrant fritillary, if any individuals are identified during focused surveys. First, identified individuals will be flagged and monitored until the flowering stage is complete, then bulbs will be transplanted according to parameters outlined in Protection Measure BIO-2, which will include monitoring for a full growing season after transplantation. See Appendix BIO-1 for additional details on these protection measures. With the implementation of Protection Measures BIO-1 and BIO-2 from the Biological Site Assessment by the applicant as part of the project description, impacts on fragrant fritillary would remain less than significant.

Crotch's bumble bee is a candidate for listing under the California Endangered Species Act (CESA) and has potential to forage and nest on the project site (Appendix BIO-1). As such, if project activities were to injure or kill Crotch's bumble bees, it would be a potentially significant impact and would require a CESA incidental take permit. Potential for impacts on Crotch's bumble bee would be addressed through implementation of Countywide Plan Program BIO-2.a (Biological Site Assessment). The Biological Site Assessment prepared for the proposed project by the applicant (Appendix BIO-1) outlined specific protection measures for Crotch's bumble bee adopted by the applicant as part of the project description to minimize impacts on this species. The measures include Protection Measure BIO-3 (Site-Assessment Map), which would require a habitat assessment, including mapping of potential Crotch's bumble bee habitat areas, during the spring/summer no more than 2 years prior to the Crotch's bumble bee construction survey (Protection Measure BIO-4). Protection Measure BIO-4 (Crotch's Bumble Bee Survey) requires visual encounter surveys to be conducted in the spring and summer season immediately preceding construction, when activity or foraging is most likely. Protection Measure BIO-5 (Preconstruction Surveys) will require preconstruction visual encounter surveys for Crotch's bumble bee no earlier than 14 days before the start of grubbing activities, to determine whether foraging bumble bees (*Bombus* spp.) or nests are present. If an active bumble bee nest is found, and the bumble bee is either a Crotch's bumble bee or cannot be identified to species level, a minimum buffer of 50 feet will be established around the nest. The no-disturbance buffer will not be removed until the biologist determines that the nest is no longer active. If work must occur that may result in impacts on the bumble bee nest, an Incidental Take Permit (ITP) must be obtained from California Department of Wildlife (CDFW) prior to the start of those work activities. Lastly, Protection Measure BIO-6 (Crotch's Bumble Bee Biological Monitoring) requires a biological monitor to conduct worker training, as well as implement minimization measures such as speed restrictions and monitoring while project activities are being implemented. See Appendix BIO-1 for additional details on these protection measures. With the implementation of Protection Measures BIO-3 through BIO-6 from the Biological Site Assessment as part of the project description, impacts on Crotch's bumble bee would remain less than significant.

Monarch butterfly is proposed for listing under the Endangered Species Act (ESA) and has potential to forage on the project site (Appendix BIO-1). As such, if project activities injure or kill monarchs, it would be considered a potentially significant impact. Impacts on monarch would be addressed mainly through implementation of Countywide Plan Program BIO-2.a (Biological Site Assessment). The Biological Site Assessment (Appendix BIO-1) implemented the program requirement and outlined a specific protection measure for monarch adopted by the applicant as part of the project description so that potential impacts remain less than significant. Protection Measure BIO-7 (Western Monarch Butterfly Biological Monitoring) will require a biological monitor to conduct worker training, as well as implement minimization measures such as speed restrictions and monitoring while project activities are being implemented. See Appendix BIO-1 for additional details on this protection measure. With the implementation of Protection Measure BIO-7 as part of the project description, impacts on monarch would remain less than significant.

No special-status bird species have potential to occur on the project site; however, the project site contains potential nesting habitat for common native nesting bird species (Appendix BIO-1). Common nesting birds that have been observed on and around the project site include Nuttall's woodpecker (*Dryobates nuttallii*), California scrub-jay (*Aphelocoma californica*), oak titmouse (*Baeolophus inornatus*), and California towhee (*Melozone crissalis*). In addition, the following raptors have been observed on the project site: red-tailed hawk (*Buteo jamaicensis*) and turkey vulture (*Cathartes aura*) (Appendix BIO-1). Project activities could result in nest disturbance or removal, or injure or kill adult birds, chicks, or eggs, which would be considered a potentially significant impact.

Countywide Plan Policy BIO-2.6 limits construction and other sources of potential disturbance in sensitive riparian corridors, wetlands, and Baylands to protect bird nesting activities. The policy states that disturbance should generally be set back from sensitive habitat during the nesting season and that preconstruction surveys should be conducted by a qualified professional where development is proposed in sensitive habitat areas during the nesting season, and appropriate restrictions should be defined to protect nests in active use and ensure that any young have fledged before construction proceeds. Although this would help protect nesting birds, impacts may still remain if nesting occurs outside of the areas protected in the policy. Mitigation Measure 7-3.1 in the 2023 Housing and Safety Element Update EIR updated the definition of the nesting bird season in Policy BIO-2.6 to February 1 through August 31 so that it is consistent with the typical nesting season of most birds in Marin County. Therefore, this mitigation measure applies to the project.

Chapter 22.20, Section 22.20.040(G) of the Marin County Code also outlines required protection measures for nesting birds. Outdoor construction activities that involve tree removal, grading, or other site disturbances in an area where a biological assessment has identified a high probability of the presence of nesting birds are subject to specific requirements before and during site preparation and construction activities, unless separate project mitigation measures have been adopted that override these requirements. Construction activities that may disturb birds shall be conducted outside the nesting season, which generally occurs between February 1 and August 15 (though since Mitigation Measure 7-3.1 extended nesting bird season to August 31, this is the ending of nesting bird season that shall apply to this project). If commencing ground disturbance or tree removal during the nesting bird season, a pre-construction nesting bird survey of the project site shall be conducted by a qualified biologist. If no nesting birds are observed by the biologist, no further action is required, and construction activities shall occur within one week of the survey. If active bird nests are observed during the pre-construction survey, a disturbance-free buffer zone shall be established around the nest tree(s) until the young have fledged, as determined by a qualified biologist. Buffer zone delineation requirements are outlined in Section 22.20.040(G) of the Marin County Code. No machinery or workers shall intrude on the buffer zone. After the fencing is in place, there will be no restrictions on grading or construction activities outside the prescribed buffer zones, but County staff during routine site inspections may verify that fencing remains in place. Pre-construction surveys will be documented and provided to the County by the qualified biologist, and if construction fencing is required, photographs of the fencing, directly after installation, will also be submitted to the County.

Impacts of the project on active nests and common native nesting birds will be addressed through adherence to requirements outlined in Section 22.20.040(G) of the Marin County Code and implementation of the bird protection measures described in the Biological Site Assessment and adopted by the applicant to be part of the project description. For this Qualifications Assessment, the protection measure will be referred to as Protection Measure BIO-8 for ease of discussion (though this measure is not called this in the Biological Site Assessment). Protection Measure BIO-8 (see Biological Site Assessment Section 5.4, "Animal Populations") is consistent with Policy BIO-2.6, including defining appropriate restrictions, as required in the policy, and expands to all areas of the project site to cover impacts not covered by Policy BIO-2.6. In addition, Protection Measure BIO-8 is consistent with Section 22.20.040(G) of the Marin County Code, although Section 22.20.040(G) has additional requirements that the project will be required to implement, including providing pre-construction survey documentation to the County by the qualified biologist as well as photos of fencing, if required for buffer zone implementation. Protection Measure BIO-8 requires that if grading or vegetation removal occurs during the nesting bird season (February 1 through August 31), the applicant will retain a qualified biologist to conduct a preconstruction nesting bird survey before implementation of project activities. If nesting birds are detected, a no-disturbance buffer will be established by the qualified biologist within which no work would occur until the young have successfully fledged or the nest has otherwise become inactive, as determined by the qualified biologist. See Section 5.4, "Animal Populations," of the Biological Site Assessment for further details on this measure. With implementation of Mitigation Measure 7-3.1 from the 2023 Housing and Safety Element Update EIR and Protection Measure BIO-8 from Appendix BIO-1 by the applicant as part of the project description, impacts on common nesting birds, including raptors, would remain less than significant.

Compliance with Mitigation Measure 7-3.1 from the 2023 Housing and Safety Element Update EIR and adoption by the applicant of Protection Measures BIO-1 through BIO-8 from Appendix BIO-1 as part of the project description would maintain potential impacts on special-status plant and wildlife species and common nesting birds, including raptors, as less than significant. Therefore, no impacts on special-status species and common nesting birds exist that are peculiar to the project site; no direct or cumulatively considerable impacts of the proposed project would occur that were not already evaluated by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR; and no new or more severe impacts on the environment would occur beyond what was previously evaluated and disclosed by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

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

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that land uses and development could result in adverse effects on sensitive habitats, which are called sensitive natural communities within the 2007 Countywide Plan EIR, which include riparian habitat and CDFW-designated sensitive natural communities. Hereinafter, these will be referred to in this section as sensitive habitats, or separately as riparian habitat and sensitive natural communities. Site-specific assessments and detailed mapping would be necessary to determine the extent of any sensitive habitats on undeveloped land.

The Countywide Plan included several policies and implementation programs related to the protection of sensitive habitats in the plan area, such as Policies BIO-1.1 and BIO-2.1, which acknowledge the environmental review process pursuant to CEQA and the importance of protecting sensitive resources such as sensitive habitats. For example, Policy BIO-1.1 specifically requires protection of sensitive biological resources including sensitive habitats through careful environmental review of proposed development applications. In addition, Policy BIO-1.3 requires protection of woodlands, forests, and native tree resources and Policy BIO-2.3 serves to limit development impacts by restricting or modifying proposed development in areas that contain essential ecotone habitat. Policy BIO-2.2 restricts or modifies proposed development in areas that contain sensitive biological resources including riparian habitat and sensitive natural communities, as necessary to ensure the continued health and survival of these sensitive areas. Policy BIO-2.9 would require consultation with trustee agencies during environmental review when regulated sensitive habitats may be adversely affected. Policy BIO-4.1 restricts land use in Stream Conservation Areas (SCA) and Policy BIO-4.2 requires applicants to comply with the SCA regulations. Program BIO-1.b requires development of a habitat monitoring program. Program BIO-2.a requires a site assessment by a qualified professional when proposed development applications may adversely affect sensitive biological resources, including sensitive habitats. Program BIO-2.c requires coordinating County review with that of jurisdictional agencies and evidence of compliance with any necessary permits from federal and state agencies prior to issuance of County grading or building permits, which would aid in avoidance of inadvertent impacts during the permit review and authorization process. Program BIO-4.g requires a site assessment be prepared by a qualified professional where incursions into the Stream Conservation Area are proposed, or adverse impacts on riparian resources may otherwise occur.

The 2007 Countywide Plan EIR concluded that even with adherence to the Countywide Plan policies and programs protecting biological resources and compliance with state and federal law, mitigation measures would still be required for this impact to be considered less than significant. Mitigation Measure 4.6-2 requires the County to obtain funding for Program BIO-1.b (Develop Habitat Monitoring Programs), revise its priority to medium, and improve the timeframe of its implementation to medium-term or sooner. With incorporation of this mitigation measure, the impact on sensitive habitats was considered less than significant with mitigation.

Summary of 2023 Housing and Safety Elements Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR determined that development associated with the Housing Element Update could have a substantial adverse effect on sensitive habitats (i.e., riparian habitat, sensitive natural communities), since development could occur on undeveloped or partially developed sites near riparian areas and sensitive natural communities.

As noted above, the Countywide Plan included many previously adopted policies and implementing programs that serve to protect and preserve riparian habitats and sensitive natural communities. The 2023 Housing and Safety Element Update EIR noted that these policies included Policy BIO-1.1, which requires protection of sensitive habitats through environmental review of development applications and consideration of cumulative impacts; Policy BIO-2.3, which requires preservation of ecotones, especially riparian corridors and other sensitive habitats; and Policy BIO-2.1, which requires environmental review and adequate mitigation. In addition, Policies BIO-2.8 and BIO-2.9 require consultation and coordination with trustee agencies and other agencies when riparian areas and sensitive natural communities may

be present to evaluate the agencies' review authority. Policy BIO-2.2 restricts development in riparian areas and sensitive natural communities. In addition, Program BIO-2.a requires a site assessment by a qualified professional when proposed development applications may adversely affect sensitive resources, including sensitive habitats.

The 2023 Housing and Safety Element Update determined that for the Housing Element, with adherence to the Countywide Plan policies and programs protecting biological resources and compliance with state and federal law, impacts on sensitive habitats would be less than significant.

Project-Specific Analysis

Along the existing creek that crosses the project site, riparian habitat exists, including California bay forest and woodland, the latter of which is a sensitive natural community ranked vulnerable (S3). California bay forest and woodland is present in the riparian area on the project site as well as adjacent areas near the southeastern boundary of the project site (Appendix BIO-1). Riparian habitat on the project site is subject to regulation under Section 1602 of the California Fish and Game Code. As discussed in the Biological Site Assessment prepared by the applicant, the project would not have significant impacts on riparian habitat or California bay forest and woodland, because the qualities of the creek corridor would be improved by restoring native habitat and expanding the setback distance to urban development beyond existing conditions.

Currently, the urban character of the stream and the local environment around the stream limit the potential for the riparian corridor to function as wildlife habitat. Invasive species are also present in the riparian area, including English ivy (*Hedera helix*). As described in Section 2.2.3, "Creek Restoration," the project would restore a portion of the riparian corridor on the project site, enhancing the value of the habitat compared to the existing condition (see Appendix BIO-1 for details). Restoration would include removing impervious surfaces and invasive English ivy. No riparian trees are proposed for removal as part of the proposed project (Appendix BIO-5). As such, the only riparian habitat removal would consist of invasive species removal, which would enhance the habitat's natural functions. In addition, according to the Riparian Planting Plan (Appendix BIO-4), the following native plant species would be planted in the riparian area: California blackberry (*Rubus ursinus*), red-flowering currant (*Ribes sanguineum*), western redbud (*Cercis occidentalis*), and spreading rush (*Juncus patens*).

Because restoration activities could alter the stream and associated riparian habitat, the applicant notified CDFW of the project as required in accordance with California Fish and Game Code Section 1602. CDFW deemed the notification complete on June 5, 2026 (CDFW 2026a). Correspondence from CDFW noted that CDFW Staff had finished their review and were continuing to process the project's notification. On Augst 5, 2026, CDFW deemed the notification process complete and noted that because CDFW did not submit a draft Lake or Streambed Alteration Agreement by August 4, 2026, an agreement will not be issued for this project and the project may proceed (CDFW 2026b). Pursuant to Fish and Game Code Section 1602, the project implemented must be the same as described and conducted in the same manner as specified in the notification (CDFW 2026b). This includes completing the project within the proposed term and seasonal work period and implementing all avoidance and mitigation measures to protect fish and wildlife resources specified in the notification (CDFW 2026b).

For the reasons discussed above, the proposed project would result in less than significant impacts on riparian habitat and sensitive natural communities. Therefore, no significant impacts related to riparian habitat or sensitive natural communities that are peculiar to the project site would occur; no direct or cumulatively considerable impacts of the proposed project would occur that were not already evaluated by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR; and no new or substantially more severe impacts on the environment would occur beyond what was previously evaluated and disclosed by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

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?

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that land uses and development could result in adverse effects on existing wetlands and other waters (e.g., stream) of the United States and state. Site-specific wetland delineations would be necessary to determine the extent of possible jurisdictional waters where wetlands may be present.

The Countywide Plan included several policies and implementation programs related to the protection of wetlands and other waters in the plan area, such as Policies BIO-1.1 and BIO-2.1, which acknowledge the environmental review process pursuant to CEQA and the importance of protecting sensitive resources such as wetlands and other waters. For example, Policy BIO-1.1 specifically required protection of sensitive biological resources including wetlands through careful environmental review of proposed development applications. Policy BIO-2.2 requires proposed development to be restricted or modified in areas that contain sensitive biological resources including wetlands, as necessary to ensure the continued health and survival of these sensitive areas. In addition, Program BIO-2.a requires a site assessment by a qualified professional when proposed development applications may adversely affect sensitive resources, including wetlands and other waters. Program BIO-3.b requires applications to include the submittal of a wetland delineation for sites with jurisdictional wetlands and to demonstrate compliance with these wetlands policies, standards, and criteria, and with state and federal regulations.

The 2007 Countywide Plan EIR concluded that with adherence to the Countywide Plan policies and programs protecting biological resources and compliance with state and federal law, the impact on wetlands and other waters of the United States and waters of the state was considered less than significant.

Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update determined that development associated with the Housing Element Update could have a substantial adverse effect on wetlands and other waters of the United States and waters of the state, since development could occur on undeveloped or partially developed sites in proximity to wetlands and other waters.

As noted above, the Countywide Plan included many previously adopted policies and implementing programs that serve to protect and preserve wetlands and other waters. The 2023 Housing and Safety Element Update EIR noted that these policies and programs include Policy BIO-2.1, which requires environmental review and adequate mitigation; Policy BIO 2.7, which requires protection of sensitive coastal habitat including coastal wetlands; Policy BIO-3.1, which requires protection of wetlands; and Policy BIO-3.2 and Program BIO-3.e, which require thorough mitigation and provide wetland mitigation criteria. Other policies and programs that apply to this impact are Policy BIO-4.1, Policy BIO-4.2, Policy BIO-4.4, Policy BIO-4.19, Policy BIO-4.20, Program BIO-3.b, and Program BIO-3.d.

The 2023 Housing and Safety Element Update EIR determined that for the Housing Element Update, with adherence to the Countywide Plan policies and programs protecting biological resources and compliance with state and federal law, impacts on wetlands and other waters would be less than significant.

Project-Specific Analysis

The project site contains an intermittent stream corridor with surrounding riparian habitat. Currently, stormwater runoff from existing urban development flows directly into storm drains (i.e., culverts) on the project site on the south side of the stream that discharges into the stream, which is not being filtered and may contain contaminants typically found in urban areas. These pollutants may adversely affect the water quality in the stream and fish habitat at the South Fork of Gallinas Creek, downstream from the project site. The intermittent stream on the project site would be preserved by the proposed project and the natural functions and values of the habitat within the stream corridor would be enhanced compared to the existing condition through restoration, as described in Section 2.2.3, "Creek Restoration." In addition, restoration would include construction of two new culverts in the stream, which could result

in discharge and fill of the stream. As discussed below in Section 4.9, "Hydrology and Water Quality," the project would result in a decrease in stormwater runoff compared to the existing development on the site. Moreover, the project would incorporate permanent storm water control measures consistent with the BASMAA Post-Construction Manual and the Marin County Stormwater Pollution Prevention Program (MCSTOPPP) requirements, as mandated by the Municipal Regional Stormwater NPDES Permit (MRP). The proposed stormwater management strategy would be designed to minimize runoff volume and pollutant loading by implementing Low Impact Development (LID) practices such as bioretention, infiltration, and source control. Stormwater runoff from new and replaced impervious surfaces would be directed to bioretention areas sized in accordance with applicable water quality treatment requirements. Hydromodification management criteria were also evaluated as part of the project design; however, based on the proposed reduction in impervious surface area relative to existing conditions, the project is not anticipated to trigger full hydromodification management requirements. All stormwater control measures would be integrated into the site plan and would be maintained by the HOA in accordance with an approved operations and maintenance (O&M) Plan. Compliance with existing regulations and the implementation of construction and post-construction measures would ensure that the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

In addition, the intermittent stream on the project site qualifies as a federally regulated "other water." A preconstruction notification was submitted by the applicant to the US Army Corps of Engineers (USACE) to inform them of the project. USACE responded with a letter, dated May 13, 2026, stating that based upon the information provided, the project would involve the discharge of dredged or fill material into 0.001 acre of waters of the United States for the construction of two new culverts, subject to Section 404 of the Clean Water Act (USACE 2026). USACE will finalize processing the notification once they receive San Francisco Bay Regional Water Quality Control Board's (RWQCB's) decision regarding the Section 401 Water Quality Certification for the proposed project. Once the USACE notification is processed, the type of permit would be identified by USACE. Permitting through the San Francisco Bay RWQCB is in process and will be completed once the project's CEQA process is completed. As part of the Section 401 certification process, a mitigation and monitoring plan was finalized on July 27, 2026, which would be implemented as part of project activities (Huffman-Broadway Group 2026c). Coordination with USACE and San Francisco Bay RWQCB may result in additional conditions that the applicant shall implement as part of project activities. In addition, stream habitat on the project site is subject to regulation under Section 1602 of the California Fish and Game Code. CDFW deemed the notification process complete and noted that because CDFW did not submit a draft Lake or Streambed Alteration Agreement by August 4, 2026, an agreement will not be issued for this project and the project may proceed (CDFW 2026b). See "Project-Specific Analysis," section under Impact (b) above and Impact (e) below for additional details related to stream habitat and Stream Conservation Area.

For the reasons discussed above, the proposed project would result in less-than-significant impacts on state and federally protected wetlands and other waters. Therefore, no impacts related to state and federally protected wetlands and other waters that are peculiar to the project site would occur; no direct or cumulatively considerable impacts of the proposed project would occur that were not already evaluated by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR; and no new or more severe impacts on the environment would occur beyond what was previously evaluated and disclosed by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

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?

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that land uses and development would result in a substantial reduction in existing habitat, would contribute to further fragmentation of remaining natural areas, and could substantially interfere with the movement of native fish and wildlife species. While most development would occur near existing urban development, collectively, a substantial loss of sensitive wildlife habitat and movement opportunities would occur over time.

The Countywide Plan includes several policies and implementation programs related to the protection of wildlife movement corridors and native nursery sites in the plan area, such as Policies BIO-1.1 and BIO-2.1, which acknowledge the environmental review process pursuant to CEQA and the importance of protecting sensitive biological resources such as wildlife movement corridors and native nursery sites. For example, Policy BIO 1.1 specifically requires protection of sensitive biological resources, including wildlife nursery areas and movement corridors through careful environmental review of proposed development applications. Policy BIO-1.3 requires protection of woodlands, forests, and tree resources; Policy BIO-2.4 requires protection of ecotones or natural transitions between habitat types; and Policy BIO-2.5 requires that important wildlife movement corridors are protected as a condition of discretionary permits. In addition, Policy BIO-2.6 restricts development near sensitive habitat during the nesting season, protecting important native nursery sites. Program BIO-2.a requires a site assessment by a qualified professional when proposed development applications may adversely affect sensitive resources, including wildlife movement corridors and native nursery sites. In addition, Program BIO-2.b provides a comprehensive assessment of habitat fragmentation and connectivity loss, and would include recommendations for policies to protect essential habitat corridors and linkages and to restore and improve opportunities for native plant and wildlife dispersal.

The 2007 Countywide Plan EIR concluded that even with adherence to the Countywide Plan policies and programs protecting biological resources and compliance with state and federal law, mitigation measures would still be required for this impact to be considered less than significant. Mitigation Measure 4.6-4 required the Countywide Plan to be revised to provide expanded minimum boundaries for the proposed Baylands Corridor on the St. Vincent's / Silveira properties and ensure implementation of essential programs necessary to identify and protect important wildlife habitat and movement opportunities. The Baylands Corridor on the St. Vincent's / Silveira properties is located north of the project site, in between San Rafael and Novato. Mitigation Measure 4.6-4(a) required adoption of Option 2 in Map 2-5a of the Countywide Plan to provide for greater consideration of the remaining sensitive biological features on larger undeveloped properties. Mitigation Measure 4.6-4(b) required the County to acquire funding for Program BIO-2.b (Conduct Habitat Connectivity Assessment) and revise the timeframe of its implementation to the medium-term or sooner. With incorporation of these mitigation measures, the impact on wildlife nursery sites and movement corridors was found to be less than significant with mitigation.

Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR determined that development associated with the Housing Element Update could have a substantial adverse effect on wildlife movement corridors and native nursery sites, since development could interfere with the movement of wildlife or result in the loss or reduction of undeveloped or underutilized land that provides movement corridors for wildlife species. In addition, development activities could impair or destroy breeding sites, including removal of active bird nests and bat maternity roosts and development occurring in proximity to potential movement corridors could potentially increase the risk of bird-building collisions.

As noted above, the Countywide Plan included many previously adopted policies and implementing programs that serve to protect and preserve wildlife movement corridors and native nursery sites. The 2023 Housing and Safety Element Update EIR noted that these policies included Policy BIO-1.1, Policy BIO-1.3, Policy BIO-2.1, Policy BIO-2.2, Policy BIO-2.3, Policy BIO- 2.4, and Policy BIO-2.7. These policies require protection of movement corridors, nursery sites, and other areas that may provide these functions. Policy BIO-2.a requires site assessments for development applications that may adversely affect wildlife movement corridors and nursery sites. Policy BIO-2.b requires a comprehensive habitat connectivity assessment and for the development of recommendations for policies to protect corridors and improve plant and wildlife dispersal.

The 2023 Housing and Safety Element Update EIR determined that even with adherence to the Countywide Plan policies and programs protecting biological resources and compliance with state and federal law, mitigation measures would still be required for this impact to be considered less than significant. Mitigation Measure 7-3.1 revised the definition of nesting season in Policy BIO-2.6 (called Policy BIO-2.5 in the mitigation measure) to February 1 through August 31 so that it is consistent with the typical nesting season of most birds in Marin County. In addition, Mitigation Measure 7-3.2 required the County to establish design standards for new construction and redevelopment projects to implement bird-safe features to prevent or reduce avian collision risks with glass windows, which will be

consistent with the American Bird Conservancy recommendations. With incorporation of these mitigation measures, the impact on wildlife nursery sites and movement corridors was considered less than significant with mitigation.

Project-Specific Analysis

The stream and riparian corridor on the project site serve as a wildlife movement corridor. As described in the Biological Site Assessment (Appendix BIO-1), this wildlife corridor would be preserved under the proposed project and the natural functions and values of the habitat within the riparian corridor would be enhanced compared to the existing condition through restoration of the riparian area, as described in Section 2.2.3, "Creek Restoration." This includes removing a wildlife barrier fence along the top-of-bank of the stream that currently impedes wildlife movement. Therefore, impacts on wildlife movement corridor would remain less than significant.

Common bat roosts, which are typically also bat nurseries, could be present on the project site. Demolition of buildings and project construction activities could result in removal or disturbance of bat roosts, or injure or kill individuals roosting on the project site. Section 22.20.040(F) of the Marin County Code outlines required protection measures for roosting bats. Outdoor construction activities that involve tree removal in an area where a biological assessment has identified a high probability of roosting bats on site are subject to requirements before and during site preparation and construction activities, unless separate project mitigation measures have been adopted that override these requirements. These standards apply only to tree removal that takes place during the bat roosting seasons of March 1 through April 15 or September 1 through October 15. Trees identified as containing roost habitat shall be removed using a two-step process, if they are removed during the roosting seasons. On the first day, the tree shall be felled and left overnight before the felled tree is removed the following day or later. A qualified biologist shall be responsible for overseeing the removal of trees that provide bat habitat and submit written confirmation to the County verifying that these measures have been implemented.

Impacts on common roosting bats would be addressed through implementation of the bat protection measures adopted by the applicant and described in the Biological Site Assessment, which for this document will be referred to as Protection Measure BIO-9. Protection Measure BIO-9 (see Biological Site Assessment Section 5.4, "Animal Populations") requires that a bat habitat assessment be conducted by a bat biologist prior to construction to determine if habitat for bats is present within structures slated for demolition or trees slated for removal and development of strategies to achieve humane removal of bats if present. In addition, Protection Measure BIO-9 outlines parameters as to when common bats can safely be evicted from a roost site, avoiding the season where common bats are reproducing. The project would also need to comply with Section 22.20.040(F) of the Marin County Code which requires trees to be felled with particular methods during certain times of year, and that a qualified biologist monitor the felling of trees that provide bat habitat and provide written confirmation to the County that these measures were implemented. See Section 5.4, "Animal Populations," of the Biological Site Assessment (Appendix BIO-1) for further details on this measure. With implementation of Protection Measure BIO-9, impacts on common bats would be minimized and remain less than significant.

As discussed above, the proposed project would not result in significant impacts on wildlife movement corridors. In addition, by complying with Protection Measure BIO-9 as outlined in Section 5.4, "Animal Populations," of the Biological Site Assessment (Appendix BIO-1), the proposed project would result in less than significant impacts on native nursery sites. Therefore, no impacts related to wildlife movement corridors or native nursery sites exist that are peculiar to the project site; no direct or cumulatively considerable impacts of the proposed project would occur that were not already evaluated by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR; and no new or more severe impacts on the environment would occur beyond what was previously evaluated and disclosed by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

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

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that while development under the Countywide Plan may adversely affect sensitive biological resources in some locations, mitigation would be required by the County and trustee agencies

where significant impacts are identified. Policies and programs in the Natural Systems and Agriculture Element include conducting a site assessment (e.g., Program BIO-2.a), complying with agency requirements (e.g., Program BIO-3.b), and providing adequate mitigation where sensitive biological resources may be adversely affected (Policy BIO-2.1). The 2007 Countywide Plan EIR noted that any significant impacts would be identified for discretionary projects, and appropriate mitigation required as part of approval. Several programs in the Countywide Plan require reassessment of the effectiveness of resource protection, allowing for the updating of known information and mapping, and re-evaluation of current ordinances. For example, Program BIO-1.c would require updating information on natural resource education and native species protection and Program BIO-1.d would require re-evaluation of the County's Tree Ordinance to focus on preservation of woodland habitat, not simply individual trees.

The 2007 Countywide Plan EIR concluded that with adherence to the Countywide Plan policies and programs protecting biological resources and compliance with state and federal law, that no conflict with local policies and ordinances would occur, and therefore a less than significant impact would occur.

Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR evaluated conflicts related to local policies and ordinances and notes that development activities could result in the removal of an unknown number of trees, some of which may qualify as protected trees under the Marin County Native Tree Preservation and Protection Ordinance. Similarly, development could result in impacts on streams subject to the Stream Conservation Area Ordinance for San Geronimo Valley.

The 2023 Housing and Safety Element Update EIR noted that the County and other project proponents would be required to comply with County ordinances as well as Countywide Plan policies and programs, as applicable, that require local planning and development decisions to consider impacts on biological resources. Therefore, the 2023 Housing and Safety Element Update EIR concluded that no impact or conflict was anticipated for the Housing Element related to local policies and ordinances.

Project-Specific Analysis

The Marin Countywide Plan has specific restrictions for activities in SCAs to protect the active channel, water quality, and flood control functions and associated fish and wildlife habitat values along the stream. Exceptions to full compliance may be allowed if the parcel falls entirely within the SCA, or development on the parcel entirely outside the SCA is infeasible, or would have greater impact on water quality, wildlife habitat, or other environmental constraints.

Based upon guidelines in the Marin Countywide Plan, to comply with the Stream Conservation Area policies on the project site, setbacks from the stream would need to extend to a minimum of 50 feet on the east side and 100 feet on the west side from the top of bank of the creek (Appendix BIO-3). Because of the small size of the project site, the stream alignment crossing within the interior of the project site, and the allowable number of dwelling units on the site from both basic Zoning District provisions and State Density Bonus Law, it would not be feasible to develop the proposed number of housing units and retain the minimum SCA setback requirements from the Countywide Plan.

As discussed in Section 2.2.7, "Project Incentives, Concessions, and Waivers, because the project would provide seven income-restricted below-market-rate units, representing 20 percent of the proposed units, the project qualifies for consideration under the State Density Bonus Law, and the applicant is requesting a waiver under the State Density Bonus Law of the otherwise applicable SCA development standards. With the requested waiver for development setbacks as outlined in Countywide Plan Policy BIO-4.1, the project would be permitted to deviate from the otherwise applicable SCA setback requirements to the extent authorized by the waiver while remaining consistent with the site's Countywide Plan land use designation and zoning. While inconsistency with a Countywide Plan policy intended to protect the environment, like the SCA policy, could be a factor in determining a significant environmental effect under CEQA and the proposed project could not feasibly avoid this inconsistency, the waiver from the SCA development standards in accordance with State Density Bonus Law would obviate the SCA policy inconsistency.

While inconsistency with SCA setback requirements cannot be feasibly avoided, the physical environmental conditions of the stream and riparian corridor would be improved, so no significant effect to the stream's natural

functions and qualities would occur. As noted in the Stream Conservation Area Evaluation (Appendix BIO-3), which was developed by the applicant in compliance with Countywide Plan Program BIO-4.g, current site conditions do not support a functioning stream or protect the active channel, water quality, flood control functions, or associated fish and wildlife habitat values as envisioned by the goals of the Marin Countywide Plan due to the existing urban development abutting the creek and fence along the top-of-bank of the creek impeding wildlife movement. The project would improve the functions and values of the stream, compared to existing conditions, including restoration of portions of the riparian area, but the setback requirements of the SCA cannot be feasibly attained on the approximately 6-acre site while also achieving the project objectives for provision of housing. The restoration elements of the project would allow the SCA policies to be partially met restoring a functioning stream of varying widths along the western and eastern boundaries resulting in improved protection of the creek channel, water quality, flood control functions and associated wildlife habitat values along the creek.

As described in Section 2.2.2, "Landscape and Hardscape Improvement," the project would preserve 107 trees (40 Heritage trees, 23 Protected trees, 5 Street trees) and remove 51 trees from the project site including seven Protected trees and 17 Heritage trees, none of which are located in the riparian zone (Appendix BIO-5). Marin County Code Section 22.26.040 requires a management plan which designates areas of the property for preservation of stands of trees or saplings and replacement plantings as required, which is addressed in the Riparian Planting Plan (Appendix BIO-3). In addition, a Tree Removal Permit is required for tree removal, although there are exceptions for this requirement. The removal of any protected or heritage tree on a lot is exempt from Tree Removal Permit requirements if the general health of the tree is so poor due to disease, damage, or age that efforts to ensure its long-term health and survival are unlikely to be successful. The project would acquire a Tree Removal Permit for any trees slated for removal that do not fit this exception. In addition, the project would implement the Tree Preservation Guidelines found in the Arborist Report (Appendix BIO-2) to reduce impacts on trees from development and maintain their health and structural stability through the clearing, grading, and construction phases. The implementation of arborist recommendations related to tree replacement and tree protection, as well as acquiring Tree Removal Permits, as applicable, would ensure compliance with Marin County Code Section 22.26.040.

As such, the proposed project would not result in significant impacts related to conflicts with local policies and ordinances. The 2023 Housing and Safety Element Update EIR noted that the County and other project proponents would be required to comply with County ordinances as well as Countywide Plan policies and programs, as applicable, that require local planning and development decisions to consider impacts on biological resources, which applies to this project. Therefore, with approval of the requested SCA development standard waiver and implementation of the proposed riparian restoration, tree protection, and other project features described above, the project would not result in a significant environmental impact due to a conflicts with local policies and ordinances protecting biological resources that are peculiar to the project site. No direct or cumulatively considerable impacts of the proposed project would occur that were not already evaluated by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR; and no new or more severe impacts on the environment would occur beyond what was previously evaluated and disclosed by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

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?

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that land uses and development activities would not conflict with any adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP), or other approved conservation plan. No such conservation plans had been adopted encompassing all or portions of Marin County, and therefore, it was concluded that no impact was anticipated.

The 2007 Countywide Plan EIR did note that Marin County is participating in the FishNet4C Program, which is a County-based, regional salmonid protection and restoration effort intended to meet the requirements of ESA in protecting anadromous salmonids and their habitats. However, since certification of the 2007 Countywide Plan EIR,

the mitigation measure that required participation in the FishNet4C Program has been completed and the FishNet4C Program organization no longer exists. Work involving aquatic habitat restoration and improvement for listed anadromous fish species and other fishery resources is now managed by the Marin Resource Conservation District.

Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR concluded that development activities would not conflict with any adopted HCP, NCCP, or other approved conservation plan. No such conservation plans had been adopted encompassing all or portions of Marin County.

The 2023 Housing and Safety Element Update also notes, as discussed above, that the County participates in the FishNet4C Program. As described above, since certification of the 2007 Countywide Plan EIR, the FishNet4C Program organization no longer exists, and work involving aquatic habitat restoration and improvement for listed anadromous fish species and other fishery resources is now managed by the Marin Resource Conservation District. The County would continue to participate in this program and ensure that projects that are implemented through the adoption of the Housing Element and Safety Element Update would not conflict with this program.

Project-Specific Analysis

No adopted HCPs, NCCPs, or other approved conservation plans overlap the project site. Therefore, no conflict or impact would occur for the proposed project related to HCPs, NCCPs, or other approved conservation plans.

4.4.2 Applicable 2007 and 2023 EIR Mitigation Measures

The following mitigation measure from the 2023 Housing and Safety Element Update EIR would be applicable to the proposed project and is outlined below.

Mitigation Measure 7-3.1 (Housing Element): Revises the definition of nesting bird season in Policy BIO-2.6 (called Policy BIO-2.5 in the mitigation measure) to February 1 through August 31 so that it is consistent with the typical nesting season of most birds in Marin County.

4.4.3 Conclusion

The Biological Site Assessment uses the nesting bird season defined in Mitigation Measure 7-3.1 of the 2023 Housing and Safety Element Update EIR. With the requested waiver for development setbacks as outlined in Countywide Plan Policy BIO-4.1 and implementation of Protection Measures BIO-1 through BIO-9 described in the Biological Site Assessment (Appendix BIO-1), as well as Mitigation Measure 7-3.1 of the 2023 Housing and Safety Element Update EIR, no impacts related to biological resources exist that are peculiar to the project site; no direct or cumulatively considerable impacts of the proposed project would occur that were not already evaluated by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR; and no new or more severe impacts on the environment would occur beyond what was previously evaluated and disclosed by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.5 CULTURAL AND TRIBAL CULTURAL RESOURCES

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	No	No	No	No
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	No	No	No	No
c) Substantially disturb human remains, including those interred outside of dedicated cemeteries?	No	No	No	No
d) 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, and that is:	No	No	No	No
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	No	No	No	No
ii) 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.	No	No	No	No

4.5.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that land uses and development consistent with the Countywide Plan could result in disturbance of historical resources due to demolition, destruction, alteration, structural relocation, or lack of management. The policies and programs of the Countywide Plan would reduce the adverse changes to historical resources. Policies and programs from the Socioeconomic Element include requirements for identifying and documenting historical resources, nominating potential resources for inclusion in State and federal lists, creating a body to review projects that would adversely affect historical resources, and by obtaining funding and providing economic incentives to preserve such resources. Other policies encourage the County to consult local historical societies which would reduce adverse effects to undesignated historical resources as potential sites would be identified during surveys or recommended through community involvement. The Countywide Plan policies also would limit the ability to modify historical structures and encourage owners to preserve historical resources through incentives programs that facilitate restoration, promote adaptive re-use, and partner with private owners to support rehabilitation of historical structures. The County would support public awareness and support community involvement in preservation through installation of markers and plaques on County roadways and structures.

Mitigation Measure 4.11-1 identified in the 2007 Countywide Plan EIR requires the County to obtain funding for these programs and revise the timeline for program implementation for medium term or sooner. With implementation of policies, programs, and mitigation measures, the 2007 Countywide Plan EIR concluded that impacts on historical resources would be less than significant.

The land uses and development consistent with the Countywide Plan could also result in disturbance of subsurface archeological and paleontological resources as well as human remains, including those interred outside of formal cemeteries. Many known and not yet discovered archaeological resources exist within Marin County and could be disturbed by ministerial projects that are not subject to review procedures, agricultural activities, excavation and grading activities. The Countywide Plan contains policies and programs to reduce adverse changes to the significance of an archeological resource. These policies and programs direct the County to update sensitivity maps for potential locations of archeological resources, survey and evaluate existing archeological resources every three years, require archeological surveys for new development by State-qualified archeologist, and provide permanent protection of archeological sites by requiring development to avoid the resource and establishing deeded open space. Policies and programs also require the County to involve appropriate authorities and implement tribal consultation requirements. Policies and programs that establish and provide for development setbacks in Stream Conservation Areas and existing riparian vegetation would also minimize or avoid ground disturbance in these areas. For projects located within a designated cultural resources sensitivity area, the County would require engagement with the California Historical Resources Information System (CHRIS)/Northwest Information Center (NWIC) including fulfilling requests for an archeological survey and incorporation of site-specific recommendations. With implementation of Countywide Plan goals and policies, the 2007 Countywide Plan EIR determined that impacts on archeological and cultural resources would be less than significant.

4.5.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

For impacts related to destruction or degradation of historical resources, the 2023 Housing and Safety Element Update EIR concluded that future development could cause adverse changes that would be significant and unavoidable. Discretionary development proposals facilitated by the Housing and Safety Element Update have the potential to result in a substantial adverse change to a historical resource unless an evaluation by a qualified professional in accordance with CEQA Guidelines Section 15064.5 determines whether the project would have new or substantially more severe impacts to historical resources. Additional Mitigation Measure 8-1 identified in the 2023 Housing and Safety Element Update EIR requires that, where the County determines a project may affect a property containing a potentially significant resource, the resource be assessed by a professional who meets the Secretary of the Interior's Professional Qualifications Standards to determine its significance and whether the project would result in a potentially significant adverse effect. Mitigation Measure 8-1(a-e) specify requirements for the assessment of historical resources, relocation of historical resources when necessary, documentation of historical resources, retention and reuse of the historical resource, methods for planned deconstruction to preserve features and materials for reuse, and public interpretation of resources. Although these measures may reduce a potentially significant impact, the 2023 Housing and Safety Element Update EIR found that all potentially historical resources and future individual development proposals are not known and the County cannot determine with certainty that measures outlined in Mitigation Measure 8-1 would be considered feasible; therefore, this impact was found to be significant and unavoidable.

Development facilitated by the Housing and Safety Element Update could also disturb unrecorded sensitive archaeological resources and tribal cultural resources in the Planning Area. The County would comply with State Health Safety Code Section 7050.5 if human remains are found. The County would also conduct tribal consultation in accordance with State law. Multiple policies direct the County to preserve, provide identification, and promote awareness of risks to historical resources. Thus, the 2023 Housing and Safety Element Update EIR concluded that compliance with existing Countywide Plan policies, State laws, and County Code requirements would ensure impacts on potential archaeological resources, human remains, and tribal cultural resources would be less than significant.

4.5.3 Project-Specific Analysis

The buildings at 150 and 160 N. San Pedro Road have been evaluated for California Register of Historical Resources (CRHR) eligibility and have been recommended ineligible. The buildings do not appear to be eligible for listing in the CRHR as they are not associated with events that have made a significant contribution to history (Criterion 1), do not have any direct associations with any individuals significant to history (Criterion 2), are without noteworthy architectural qualities (Criterion 3), and are not likely to yield any additional important information about our history (Criterion 4). Therefore, the buildings are not historical resources for the purposes of CEQA (Archaeological Resource Management 2026).

On June 6, 2025, a records search was conducted at the NWIC (File Number 24-1937). The NWIC search revealed that one precontact archaeological site has been documented within a quarter-mile radius of the project site and a second precontact archaeological site was documented within the project site. On June 16, 2025, the project site was surveyed by a registered professional archaeologist using intensive survey coverage with transects no greater than 15-meter intervals. No archaeological materials were observed during the survey. Further research revealed that the previously mapped boundaries for the archaeological resource identified within the project site were inaccurate and that that the surface component of the archaeological site does not extend into the project site. Therefore, the boundaries of the archaeological site were revised to be located outside the project site. Additionally, the specific geomorphology of the project area, as shown in the geoarchaeological study and soil cores, indicates that the project area has a reduced sensitivity to contain cultural resources. Based on the geotechnical study and the geoarchaeological assessment, the potential for encountering subsurface archaeological deposits is considered low. Nevertheless, given the proximity of nearby archaeological resources, it is recommended that both an archaeologist and a tribal monitor be present during the monitoring of ground disturbance within the project site (Alta Archaeological Consulting 2026).

Marin County contacted the Native American Heritage Commission (NAHC) on July 24, 2025 for a list of California Native American tribes traditionally affiliated with the project area and a search of the Sacred Land File (SLF). The NAHC responded on July 28, 2025 indicating that no sites in the project area were identified in the SLF and providing the following tribal contacts:

- Federated Indians of Graton Rancheria (FIGR)
- Guidiville Rancheria of California
- Muwekma Ohlone Tribe of the San Francisco Bay Area (MOTI)

The County emailed tribal consultation notices to FIGR, the Guidiville Rancheria of California, and MOTI on May 19, 2026 and follow-up emails on June 3, 2026. On June 5, 2026, MOTI responded, accepting and requesting to consult on this project. The County met with MOTI on June 22, 2026; MOTI requested tribal monitoring during ground disturbing activities. On June 26, 2026, FIGR responded to the County's notification, accepting and requesting to consult on this project. Marin County met with FIGR on July 14, 2026; no additional mitigation was requested. No response has been received from the Guidiville Rancheria of California to date.

Because the project would be consistent with all applicable County policies, programs, and codes pertaining to cultural or tribal cultural resources, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. Additionally, the project includes the recommended archaeological and tribal monitoring. There are no effects related to cultural or tribal cultural resources that would be peculiar to the project or subject parcel that would alter the cultural or tribal cultural resources impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.5.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures from the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR would be applicable to the proposed project.

4.6 GEOLOGY AND SOILS

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	No	No	No	No
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to California Geological Survey Special Publication 42.)	No	No	No	No
ii) Strong seismic ground shaking?	No	No	No	No
iii) Seismic-related ground failure, including liquefaction?	No	No	No	No
iv) Landslides?	No	No	No	No
b) Result in substantial soil erosion or the loss of topsoil?	No	No	No	No
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?	No	No	No	No
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?	No	No	No	No
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	No	No	No	No
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	No	No	No	No

4.6.1 Summary of 2007 Countywide Plan EIR Significance Determinations

GEOLOGIC HAZARDS

The 2007 Countywide Plan EIR states that implementation of the Countywide Plan would result in land uses and development in West Marin that would be located on the active trace of the San Andreas Earthquake Fault zone. However, residential development located within the Housing Overlay designation in the City-Centered Corridor would not be affected by known active fault traces. The 2007 Countywide Plan includes policies and programs to address fault-related hazards, including increasing public awareness; facilitating preparedness; continually updating hazard related information as it becomes available; maintaining communication systems and response resources; increasing disaster awareness efforts; promoting community involvement and structural safety; appropriately locating emergency service facilities and public structures; and developing evacuation plans to ensure effective emergency

and disaster preparedness. Additionally, the Marin County Code includes provisions to reduce impacts associated with surface fault rupture. The 2007 Countywide Plan EIR determined that although implementation of policies and programs would reduce the adverse effects of surface fault rupture as well as other geologic hazards, surface fault rupture could still affect structures that meet only the minimum requirements of the Alquist-Priolo Earthquake Fault Zone Act. Therefore, the 2007 Countywide Plan EIR concluded that future development facilitated by implementation of the Countywide Plan would result in significant impacts related to surface fault rupture at both the project level and cumulatively. To address this impact, the 2007 Countywide Plan EIR included Mitigation Measure 4.7-1(a)-(c) requiring the County to revise Policy EH-2.2 (Comply with the Alquist-Priolo Act) and Program EH-2.d (Limit Building Sites in Alquist-Priolo Zones), add a new program requiring the development of strategies to reduce the effects of geologic hazards on critical public lifelines and evacuation routes, and continue to implement County ordinances requiring geologic assessments. The 2007 Countywide Plan EIR determined that, despite the implementation of policies, programs, and mitigation measures, structures exempted in the Alquist-Priolo Fault Zone Act and any lifelines or access (evacuation) routes that cross the San Andreas Fault Zone would still be exposed to geologic hazards. Thus, the 2007 Countywide Plan EIR concluded that both project-level and cumulative impacts would remain significant and unavoidable.

For impacts related to seismic ground shaking, the 2007 Countywide Plan EIR states that implementation of the Countywide Plan would expose people and structures to strong seismic ground shaking due to rupture of active faults in the San Francisco Bay area. The deposits that would experience the strongest shaking amplification underlie a significant portion of the City-Centered Corridor. The 2007 Countywide Plan includes policies and programs to address seismic ground shaking, including requiring retrofitting County buildings, promoting structural safety (e.g., requiring automatic gas shut off), and locating emergency services appropriately. Additionally, the Marin County Code includes provisions to reduce impacts associated with seismic ground shaking. The 2007 Countywide Plan EIR determined that although implementation of policies and programs would substantially reduce impacts related to seismic ground shaking, they would only address high occupancy and County structures. Additional measures would be necessary to ensure the seismic safety of all new structures. Therefore, the 2007 Countywide Plan EIR concluded that future development facilitated by implementation of the Countywide Plan would result in significant impacts related to seismic ground shaking at both the project and cumulative levels. To address this impact, the 2007 Countywide Plan EIR included Mitigation Measure 4.7-2(a)-(d) requiring the County to revise Policy EH-2.3 (Ensure Safety of New Structures) and Programs EH-2.e (Retrofit County Buildings), PS-3.f (Promote Structural Safety), and PS-3.g (Locate Emergency Services Facilities Appropriately), add a new program to systemically assess damaged and collapsed buildings after a damaging earthquake, obtain funding for revised Program EH-2.e, and continue to implement County ordinances related to seismic requirements. The 2007 Countywide Plan EIR determined that, despite the implementation of policies, programs, and mitigation measures, strong seismic ground shaking could still damage buildings. Thus, the 2007 Countywide Plan EIR concluded that project-level and cumulative impacts would remain significant and unavoidable.

For impacts related to seismic-related ground failure, the 2007 Countywide Plan EIR states that implementation of the Countywide Plan would result in damage to or destruction of new development and redevelopment by one or more of the various types of seismic-related ground failure: liquefaction-related ground failure, dynamic compaction, dynamic displacement, or tectonic deformation. The area with the greatest number of potential housing units exposed to very-high liquefaction susceptibility would be the area between North San Pedro Road and the South Fork of Gallinas Creek. Portions of this area are underlain by artificial fill over marsh deposits. The 2007 Countywide Plan includes policies and programs to address fault-related hazards, including minimizing grading and requiring avoidance of hazard areas, preparing geotechnical reports, construction certification, avoidance of landslides and compressible soils, and consultation with qualified professionals. Additionally, the Marin County Code includes provisions to reduce impacts associated with seismic related ground failure. The 2007 Countywide Plan EIR determined that although implementation of policies and programs would reduce adverse effects related to seismic-related ground failure, future development facilitated by implementation of the Countywide Plan would result in significant impacts at both the project level and cumulatively. To address this impact, the 2007 Countywide Plan EIR included Mitigation Measure 4.7-3(a)-(c) requiring the County to revise Programs EH-2.a (Require Geotechnical Reports) and Program EH-2.b (Require Construction Certification), add a new program requiring the creation of

Geologic Hazard Area maps, and continue to implement County ordinances addressing seismic-related ground failure. The 2007 Countywide Plan EIR determined that, despite the implementation of policies, programs, and mitigation measures, the potential for structural damage, injuries, or death from seismic related ground failure would not be eliminated. Thus, the 2007 Countywide Plan EIR concluded that project-level and cumulative impacts would remain significant and unavoidable.

For impacts related to landslides, the 2007 Countywide Plan EIR states that implementation of the Countywide Plan would expose people and structures to adverse effects of landsliding, including the risk of loss, injury, or death from slow or rapid gravity driven earth movement. This hazard is prevalent in the hillsides of Marin County. The 2007 Countywide Plan includes policies and programs to address landslide hazards, including continuing to prohibit or minimize development in landslide areas and on preexisting landslides, except in cases where this hazard could be mitigated. Additionally, the Marin County Code includes provisions to reduce impacts associated with landsliding. The 2007 Countywide Plan EIR determined that although implementation of policies and programs would substantially reduce impacts related to landslides, they would not prevent or reduce the on-going problems associated with landslides. Therefore, the 2007 Countywide Plan EIR concluded that future development facilitated by implementation of the Countywide Plan would result in significant impacts related to landslides both at the project level and cumulatively. To address this impact, the 2007 Countywide Plan EIR included Mitigation Measures 4.7-4(a)-(b) requiring the County to adopt and implement revised Program EH-2.a (Require Geotechnical Reports) and EH-2.b (Require Construction Observation and Certification), add a new program requiring the creation of Geologic Hazard Area maps, and continue to implement County ordinances related to landslide hazards. The 2007 Countywide Plan EIR determined that, despite the implementation of policies, programs, and mitigation measures, source areas of debris flows and landslides in the County would not be eliminated. Thus, the 2007 Countywide Plan EIR concluded that project-level and cumulative impacts would remain significant and unavoidable.

For impacts related to subsidence and settlement, the 2007 Countywide Plan EIR states that implementation of the Countywide Plan would expose structures to ground subsidence and settlement. Damage to structures and improvements could be substantial as deposits prone to subsidence and settlement are present throughout the County, especially in the flatland areas adjacent to the bay. The 2007 Countywide Plan includes policies and programs to address hazards related to subsidence and settlement, including requiring geotechnical reports to delineate the presence and extent of compressible soils that would be susceptible to subsidence and settlement and require mitigating measures. Additionally, the Marin County Code includes provisions to reduce impacts associated with settlement and subsidence. The 2007 Countywide Plan EIR determined that although implementation of policies and programs would substantially reduce impacts related to settlement and subsidence, exposure of people and structures to the adverse effects of subsidence and settlement would not be reduced to a less-than-significant level. Therefore, the 2007 Countywide Plan EIR concluded that future development facilitated by implementation of the Countywide Plan would result in significant impacts related to subsidence and settlement. However, because of the localized nature of impacts related to subsidence and settlement, the 2007 Countywide Plan EIR concluded that cumulative impacts would not be significant. To address impacts resulting from implementation of the Countywide Plan, the 2007 Countywide Plan EIR included Mitigation Measures 4.7-5(a)-(c) requiring the County to adopt and implement revised Program EH-2.a (Require Geotechnical Reports) and EH-2.b (Require Construction Observation and Certification), add a new program requiring the creation of Geologic Hazard Area maps, revise the timeframe for implementation of Program EH-2.g, and continue to implement County ordinances addressing subsidence and settlement. Accordingly, the 2007 Countywide Plan EIR determined that implementation of policies, programs, and mitigation measures would reduce this impact to less-than-significant.

SOILS

The 2007 Countywide Plan EIR states that implementation of the Countywide Plan would expose structures to substantial adverse effects of expansive soils, including the risk of damage and possible loss of structures and property improvements. This hazard is prevalent in Marin County, especially in the flatland areas adjacent to the bay. The Marin County Code includes provisions to reduce impacts associated with expansive soils. However, the 2007 Countywide Plan does not include policies or programs to address hazards related to expansive soils. Therefore, the

2007 Countywide Plan EIR concluded that future development facilitated by implementation of the Countywide Plan would result in significant impacts related to expansive soils. However, because of the localized nature of impacts related to expansive soils, the 2007 Countywide Plan EIR concluded that cumulative impacts would not be significant. To address project-level impacts, the 2007 Countywide Plan EIR included Mitigation Measures 4.7-6(a)-(b) requiring the County to adopt and implement revised Program EH-2.a (Require Geotechnical Reports) and EH-2.b (Require Construction Observation and Certification), add a new program requiring the creation of Geologic Hazard Area maps, and continue to implement County ordinances addressing soil conditions. Accordingly, the 2007 Countywide Plan EIR determined that implementation of policies, programs, and mitigation measures would reduce this impact to less-than-significant.

Additionally, the 2007 Countywide Plan EIR determined that implementation of policies, programs, and mitigation measures would reduce impacts related to on-site waste disposal systems to less than significant. Although the 2007 Countywide Plan EIR states that implementation of the Countywide Plan could require the use of on-site waste disposal systems such as septic tank systems or other alternative wastewater disposal systems, parcels within the Housing Overlay designation in the City-Centered Corridor would have access to sewer systems. Therefore, adverse effects related to the capability of soils for on-site waste disposal systems would be avoided for parcels within the Housing Overlay designation in the City-Centered Corridor.

PALEONTOLOGICAL RESOURCES

The 2007 Countywide Plan EIR states that implementation of the Countywide Plan could result in the disturbance of subsurface paleontological resources. The 2007 Countywide Plan includes policies and programs to address paleontological resources, including sending a referral to the CHRIS/NWIC or other authority for new discretionary development proposals, and requiring a paleontological survey from the project applicant if requested by the CHRIS/NWIC. Accordingly, the 2007 Countywide Plan EIR concluded that the proposed Countywide policies and programs would ensure that potential project-level and cumulative impacts on paleontological resources would be less than significant.

4.6.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

GEOLOGIC HAZARDS

The 2023 Housing and Safety Element Update EIR states that part of the western County includes a known earthquake fault (e.g., San Andreas Fault) that is delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map. Development facilitated by the Housing and Safety Element Update in known earthquake areas could be at risk from earthquake fault rupture. However, the 2023 Housing and Safety Element Update EIR concluded that proposed policies and implementing programs addressing risk due to earthquake fault rupture and compliance with the County's seismic building standards for development within an Alquist-Priolo Zone would ensure that project-level and cumulative impacts related to the risk of property loss or hazards to occupants of future development facilitated by the Housing and Safety Element Update would be less than significant.

Additionally, the 2023 Housing and Safety Element Update EIR states that development facilitated by the Housing Element Update and the Safety Element Update could experience strong seismic ground shaking and related effects in the event of an earthquake on the regional fault system, although neither element would exacerbate the existing risk of strong seismic ground shaking. The 2023 Housing and Safety Element Update EIR concluded that proposed policies and implementing programs designed to reduce risk of property loss or hazards to occupants due to strong seismic ground shaking and compliance with the most recent California Building Standards Code, as adopted by the County, would ensure that project-level and cumulative impacts related to the risk of property loss or hazards to occupants of future development facilitated by the Housing and Safety Element Update would be less than significant.

Moreover, the 2023 Housing and Safety Element Update EIR states that development facilitated by the Housing and Safety Element Update in locations with potential risk of differential settlement, liquefaction, lateral spreading, landslides, and subsidence, if not properly engineered, could result in associated significant damage to project buildings, other improvements, and adjacent property, with direct or indirect risks to life or property. However, the 2023 Housing and Safety Element Update EIR concluded that proposed policies and implementing programs designed to reduce risk due to ground instability and compliance with the County's grading and building requirements would ensure that impacts related to ground instability would be less than significant.

SOILS

The 2023 Housing and Safety Element Update EIR states that development facilitated by the Housing and Safety Element Update would include grading and construction activities that could result in minor erosion or the minor loss of some topsoil. However, the 2023 Housing and Safety Element Update EIR concluded that proposed policies and implementing programs designed to reduce erosion and loss of topsoil and compliance with the County's grading and erosion control requirements would ensure that impacts related to soil erosion and loss of topsoil would be less than significant.

For potential housing in areas without sanitary sewer service facilitated by the Housing Element Update, the 2023 Housing and Safety Element Update EIR concluded that compliance with established County procedures regulating alternative wastewater disposal systems would ensure that impacts related to soil incompatibility for use of septic tank or alternative wastewater disposal systems would be less than significant.

PALEONTOLOGICAL RESOURCES

The 2023 Housing and Safety Element Update EIR states that development facilitated by the Housing and Safety Element Update could result in disturbance of unrecorded paleontological resources. However, the 2023 Housing and Safety Element Update EIR concluded that compliance with Marin County Code Section 22.20.040(E) would ensure that any potential impacts on paleontological resources from future development facilitated by the Housing and Safety Element Update would be less than significant.

4.6.3 Project-Specific Analysis

In accordance with Countywide Plan Implementing Program EH-2.a and Marin County Code Section 22.100.040, a Geotechnical and Geological Feasibility Investigation (Geotechnical Investigation) was completed for the proposed project to evaluate site-specific geologic conditions (Appendix GEO-1). The Geotechnical Investigation consisted of subsurface testing and engineering analyses to provide project-specific recommendations for addressing geologic conditions on the site. The following is summarized from the project Geotechnical Investigation.

The project site is in a seismically active area due to the presence of the Hayward Fault and San Andreas Fault located to the northeast and southwest, respectively. The closest active fault to the project site is the Hayward Fault, approximately 7.5 miles to the northeast. The project site is not within an Earthquake Fault Zone as defined by the Alquist-Priolo Earthquake Fault Zoning Act, and no known active or potentially active faults exist on the site. Thus, the potential for surface rupture and secondary ground failure is very low, and the project would not exacerbate these existing seismic hazards. Additionally, the project site is within an area identified as having moderate liquefaction susceptibility. Finally, the project site contains moderately expansive soils. Project design would incorporate the project-specific recommendations of the project's Geotechnical Investigation, which was prepared in accordance with Countywide Plan Implementing Program EH-2.a and Marin County Code Section 22.100.040, and would comply with the County's grading and building standards, which include the latest version of the CBC, to address seismic related hazards, including liquefaction, and ensure that the project would not exacerbate these conditions. These standards would also address the potential for erosion and the loss of topsoil and exacerbation of hazards related to expansive soils. Moreover, the project would be connected to sanitary sewer and does not propose the use of alternative wastewater disposal systems.

Regarding paleontological resources, the project site geology is mapped as Holocene-age alluvium (Qha). Subsurface exploration conducted as part of the Geotechnical Investigation indicates that the project site is underlain by approximately 6 feet of artificial fill above the natural ground surface. During the geologic reconnaissance, sandstone bedrock was identified within the creek channel in the southeastern part of the property. The sandstone is overlain by alluvium or debris flow deposits consisting of gravel with sand and clay alluvium. In this area, the overlying deposits are approximately 4 to 5 feet thick. The center of the property is characterized by a prominent knoll of resistant yellow-red and light gray "old" alluvium (Qoa) that contains abundant cobbles and boulder of sandstone and white chert that is exposed in a cut along the northern side of the knoll. As discussed in the 2007 Countywide Plan EIR, the Holocene unit is typically not considered paleontologically sensitive because of the geological youth of the remains which would be too young to be fossilized. Even so, these deposits may contain remains that are lifted from older deposits by the movement of the geologic units. Thus, while the probability is small, there is a potential that ground-disturbing construction activities for the project could encounter paleontological resources. In the event of an unanticipated discovery of paleontological resources, the project would be required to comply with County Code 22.20.040 and cease construction activities until the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may occur in compliance with State, Federal, and local regulations.

Because the project would be consistent with all applicable County policies, programs, and codes pertaining to geologic design standards and paleontological resources, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no effects related to geology and soils that would be peculiar to the project or subject parcel that would alter the geology and soils impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.6.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures from the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR would be applicable to the proposed project.

4.7 ENERGY AND GREENHOUSE GAS EMISSIONS

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	No	No	No	No
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No	No	No	No
c) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	No	No	No	No
d) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	No	No	No	No

4.7.1 Summary of 2007 Countywide Plan EIR Significance Determinations

In 2018, Appendix G of the State CEQA Guidelines was updated to include a separate section with new questions associated with evaluating a project's potential impacts related to energy. The 2007 Countywide Plan EIR was certified prior to the 2018 update and, therefore, did not include a separate section for energy. Rather, impacts related to the construction of new energy production and/or transmission facilities or the expansion of existing facilities are discussed in Section 4.10, "Public Services" of the 2007 Countywide Plan EIR and evaluated in this qualification assessment below in Section 4.16, "Utilities and Service Systems." Additionally, a project's potential to result in an impact due to the wasteful, inefficient, or unnecessary consumption of energy resources was also evaluated in Section 4.10, "Public Services" of the 2007 Countywide Plan EIR. The 2007 Countywide Plan EIR determined that future development facilitated by implementation of the Countywide Plan could increase energy consumption associated with building construction and retrofit. Although the Countywide Plan includes numerous goals, policies, and implementing programs promoting energy efficiency, conservation, green building practices, and sustainable building design, implementation of Programs EN-1.a (Establish a Permanent Sustainable Energy Planning Process) and EN-3.h (Adopt Leadership in Energy and Environmental Design [LEED] Standards for Public Buildings) was uncertain because additional funding would be required. Thus, the 2007 Countywide Plan EIR identified Mitigation Measure 4.10-8 which required the County to obtain additional funding to implement Programs EN-1.a and EN-3.h. However, since it cannot be certain that additional funding would be obtained and because responsibility for implementation of these programs would also depend on community based organizations and energy providers (e.g., the Pacific Gas & Electric Company [PG&E]), there is no guarantee that these programs would be implemented. Accordingly, the 2007 Countywide Plan EIR concluded that future development facilitated by implementation of the Countywide Plan would result in significant and unavoidable impacts related to energy consumption at both the project level and cumulatively.

Although greenhouse gas (GHG) emissions were not added to the Appendix G of the State CEQA Guidelines until amendments adopted in 2009 (effective in 2010), after the certification of the 2007 Countywide Plan EIR, the 2007 Countywide Plan EIR nevertheless evaluated impacts related to increase in GHG emissions in Section 4.3, "Air Quality." The 2007 Countywide Plan EIR determined that future development facilitated by implementation of the Countywide Plan would require fossil fuel consumption that would result in GHG emissions. Emissions contributors such as vehicular traffic and energy use in buildings would increase GHG emissions; however, Countywide Plan policies and programs that reduce GHG emissions would reduce this impact. Mitigation Measures 4.3-6a and 4.3-6b would revise

Program AIR-4.f to implement the Marin County Greenhouse Gas Reduction Plan and State programs to reduce GHG emissions. However, because it remained uncertain whether these measures would reduce countywide GHG emissions below existing levels within the timeframe for implementation of the Countywide Plan, the EIR concluded that GHG impacts would remain significant and unavoidable at both the project and cumulative levels.

4.7.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

Implementation of the Housing and Safety Element Update would increase the demand for electricity, natural gas, and diesel fuel during construction and operation of future development. The 2023 Housing and Safety Element Update EIR concluded that future energy consumption would not be wasteful, inefficient, or unnecessary and this impact was found to be less than significant. In addition, future development facilitated by the Housing and Safety Element Update would be required to comply with the County's Green Building Code and Countywide Plan (CWP) policies regarding energy efficiency, renewable energy, and consistency with renewable energy plans. The EIR also evaluated cumulative energy impacts and concluded that implementation of the Housing and Safety Element Update would neither result in the wasteful, inefficient, or unnecessary use of energy resources nor conflict with state or local plans for renewable energy or energy efficiency. Accordingly, cumulative energy impacts were determined to be less than significant.

Future development facilitated by the Housing and Safety Element Update would result in construction and operational activities that generate GHG emissions. These emissions would exceed the GHG reduction trajectory needed to achieve the County's 2040 emissions targets derived from the 2030 Climate Action Plan (CAP) and, therefore, would not put the County on track for achieving the Bay Area Air District plan-level threshold of being carbon neutral by 2045. The resulting GHG emissions would also be inconsistent with *California's 2017 Climate Change Scoping Plan* (2017 Scoping Plan), Plan Bay Area 2050, and the County's 2030 CAP. The 2023 Housing and Safety Element Update EIR Mitigation Measures 10-1A through 10-1C would reduce GHG emissions from transportation and building energy use associated with future development, however mitigated GHG per capita rate would continue to exceed the CARB 2017 Scoping Plan interpolated GHG efficiency target of 4.0 MTCO2e per capita. This impact was found to be significant and unavoidable as well as cumulative GHG impacts associated with implementation of the Housing and Safety Element Update would remain significant and unavoidable.

4.7.3 Project-Specific Analysis

Energy

The energy requirements for construction of the proposed project would be temporary and would not require additional capacity or substantially increase peak or base period demands for electricity or other forms of energy. Associated energy consumption would be typical of that associated with residential projects of this size in an urban setting. Diesel fuel, gasoline, and electricity would be consumed for construction activities and to transport people and construction materials to and from the site.

As with any construction project, although activities would require fuel and other energy sources, consumption of fuel and energy uses would be temporary. Construction contractors strive to complete construction projects in an efficient manner to meet project schedules and minimize cost (to maximize their profitability). Therefore, only the necessary amount of fuel would be consumed. The project does not propose any increase in the development density of the project site and is consistent with the land use designations accounted for in the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR. Thus, construction energy requirements would not be greater than those evaluated in the 2007 Countywide Plan EIR 2023 Housing and Safety Element Update EIR.

Operation of the proposed project would be typical of residential land uses regarding use of electricity for lighting, space and water heating, appliances, and landscape maintenance activities. The project would be required to comply with Mitigation Measures 10-1B, and 10-1C of the 2023 Housing and Safety Element Update EIR. The 2023 Housing

and Safety Element Update EIR also recommended Mitigation Measure 10-1A, which requires the County's 2022 Green Building Model Reach Code to prohibit natural gas in new residential development in the next update of the Green Building Code.

Subsequent to certification of the 2023 Housing and Safety Element Update EIR, the Ninth Circuit issued its decision in *California Restaurant Association v. City of Berkeley*, 89 F.4th 1094 (9th Circ. 2024) (herein referred to as the Berkeley Decision) holding that the federal Energy Policy and Conservation Act preempted the City of Berkeley's prohibition on natural-gas piping in newly constructed buildings because the prohibition effectively regulated the energy use of federally covered natural-gas systems. This decision constrained the ability of local jurisdictions within the Ninth Circuit to enforce all-electric building requirements through prohibitions of natural-gas infrastructure, including the type contemplated by Mitigation Measure 10-1A. Thus, the Berkeley Decision affected the enforceability of 2023 Housing and Safety Element Update EIR Mitigation Measure 10-1A.

Subsequent County materials indicate that following the legal decision, the County concluded it could not enforce the all-electric provision of its 2022 Green Building Code and the Board of Supervisors suspended its enforcement. The County currently treats all-electric construction as an option that it encourages rather than a requirement it imposes on new development. Accordingly, although Mitigation Measure 10-1A was identified in the 2023 Housing and Safety Element Update EIR, the measure's natural-gas prohibition is not an enforceable requirement applicable to the proposed project. Mitigation Measure 10-1B furthers the existing requirements of the County's Green Building Code, by requiring new development to include bicycle parking in excess of that required by the mandatory CalGreen Code (base) standards. Mitigation Measure 10-1B, in conjunction with the County's existing requirements for Tier I and Tier II electric vehicle (EV) charging infrastructure in new development would serve to reduce the number of fossil-fuel powered vehicles on roadways in the County and the associated GHG emissions generated from mobile sources. Mitigation Measure 10-1C requires the County to implement Mitigation Measure 18-4 to reduce VMT by conducting a site-specific evaluation of a project's VMT and reducing VMT (and the GHG mobile source emission associated with it) by 15 percent below the regional average residential VMT per capita. With the implementation of Mitigation Measures 10-1B and 10-1C, the proposed project would be consistent with the VMT reduction and EV charging reduction strategies of the County's 2030 CAP, which was developed to increase energy efficiency and reduce fossil fuel consumption in the county. The proposed project's implementation of Mitigation Measures 10-1B and 10-1C from the 2023 Housing and Safety Element Update EIR and its mandatory compliance with the County's 2030 CAP would result in improved transportation energy efficiency through compliance with the voluntary EV charging standards of the CALGreen Code, and reduced VMT from project operations.

Several energy efficiency regulations have been implemented since the adoption of the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR. These regulations set standards for energy efficiency as well as sustainability-focused electricity generation. Additionally, there have been technological advancements since the certification of the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR, such as vehicle fuel efficiency, renewable energy generation, and building-design efficiencies – all of which increase overall project energy efficiencies. Additionally, the project would be required to comply with all applicable transportation-related measures in the County's 2030 CAP, which are designed to decrease VMT and associated fossil fuel consumption. These measures include strategies for supporting and increasing the use of alternate modes of transportation such as biking and walking and supporting increased EV use to reduce fossil fuel consumption. For these reasons, transportation related to operation of the project would be more energy efficient than transportation related to the development accounted for in the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR.

Regarding consistency with plans related to energy efficiency and increasing renewable energy use and generation, as GHG emissions are an inherent result of the generation and consumption of fossil fuel related energy, key GHG reduction actions that reduce fossil fuel–related energy consumption, implement all-electric development, increase renewable energy generation, and improve energy efficiency are also inherently energy-related. Several measures in the County's CAP that would reduce energy demand and increase the County's capacity to generate renewable resources would apply to the project. These include Measure LCT-C1 (include EV infrastructure consistent with the mandatory EV charging requirements of the County's reach code), Measure LCT-C2 (install bicycle infrastructure to promote alternate modes of transportation to the project site), Measure RE-C1 (implement on-site PV solar systems

to supply renewable energy to the project site), Measure EE-C3 (use reflective pavements to reduce the urban heat island effect), and Measure WC-C1 (include landscape design features to reduce water consumption). These elements of the proposed project would reduce the project's overall energy demand and would contribute to the countywide energy reductions identified in the 2030 CAP.

The 2022 Scoping Plan's reduction strategy primarily involves decreasing the consumption of energy generated by the combustion of fossil fuels to reduce statewide GHG emissions. Appendix D of the 2022 Scoping Plan directs projects to reduce VMT, promote renewable energy, and provide EV charging meeting the Tier 2 requirements of the CalGreen Code to achieve the fossil fuel consumption reductions that coincide with GHG reductions. The County's 2030 CAP was specifically designed to support Senate Bill (SB) 32 reduction goals of the 2022 Scoping Plan for Achieving Carbon Neutrality (2022 Scoping Plan) (applicable to the project, which would be operational prior to 2030), which include increasing energy efficiency and reducing energy consumption (especially in the form of fossil fuels). Therefore, by adhering to the 2030 CAP's measures for increasing energy efficiency and reducing energy consumption in the built environment and transportation sectors, the proposed project would also be consistent with the energy goals of the 2022 Scoping Plan as they relate to achievement of SB 32's reduction targets.

The proposed project would support the goals of the 2030 CAP and, therefore, the 2022 Scoping Plan to reduce fossil fuel consumption. For this reason, the proposed project would not result in any new significant impacts or a substantial increase in severity of impacts than were addressed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no energy effects that would be peculiar to the project or subject parcel that would alter the energy impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

Greenhouse Gas Emissions

Construction of the proposed project would introduce new sources of emissions to the project site and vicinity. GHGs emitted during construction of the project could be generated from a variety of activities and emission sources (e.g., exhaust emissions from off-road construction equipment, material delivery trips, and construction worker-commute trips). These emission types and associated levels fluctuate greatly depending on the type, number, and duration of usage for the varying equipment. Notably, it is recognized by the Bay Area Air District in its 2022 CEQA Guidelines, that construction-related GHG emissions from projects occur over a relatively short-term period of time and contribute a relatively small portion of the overall lifetime project GHG emissions, and are therefore dismissed for consideration in recognition that construction emissions comprise a small fraction of a project's total GHG emissions (BAAQMD 2023).

The proposed project would primarily emit GHG emissions related to fuel combustion during vehicle trips taken by residents. Other sources of operational GHGs would include energy consumption and indirect emissions from energy generation, area sources such as landscaping equipment, indirect emissions related to water treatment and conveyance, waste generation, and refrigerant use in appliances. Notably, the project would be more efficient than buildings assumed in the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR. This is because the new facilities would, at a minimum, be built to 2025 Title 24 Building Energy Efficiency Standards. According to CEC, the 2025 California Energy Code is projected to result in energy efficiency improvements and reduce energy demand to the degree that statewide energy-related GHG emissions would be reduced by about 4 million metric tons of carbon dioxide equivalent (CEC 2024b). In this way, the project would be more energy efficient than the development assumed for the site in the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR, which would have been constructed to the standards of older, less stringent energy efficiency requirements.

The proposed project would conform to the existing zoning and General Plan land use designations on-site and would be consistent with the future development facilitated by implementation of the Housing and Safety Element Update. Therefore, GHG emissions associated with operation of the proposed project were within the development capacity and GHG emissions projects contemplated in the 2023 Housing and Safety Element Update EIR. As discussed under "Energy," above, the proposed project would be required to comply with Mitigation Measures 10-1B and 10-1C of the 2023 Housing and Safety Element Update EIR. The Bay Area Air District 2022 CEQA Guidelines identify that a project may be considered to have a less-than-significant impact related to operational GHG emissions

if the project is consistent with a local GHG reduction strategy that meets CEQA Guidelines Section 15183.5(b) requirements (BAAQMD 2023). Because the County's 2030 CAP underwent environmental review and was developed to exceed the requirements of SB 32 (i.e., 40 percent reduction by 2030), the 2030 CAP would be applicable to the project as the project would be operational prior to 2030. With the implementation of Mitigation Measures 10-1B and 10-1C, the proposed project would be consistent with the VMT reduction and EV charging reduction strategies of the County's 2030 CAP. As described above, the natural gas prohibition contemplated by Mitigation Measure 10-1A is not currently enforceable and, therefore, is not required to be implemented as part of the proposed project. Because the project has not been designed to be fully electric, it would not implement the building decarbonization approach recommended by BAAQMD. Thus, the proposed project would not achieve the level of building decarbonization contemplated by Mitigation Measure 10-1A and would conflict with the 2030 CAP and would not align with the Bay Area Air District's building decarbonization goals. Therefore, this impact would remain significant and unavoidable, consistent with the findings of the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. Thus, the proposed project would not result in any new significant impacts or a substantial increase in severity of impacts than were addressed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no greenhouse gas emissions effects that would be peculiar to the project or subject parcel that would alter the GHG emissions impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.7.4 Applicable 2007 and 2023 EIR Mitigation Measures

The following mitigation measures from the 2023 Housing and Safety Element Update EIR would be applicable to the proposed project and are outlined below. As described above, following the Berkeley Decision, the County has suspended the all-electric provision of the County's 2022 Green Building Code and it is no longer in effect. Thus, implementation of 2023 Housing and Safety Element Update EIR Mitigation Measure 10-1A is not currently required for new residential development, although the County encourages that a project may voluntarily incorporate all-electric building measures.

Mitigation Measure 10-1A: Prohibit Natural Gas Plumbing and Appliances in New Housing Sites. The County's 2022 Green Building Model Reach Code that is under development shall include provision(s) that prohibit natural gas plumbing and the use of natural gas appliances such as cook tops, water heaters, and space heaters in all new housing site developments unless the applicant can show an all-electric building design is not feasible due to specific economic, technical, logistical, or other factors associated with the development site. All new housing sites shall be required to comply with the aforementioned natural gas prohibition requirements prior to the adoption of the County's 2022 Green Building Model Reach Code.

Mitigation Measure 10-1B: Residential Bicycle Parking Requirements. The County shall require new residential housing sites to comply with the Tier II bicycle parking requirements contained in the latest editions of the California Green Building Standards Code (CalGreen) in effect at the time the building permit application is submitted to the County. Currently, the 2019 CalGreen Code Section A4.106.9, Bicycle Parking, requires new multi-family buildings provide on-site bicycle parking for at least one bicycle per every two dwelling units, with acceptable parking facilities conveniently reached from the street.

Mitigation Measure 10-1C: Reduce VMT from New Residential Development. Implement Mitigation Measure 18-4 (Transportation).

4.8 HAZARDS AND HAZARDOUS MATERIALS

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	No	No	No	No
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and/or accident conditions involving the release of hazardous materials into the environment?	No	No	No	No
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	No	No	No	No
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?	No	No	No	No
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?	No	No	No	No
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	No	No	No	No

4.8.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 CWP EIR discussed impacts related to release of hazardous materials in Chapter 4.10, "Public Services." Land uses and development consistent with the Countywide Plan would result in the transport, use or disposal of hazardous materials that could expose the public and environment to a significant hazard through either their routine use or an accidental release. Several Countywide Plan policies and programs would reduce the potential for exposure of people and the environment to hazardous materials such as by inventorying and regulating businesses that use hazardous materials and regulating development of sensitive land uses nearby; exposure could still occur, resulting in significant impacts. The 2007 Countywide Plan EIR identified Mitigation Measures 4.10-1a and 4.10-1b which proposed programs that expand public education, outreach, and hazardous waste management programs to promote proper handling and disposal of hazardous materials and household hazardous waste. Although implementation of the Countywide Plan could result in the routine use, transport, storage, and disposal of hazardous materials or accidental releases, existing Countywide Plan policies and programs, together with Mitigation Measures 4.10-1(a) and 4.10-1(b), would strengthen hazardous materials education, management, and disposal practices, reducing impacts associated with implementation of the Countywide Plan to less than significant. However, the 2007 Countywide Plan EIR concluded that cumulative impacts associated with hazardous materials would remain significant and unavoidable.

Impacts related to hazardous emissions, materials, or waste near school sites were also discussed in the 2007 Countywide Plan EIR. Land uses and development consistent with the Countywide Plan could result in future schools being located within one-quarter mile of facilities that handle or emit hazardous materials. As described above, the Countywide Plan contains policies and programs that would reduce the use, transport, and disposal of hazardous materials as well as policies and programs that focus on health and safety of sensitive communities. Additionally, Mitigation Measures 4.10-1(a) and 4.10-2(b) identified in the 2007 Countywide Plan EIR require the County to map known toxins and other health-threatening pollutants and obtain funding for Countywide Plan programs related to hazardous emissions, materials, and waste near Marin County schools. Together, these mitigation measures, in combination with implementation of the applicable Countywide Plan policies and programs, strengthen County efforts to identify hazardous emissions and secure funding to implement hazardous materials programs, reducing impacts associated with hazardous emissions, materials, and waste near schools and other sensitive receptors to a less-than-significant level. The 2007 Countywide Plan EIR further concluded that cumulative impacts would be less than significant because impacts associated with hazardous emissions or materials near schools are generally limited to the vicinity of individual development sites.

For impacts related to hazardous waste sites, the 2007 Countywide Plan EIR found that land uses and development resulting from implementation of the Countywide Plan would not be located on a site currently included on a list of known hazardous waste sites compiled pursuant to Government Code Section 65962.5. However, the 2007 Countywide Plan EIR recognized that unknown hazardous waste could be encountered at a future development site, which would subsequently require such a listing and consideration as a potentially significant impact. The Countywide Plan includes policies and programs to identify and map known hazardous waste sites, including brownfields, and to identify the proximity of sensitive receptors to hazardous materials uses. Because these programs relied on Countywide Plan Policy EJ-1.1, the 2007 Countywide Plan EIR determined that revising the policy to require mapping of known sources of hazardous waste (Mitigation Measure 4.10-3) was necessary to clarify its intent. With implementation of Mitigation Measure 4.10-3, impacts associated with future development under the Countywide Plan would be less than significant. The 2007 Countywide Plan EIR further concluded that cumulative impacts would be less than significant because impacts associated with development on hazardous waste sites are generally limited to the immediate vicinity of the development site.

4.8.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The Housing Element Update would facilitate new residential land uses, which are not expected to involve the routine transport, use, storage, or disposal of hazardous materials. The Safety Element Update would facilitate activities involving construction such as road improvements, creation of new evacuation routes or improvement of deficient routes and other access provisions, and possible retrofitting of County Buildings and critical facilities. These activities also typically would not involve the routine transport, use, storage, or disposal of hazardous materials to the extent that a significant public or environmental hazard would occur. Proposed policies and program addressing hazardous materials, in conjunction with existing Countywide Plan policies and programs, and implementation of adopted, standard procedures and regulations would ensure that hazardous materials impacts as a result of future development facilitated by the Housing and Safety Element Update would be less than significant.

There is always a possibility that during new construction facilitated by both the Housing Element Update and the Safety Element Update construction workers, visitors, and/or other passers-by could encounter contamination or be exposed to existing spilled, leaked, or otherwise discharged hazardous materials or wastes. However, the 2023 Housing and Safety Element Update EIR concluded that proposed policies and programs related to the use and regulation of hazardous materials, in conjunction with existing Countywide Plan policies and programs, and compliance with the requirements and common practices discussed above would prevent exacerbation of existing contamination or accidental release, and would ensure that this possible health and safety impact would be less than significant.

The 2023 Housing and Safety Element Update EIR also found that future development facilitated by the Housing and Safety Element Update could include the removal or disturbance of asbestos-containing material (ACM) and/or

transformers during alteration, renovation, or demolition of existing structures, which could expose construction workers and the general public to friable asbestos and/or polychlorinated biphenyls (PCBs). However, implementation of existing BAAQMD rules and regulations, as well as compliance with State regulatory procedures and requirements, would ensure that any potential ACM and PCB exposure impacts from future development facilitated by the Housing and Safety Element Update would be less than significant.

Similarly, development facilitated under the Housing and Safety Element Update could include the alteration, renovation, or demolition of existing structures containing lead-based paint, including paint that has delaminated (split into thin layers) or chipped from surfaces, resulting in airborne lead particles that could be released into the air. However, the 2023 Housing and Safety Element Update EIR found that compliance with existing state and BAQQMD procedures would ensure that any potential lead-based paint exposure impacts from future development facilitated by the Housing and Safety Element Update would be less than significant.

Existing schools would be located within one-quarter mile of some of the proposed sites for housing under the Housing Element Update; however, the land uses permitted under the Housing Element Update primarily consist of residential and mixed-use development that would not routinely involve hazardous materials and would not involve the routine transport, use, storage, or disposal of hazardous materials to the extent that a significant public or environmental hazard would occur. Future construction would likely involve the intermittent transport, use, storage, and disposal of potentially hazardous materials. Thus, the 2023 Housing and Safety Element Update EIR found that regulatory requirements regarding the safe handling of hazardous materials and limiting the siting of hazardous materials facilities near schools would ensure impacts would be less than significant impacts.

The 2023 Housing and Safety Element Update EIR identified Housing Element sites located on or near properties included on the Cortese List. Future developments would be subject to federal, state, regional, and local hazardous materials regulations, including site investigation and remediation requirements where contamination is identified. Compliance with these requirements would reduce impacts associated with hazardous waste sites to less than significant level.

Development facilitated by the Housing and Safety Element Update could occur within two miles of the Gnoss Airfield. Within the Gnoss Airfield Referral Area Boundary, the Marin County Airport Land Use commission has authority to review individual development applications for consistency with the Airport Land Use Plan (ALUP). In addition, Federal Aviation Administration (FAA) regulations detail standards for height and surfaces that may constitute a safety hazard. The private airports within Marin County are not required to prepare ALUPs and development could occur within 2 miles of a private airport that could result in airport safety hazards; however, existing standards from the California Public Utilities Commission and FAA regulate height of proposed structures to prevent hazards to air navigation. Thus, the 2023 Housing and Safety Element Update EIR found that project compliance with FAA protocols would ensure that any potential airport hazard impacts from future development facilitated by the Housing and Safety Element Update would be less than significant.

The 2023 Housing and Safety Element Update EIR also evaluated impacts on emergency response and/or emergency evacuation plan and found that development facilitated by the Housing Element Update could increase demand on evacuation routes in areas characterized by limited egress, narrow or winding roadways, steep terrain, and potential traffic congestion during emergency evacuations. However, implementation of the Safety Element Update, ongoing County evacuation planning efforts, and selection of housing opportunity sites that would not impair emergency access or evacuation would ensure impacts remain less than significant.

4.8.3 Project-Specific Analysis

Consistent with the types of development evaluated in the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR, construction of the proposed project may involve temporary hazards related to the routine use and transport of hazardous materials, including those used for typical construction activities (i.e., diesel fuel, motor oil, etc.). Construction contractors would be required to comply with all applicable federal, State, and local laws and regulations regarding the transport, use, storage, and disposal of hazardous construction-related materials, including requirements imposed by the United States Environmental Protection Agency (EPA), California Department

of Health and Safety, and Marin County for maintaining health and safety. However, post-construction, occupation of the proposed residential uses are not typically associated with the transport, use, storage, or disposal of hazardous materials. Toxic substances used and stored in residential uses are usually low in concentration and small in quantity such as paint and cleaners; therefore, no significant risk to humans or the environment are anticipated.

As determined by the Phase I ESA, the DTSC EnviroStor Database, and the SWRCB GeoTracker database, the project site is not identified as a hazardous materials site (West Environmental Services & Technology 2025, DTSC 2026a, SWRCB 2026a). However, the Phase I ESA prepared for the project identified recognized environmental conditions within the site. Because the existing development contains buildings constructed prior to 1978 when hazardous building materials such as lead-based paints could have been used, the Phase I ESA identified that additional investigation would be warranted to obtain greater certainty of site conditions with regard to potential presence of lead in soil from lead-based paint (West Environmental Services & Technology 2025). If contamination is identified, any required remediation would be completed in accordance with applicable federal, state, and local regulatory requirements before or during redevelopment, as appropriate.

The project site is located adjacent to Abbey Montessori School and within 0.25 mile of other educational institutions including Brandeis Marin, Jewish Community Center Preschool San Rafael, and Venetia Valley Middle School. However, the residential uses proposed as part of the project are not associated with or involve hazardous emissions or the handling of hazardous or acutely hazardous materials, substances, or waste beyond common household hazardous substances such as paint and cleaners. Accordingly, unlike industrial or commercial land uses involving hazardous materials, the proposed residential use would not expose students or school occupants to hazardous emissions, materials, or waste.

There are no active hazardous waste sites within the project site or within 0.25 mile of the project site. The California Department of Toxic Substances Control's EnviroStor database identified Marine Corps Reserve Training Center (21920002) located approximately 1,100 feet northwest of the project site. The cleanup status of this site is listed as "referred to other agency" as of June 23, 1994 (DTSC 2026b). The same site is also listed in the SWRCB Geotracker database and identified as a closed site as of March 20, 2009 (SWRCB 2026b). Accordingly, the project site is not located on or adjacent to an active hazardous waste site identified pursuant to Government Code section 65962.5.

The project is not located within 2 miles of the Gnoss Airfield and is located approximately 1.3 miles south of the San Rafael Airport. While the project is not subject to conformance with an ALUP or review from the Marin County Airport Land Use Commission, due to proximity to the San Rafael Airport the project would be required to comply with FAA and CPUC regulations related to height to prevent airport safety hazards. The proposed project would redevelop existing one- and two-story buildings to 36 single-family detached or duplex homes. The tallest residential building would be three-stories and would not exceed 37 feet in height; accordingly, the project would comply with FAA and CPUC standards regarding objects affecting navigable airspace and air safety hazards.

Regarding potential impacts related to adopted emergency response plans or emergency evacuation plans, the project design is subject to review by the County Fire Department. The project is located off North San Pedro Road in a developed residential area and would be served by two private streets. The project would be required to comply with the California Fire Code and County standards regarding roadway width and grade, pavement, driveway specifications, vertical clearance, and access connections which would be confirmed upon the County Fire Department's review.

Based on the evaluation above, the proposed project would not result in new or more severe impacts or cumulative impacts compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no effects related to hazards and hazardous materials that would be peculiar to the project or subject parcel that would alter the hazards and hazardous materials impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.8.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures from the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR would be applicable to the proposed project.

4.9 HYDROLOGY AND WATER QUALITY

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	No	No	No	No
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	No	No	No	No
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 on- or offsite erosion or siltation;	No	No	No	No
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite;	No	No	No	No
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	No	No	No	No
iv) Impede or redirect flood flows?	No	No	No	No
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	No	No	No	No
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	No	No	No	No

4.9.1 Discussion

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR states that land uses and development consistent with the Countywide Plan would introduce additional pollutants to downstream waters. Such pollutants would result in adverse changes to the water quality of Marin County's natural and artificial drainageways and ultimately to Richardson, San Francisco, and San Pablo Bays. The 2007 Countywide Plan includes policies and programs to address potential adverse effects on water quality, including reducing the use of pesticides and fertilizers, minimizing erosion and downstream sedimentation, and providing public education and outreach to reduce residential nonpoint source pollution, as well as continued implementation of Marin County ordinances related to water quality. The 2007 Countywide Plan EIR determined that although implementation of policies and programs would reduce the adverse effects on water quality, degradation of water quality could still occur. Therefore, the 2007 Countywide Plan EIR concluded that impacts associated with implementation of the Countywide Plan, including cumulative impacts, related to water quality would be significant.

To address this impact, the 2007 Countywide Plan EIR included Mitigation Measures 4.5-1(a)-(b) requiring the County to revise Program WR-2.i (Establish a Septic Inspection, Monitoring, and Maintenance District) and continue to implement County ordinances addressing nonpoint source pollution, erosion and sediment control, and surface runoff pollution control plans. The 2007 Countywide Plan EIR determined that implementation of policies, programs, and mitigation measures would reduce this impact to less than significant.

Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR states that potential housing facilitated by the Housing Element Update would include development on vacant sites and replacement of existing developed areas with new development. However, no substantial increase in stormwater runoff is anticipated for development facilitated by the Housing Element Update due primarily to existing stormwater management requirements. Additionally, reductions in stormwater flows could result from increased landscaped areas and other water quality enhancements that do not currently exist. Furthermore, compliance with RWQCB, MCSTOPPP, and Marin County water quality protection requirements and conditions would ensure that any potential construction period and post-construction water quality impacts would be less than significant.

Project-Specific Analysis

The project site is within the Gallinas Creek Watershed. The creek that bisects the project site is one of the tributaries that drains into the Gallinas Creek South Fork, which combines with the Gallinas Creek North fork northeast of the project site before draining into San Pablo Bay. Runoff is currently captured and conveyed through the City of San Rafael storm drain system, which outlets into these receiving waters. Gallinas Creek currently experiences sedimentation and erosion from surrounding development and stormwater runoff, while both Gallinas Creek and San Pablo Bay receive urban runoff from surrounding areas that contains pollutants such as heavy metals, pesticides, nutrients, and bacteria.

Project construction would result in approximately 215,000 square feet (sf), or 4.9 acres, of ground disturbance and would require approximately 11,112 cubic yards (cy) of cut and 10,595 cy of fill, resulting in 517 cy of soil that would need to be exported from the project site. Consistent with the analysis in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR, project construction would be subject to compliance with local, state, and federal water quality regulations, including San Francisco Bay RWQCB and County of Marin requirements. In accordance with these regulatory requirements, an Erosion and Sediment Control Plan (ESCP) would be prepared and included as part of the Grading and Building Permit submittals to outline the appropriate Best Management Practices (BMPs) to be installed on-site to limit sediment from leaving the project site and entering water bodies or the public storm drain system. Additionally, since the project would disturb more than one acre, a Stormwater Pollution Prevention Plan (SWPPP) would be prepared and submitted to the SWRCB for review and approval. The SWPPP would outline the required effluent stormwater testing that is required during construction to ensure compliance with the National Pollutant Discharge Elimination System (NPDES) permit requirements.

Additionally, as described in Section 2.2.3, "Creek Restoration," the project proposes to restore a portion of the riparian area along the existing creek corridor. Restoration work would require surface ground disturbance to remove approximately 762 square feet of existing impervious surfaces (pavements and concrete) and 375 linear feet of existing chain-link fence, and light surface grading to amend the soil (i.e., mix the soil with organic and/or inorganic materials to improve soil quality) and removal of invasive species. The proposed creek improvements would also include replanting with various species, including native and non-native trees, shrubs, and grasses and the installation of the two new culverts within the creek corridor. Because construction of the two new culverts could result in discharge and fill of the stream the project would be subject to the CWA Section 401 and 404 and California Fish and Game Code Section 1602 permitting processes, which are currently in process by the respective regulatory agencies (i.e., San Francisco Bay RWQCB, USACE, and CDFW).

As discussed in Section 4.4, "Biological Resources," a preconstruction notification was submitted by the applicant to USACE to inform them of the project. USACE responded with a letter, dated May 13, 2026, stating that based upon the information provided, the project would involve the discharge of dredged or fill material into 0.001 acres of

waters of the United States for the construction of two new culverts, subject to Section 404 of the Clean Water Act (USACE 2026). USACE will finalize processing the notification once they receive San Francisco Bay RWQCB's decision regarding the Section 401 Water Quality Certification for the proposed project. Permitting through the San Francisco Bay RWQCB is in process and will be completed once the project's CEQA process is completed. As part of the Section 401 certification process, a mitigation and monitoring plan was finalized on July 27, 2026, which would be implemented as part of project activities (Huffman-Broadway Group 2026c). Coordination with USACE and San Francisco Bay RWQCB may result in additional conditions that the applicant shall implement as part of project activities. Additionally, because restoration activities could result in temporary impacts on the bed, channel, or bank of stream habitat, the applicant notified CDFW of the project as required in accordance with California Fish and Game Code Section 1602. CDFW deemed the notification complete on June 5, 2026 (CDFW 2026). Correspondence from CDFW noted that CDFW Staff had finished their review and are continuing to process the project's notification. If CDFW determines that a lake and streambed alteration agreement (LSAA) is required for the activities described in the notification, then a draft LSAA would be issued to the applicant within 60 calendar days from June 5, 2026. The LSAA may also contain conditions that the applicant shall implement as part of project activities.

The project would result in a net decrease in impervious surfaces of approximately 36,400 sf, or 0.8 acre, compared to existing conditions. Thus, the project would result in a decrease in stormwater runoff compared to the existing development on the site. Moreover, the project would incorporate permanent storm water control measures consistent with the BASMAA Post-Construction Manual and MCSTOPPP requirements, as mandated by the MRP. The proposed stormwater management strategy would be designed to minimize runoff volume and pollutant loading by implementing LID practices such as bioretention, infiltration, and source control. Stormwater runoff from new and replaced impervious surfaces would be directed to bioretention areas sized in accordance with applicable BASMAA Post-Construction Manual water quality treatment requirements. Hydromodification management criteria were evaluated as part of the project design; however, based on the proposed reduction in impervious surface area relative to existing conditions, the project is not anticipated to trigger full hydromodification management requirements. All stormwater control measures would be integrated into the site plan and would be maintained by the HOA in accordance with an approved O&M Plan. Compliance with existing regulations and the implementation of construction and post-construction measures would ensure that the project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.

Because the project would be consistent with all applicable County policies, programs, and codes pertaining to water quality standards and waste discharge requirements, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no effects related to water quality standards, and waste discharge requirements that would be peculiar to the project or subject parcel that would alter the impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

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

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR states that land uses and development consistent with the Countywide Plan would result in additional impervious surfaces and the diversion of groundwater to surface water (i.e., through subsurface drainage features or localized dewatering measures), thereby reducing groundwater recharge in some Marin County watersheds. Reductions in groundwater recharge and/or local dewatering measures could affect the yield of downslope wells and have adverse effects on sensitive plant communities. The 2007 Countywide Plan includes policies and programs to address adverse effects on groundwater resources, including maintaining areas important to groundwater recharge and incorporating development techniques into the project design that promote infiltration, and thus, groundwater recharge. Additionally, the Marin County Code includes ordinances that focus on protecting water quality and increasing groundwater recharge, including Section 24.04.627 (Surface Runoff Pollution Control Plan) and Section 23.18.093 (Best Management Practices for New Developments and Redevelopments).

The 2007 Countywide Plan EIR determined that although implementation of policies and programs would reduce some impacts on groundwater resources, additional impervious surfaces constructed within Marin County watersheds could still reduce local groundwater recharge to nearby wells, groundwater basins, or to ecosystems that support sensitive plant communities. Therefore, the 2007 Countywide Plan EIR concluded that future development facilitated by implementation of the Countywide Plan would result in significant impacts related to groundwater recharge at both the project level and cumulatively. To address this impact, the 2007 Countywide Plan EIR included Mitigation Measures 4.5-3(a)-(b) requiring the County to revise the timeframe of implementation of Program PFS-2.o (Assess Project Impacts to Surface Water and Groundwater) and continue to implement County ordinances that maintain continued groundwater recharge, require surface runoff pollution control plans and best management practices for new developments and redevelopments. The 2007 Countywide Plan EIR determined that implementation of policies, programs, and mitigation measures would reduce this impact to less than significant.

Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR states that future development of vacant lots would introduce new impermeable surfaces such as roofs and parking areas, which could result in an increase in surface water runoff. However, as discussed above in Impact 12-1, future development would be required to comply with the (1) NPDES MS4 Permit; (2) State Water Board Construction General Permit, as applicable; (3) Marin Countywide Stormwater Pollution Prevention Program protocols; and (4) Marin County Code standards and regulations. Implementation of the requirements of these regulations and permits would reduce the amount and/or rate of surface runoff; therefore, future development facilitated by the Housing Element Update and/or the Safety Element Update would not substantially interfere with groundwater recharge. The 2023 Housing and Safety Element Update EIR concluded that compliance with County stormwater management measures would ensure that impacts on groundwater recharge and groundwater management from future development would be less than significant.

Project-Specific Analysis

The project site is within the Novato Valley Groundwater Subbasin. There are no public water supply wells within the subbasin, and groundwater is not currently used as a water supply source in the subbasin nor is it anticipated to be used in the future. Private supply wells are present within the subbasin and used for active irrigation and industrial purposes. The Novato Valley Groundwater Subbasin is identified as Low Priority under the Sustainable Groundwater Management Act (SGMA); thus, a Groundwater Management Plan has not been prepared for the subbasin, which is only required for Medium and High Priority SGMA basins (San Francisco Bay RWQCB 2024).

As discussed under item 4.9(a) above, the proposed project would result in a net decrease in impervious surfaces of approximately 36,400 square feet, or 0.8 acres, compared to existing conditions. Thus, the proposed project would result in a decrease in stormwater runoff compared to the existing development on the site. Therefore, the proposed project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.

Because the project would be consistent with all applicable County policies, programs, and codes pertaining to groundwater supply and recharge, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no effects related to groundwater supply or recharge that would be peculiar to the project or subject parcel that would alter the impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

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 on- or offsite erosion or siltation;

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR states that construction and grading activities could result in erosion and downstream sedimentation of Marin County waterways. Sediment and other associated pollutants entering receiving waters would result in adverse changes to water quality. Additionally, land uses and development consistent with the Countywide Plan would result in the alteration of local drainage patterns and/or modes of stormwater conveyance that would increase watershed peak flow rates. Increased peak flow rates may exacerbate hillside or channel/floodplain erosion and downstream sedimentation. The 2007 Countywide Plan includes policies and programs to address construction-related water quality impacts from erosion and sedimentation, including requiring Start-at-the-Source techniques and BMPs to eliminate offsite sediment transport. Similarly, the 2007 Countywide Plan includes policies and programs to address adverse effects related to substantial changes in drainage patterns, including requiring stream setbacks and grading plans for new development and redevelopment. Additionally, the NPDES Phase II permit includes requirements for construction projects to include a SWPPP and implementation of BMPs. The Marin County Code and NPDES Phase II permit also include requirements to ensure that peak flow controls are incorporated into project design.

The 2007 Countywide Plan EIR determined that compliance with existing regulations, including the NPDES Phase II permit, as well as proposed policies and programs in the Countywide Plan would ensure that construction-related impacts from erosion and sedimentation would be less than significant. However, the 2007 Countywide Plan EIR determined that although implementation of policies and programs would reduce some operational impacts related to erosion and sedimentation, these impacts would still occur because policies of the Countywide Plan would not address the need to assess the erosion potential of local drainageways that would serve as the receiving waters for a proposed development. Therefore, the 2007 Countywide Plan EIR concluded that future development facilitated by implementation of the Countywide Plan would result in significant impacts related to erosion and sedimentation at both the project level and cumulatively. To address this impact, the 2007 Countywide Plan EIR included Mitigation Measures 4.5-4(a)-(c) requiring the County to include a new Countywide Plan policy to maintain channel stability, continue to implement NPDES Phase II permit requirements, and implement Mitigation Measures 4.5-1(b) and 4.5-3(b) related to infiltration and peak flow rate control. The 2007 Countywide Plan EIR determined that implementation of policies, programs, and mitigation measures would reduce this impact to less than significant.

Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR evaluated impacts related to stormwater runoff and drainage and states that potential future development and activities facilitated by the Housing and Safety Element Update would occur in existing developed areas and on some sites that are currently vacant; however, this potential future development would be required to comply with State and County stormwater management standards. Standard construction requirements include preparation of an Erosion and Sediment Control Plan to reduce on-site erosion and off-site siltation, and State General Construction Permit requirements for any project disturbing more than one acre of ground, including preparation of a SWPPP. Standard post-construction requirements include (1) site design measures to minimize impervious surfaces, or reduce runoff by dispersing it to landscaping or using pervious pavements; and (2) use of low-impact development techniques to result in no net increase in drainage off-site compared to pre-project site hydrology. Future development in a flood hazard area would be required to comply with the County's floodplain management standards in County Code Chapter 23.09, which are designed to prevent or regulate construction of barriers that might unnaturally divert floodwaters or increase flood hazards in other areas. The 2023 Housing and Safety Element Update EIR concluded that compliance with County stormwater management measures would ensure that impacts on drainage and related effects on erosion or siltation from future development would be less-than-significant.

Project-Specific Analysis

As discussed under item 4.9(a) above, project construction would result in approximately 215,000 sf, or 4.9 acres, of ground disturbance and would require approximately 11,112 cy of cut and 10,595 cy of fill, resulting in 517 cy of soil that would need to be exported from the project site. Consistent with the analysis in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR, project construction would be subject to compliance with local, state, and federal water quality regulations, including San Francisco Bay Regional Water Quality Control Board (RWQCB) and County of Marin requirements. In accordance with these regulatory requirements, an ESCP would be required and included as part of the Grading and Building Permit application submittals which would outline the appropriate BMPs to be installed on-site to limit sediment from leaving the project site and entering water bodies or the public storm drain system. Additionally, since the project will disturb greater than one acre, a SWPPP would be prepared and submitted to the State Water Board for review and approval. The SWPPP would outline the required effluent stormwater testing required during construction to ensure compliance with NPDES permit requirements.

Additionally, as described in Section 2.2.3, "Creek Restoration," the project proposes to restore a portion of the riparian area along the existing creek corridor. The proposed creek improvements would also include the installation of the two new culverts within the creek corridor. As discussed in item 4.9(a) above, the construction of these two new culverts could result in discharge and fill of the stream. As such, the project would be subject to the CWA Section 401 and 404 and California Fish and Game Code Section 1602 permitting processes, which are currently in process by the respective regulatory agencies (i.e., San Francisco Bay RWQCB, USACE, and CDFW). Coordination with these agencies may result in additional conditions that the applicant shall implement as part of project activities to address siltation and erosion. The proposed restoration portions of the project would improve protection for the creek channel, water quality, and flood control functions.

Furthermore, as discussed under item 4.9(a) above, the project would result in a net decrease in impervious surfaces of approximately 36,400 square feet, or 0.8 acres, compared to existing conditions. Thus, the project would result in a decrease in stormwater runoff compared to the existing development on the site. Stormwater generated on the west side of the project site would be directed to four stormwater treatment detentions basins generally located adjacent to the creek and stormwater generated on the east side of the project site would be directed to two stormwater detention basins, one of which is adjacent to the creek while the other is located adjacent to Private Street A. The locations of the proposed stormwater detention basins are shown in Figure 2-5, "Stormwater Control Plan." The detention basins would discharge treated stormwater into the adjacent intermittent creek utilizing three existing outfall pipes and the two new proposed culverts and outfall pipes that would be installed as part of the proposed creek restoration activities. Each outfall pipe would include hydraulic energy dissipaters (e.g., rip-rap) to avoid erosion along the creek bank. Moreover, the project would incorporate permanent storm water control measures consistent with the BASMAA Post-Construction Manual and MCSTOPPP requirements, as mandated by the Municipal Regional Stormwater NPDES Permit (MRP). The proposed stormwater management strategy would be designed to minimize runoff volume and pollutant loading by implementing LID practices such as bioretention, infiltration, and source control.

Because the project would be consistent with all applicable County policies, programs, and codes pertaining to erosion and siltation, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no effects related to erosion or siltation that would be peculiar to the project or subject parcel that would alter the impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

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

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

iv) Impede or redirect flood flows?

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR states that land uses and development consistent with the Countywide Plan would increase peak flow rates, erosion, and downstream sedimentation in and around new development. Such increases would reduce the capacity of drainageways and could result in flood flows that exceed existing downstream channel or stormwater system capacities. The 2007 Countywide Plan includes policies and programs to address impacts related to stormwater drainage capacity, including minimizing increases in both peak flow rates and erosion and downstream sedimentation by promoting stormwater infiltration, maintaining existing vegetation, and requiring grading plans for discretionary projects to reduce soil erosion. Additionally, the Marin County Code and NPDES Phase II permit include requirements to ensure that peak flow controls are incorporated into project design.

The 2007 Countywide Plan EIR determined that although implementation of policies and programs would reduce some impacts related to stormwater drainage capacity, these impacts would still occur because implementation of the Countywide Plan would result in increases in peak flow rates that would increase flooding. Therefore, the 2007 Countywide Plan EIR concluded that future development facilitated by implementation of the Countywide Plan would result in significant impacts related to stormwater drainage capacity at both the project level and cumulatively. To address this impact, the 2007 Countywide Plan EIR included Mitigation Measures 4.5-5 requiring the County to implement Mitigation Measures 4.5-1(b), 4.5-3(b), and 4.5-4(b) related to infiltration, peak flow rate control, and implementing NPDES Phase II permit requirements upon adoption of the 2007 Countywide Plan. The 2007 Countywide Plan EIR determined that implementation of policies, programs, and mitigation measures would reduce this impact to less than significant.

Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR evaluated impacts related to stormwater runoff and drainage and states that potential future development and activities facilitated by the Housing and Safety Element Update would occur in existing developed areas and on some sites that are currently vacant; however, this potential future development would be required to comply with State and County stormwater management standards. Standard post-construction requirements include (1) site design measures to minimize impervious surfaces, or reduce runoff by dispersing it to landscaping or using pervious pavements; and (2) use of low-impact development techniques to result in no net increase in drainage off-site compared to pre-project site hydrology. Future development in a flood hazard area would be required to comply with the County's floodplain management standards in County Code Chapter 23.09, which are designed to prevent or regulate construction of barriers that might unnaturally divert floodwaters or increase flood hazards in other areas. The 2023 Housing and Safety Element Update EIR concluded that compliance with County stormwater management measures would ensure that impacts on drainage and related effects on flooding on- or off-site, redirecting of flood flows, creating substantial additional sources of polluted runoff, or exceeding stormwater drainage system capacity from future development would be less-than-significant.

Project-Specific Analysis

As discussed under item 4.9(a) above, the project proposes to restore a portion of the riparian area along the existing creek corridor. The proposed creek improvements would also include the installation of the two new culverts within the creek corridor. Additionally, the project would result in a net decrease in impervious surfaces of approximately 36,400 square feet, or 0.8 acres, compared to existing conditions. Thus, the project would result in a decrease in

stormwater runoff and corresponding decrease in flooding potential compared to the existing development on the site. Stormwater generated on the west side of the project site would be directed to four stormwater treatment detentions basins generally located adjacent to the creek and stormwater generated on the east side of the project site would be directed to two stormwater detention basins, one of which is adjacent to the creek while the other is located adjacent to Private Street A. The locations of the proposed stormwater detention basins are shown in Figure 2-5, "Stormwater Control Plan." The detention basins would discharge treated stormwater into the adjacent intermittent creek utilizing three existing outfall pipes and the two new proposed culverts and outfall pipes that would be installed as part of the proposed creek restoration activities. Each outfall pipe would include hydraulic energy dissipaters (e.g., rip-rap) to avoid erosion along the creek bank. Moreover, the project would incorporate permanent storm water control measures consistent with the BASMAA Post-Construction Manual and MCSTOPPP requirements, as mandated by the Municipal Regional Stormwater NPDES Permit (MRP). The proposed stormwater management strategy would be designed to minimize runoff volume and pollutant loading by implementing LID practices such as bioretention, infiltration, and source control.

Because the project would be consistent with all applicable County policies, programs, and codes pertaining to on- or off-site flooding, redirecting of flood flows, creating substantial additional sources of polluted runoff, or exceeding stormwater drainage system capacity, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no effects related to on- or off-site, redirecting of flood flows, creating substantial additional sources of polluted runoff, or exceeding stormwater drainage system capacity that would be peculiar to the project or subject parcel that would alter the impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

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

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR states that implementation of the Countywide Plan would expose people and structures in some low-lying areas of Marin County to substantial adverse effects of tsunamis and seiches, including the risk of loss, injury, or death from this hazard. Seiches could occur within enclosed bodies of water and would cause damage to property. The most destructive tsunamis would damage or destroy any communities, structures, access routes, and utilities in low-lying areas within the Coastal Corridor. Additionally, implementation of the Countywide Plan could result in the development of residential or commercial structures in floodplains and expose occupants and/or structures to flood hazards. Similar development could occur in shoreline areas and would be subject to flooding due to extreme high tides or coinciding high tides and watershed flooding. Sea level rise associated with the warming of the earth's atmosphere would exacerbate these risks. The Countywide Plan includes policies and programs to address impacts related to flood hazards, tsunamis, and seiches, including preserving storm drain system capacity, designating stream conservation areas that establish a development setback from streams, and focusing on improving the built environment, public education, community preparedness, and informed land use planning. Additionally, the Marin County Code and NPDES Phase II permit include requirements to ensure that peak flow controls are incorporated into project design to reduce flooding. Moreover, Section 23.09-Floodplain Management of the Marin County Development Code would address exposure of people and structures to flood hazards by continuing to require the use of FEMA floodplain maps and regulating development within a FEMA designated floodplain.

The 2007 Countywide Plan EIR determined that although implementation of policies and programs would substantially reduce impacts related to flood hazards, including adverse effects related to sea level rise, as well as tsunamis and seiches, these impacts would remain significant. Therefore, the 2007 Countywide Plan EIR concluded that future development facilitated by implementation of the Countywide Plan would result in significant impacts related to flood hazards, seiches, and tsunamis at both the project level and cumulatively. To address this impact, the 2007 Countywide Plan EIR included Mitigation Measures 4.5-7(a)-(c) and 4.7-8(a)-(b) requiring the County to implement Mitigation Measures 4.5-3(b), 4.5-4(a), and 4.5-4(b) related to infiltration, peak flow rate control and

implementing NPDES Phase II permit requirements upon adoption of the 2007 Countywide Plan; obtain additional funding necessary to implement Program AIR-5.c (Prepare Response Strategies); continue to implement County ordinances that regulate floodplain development; revise Policy EH-2.4 (Protect Coastal Areas from Tsunamis) and Programs EH-3.a (Regulate Development in Flood and Inundation Areas) and EH-3.g (Locate Critical Facilities Safely); and add a new program to the Countywide Plan that would require participation by Marin County in the National Weather Service's *TsunamiReady* program. The 2007 Countywide Plan EIR determined that implementation of policies, programs, and mitigation measures would reduce impacts related to flood hazards to less than significant. However, despite the implementation of policies, programs, and mitigation measures, the 2007 Countywide Plan EIR determined that impacts related to tsunamis and seiches would remain significant and unavoidable.

Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR states that flood hazards mapped by FEMA include zones located in many parts of the county and are associated with the many creeks in the county. In addition, there are areas of the county susceptible to other forms of flooding, such as coastal areas susceptible to tsunami and areas downstream of reservoirs and lakes that could be susceptible to flooding due to seiche. However, potential development facilitated by the Housing and Safety Element Update located in FEMA-designated flood areas would be required to comply with standard FEMA provisions and County Code floodplain management standards in County Code Chapter 23.09. Furthermore, the Safety Element proposes many implementing programs designed to reduce risk due to flooding, including maintaining flood management measures (EHS-4.1.d), restricting development in flood prone areas to minimize inundation (EHS-4.1.e), continuing compliance with the National Flood Insurance Program (EHS-4.1.f), and requiring hydrologic, hydraulic, and geomorphic studies (EHS-4.3.a). The 2023 Housing and Safety Element Update EIR concluded that proposed policies and implementing programs and compliance with the County's flood hazard protection and flood control measures would ensure that impacts from pollutant release during a flood, tsunami, or seiche event from future development would be less than significant.

Project-Specific Analysis

According to Tsunami Hazards Area mapping prepared by the California Department of Conservation, the project site is not within a tsunami hazard area (DOC 2022); thus, it would not be subject to inundation by a tsunami. Additionally, the project site is approximately 1,500 feet from the County of Marin Civic Center pond, which is an enclosed, tidally influenced waterbody that would be capable of producing a seiche. However, because of the distance, the modest size and depth of the pond, and elevated topography of the project site, which is approximately 45 feet higher than the pond, the potential for inundation due to seiche is very low. According to FEMA flood maps, the project site is within Zone X (Area of Minimal Flood Hazard) (FEMA 2023) and thus is not in a flood hazard area that could be subject to inundation, nor would the proposed project exacerbate existing flood hazards. Therefore, the project would not risk release of pollutants due to project inundation in a flood hazard, tsunami, or seiche zone.

Because the proposed project would be consistent with all applicable County policies, programs, and codes pertaining to inundation in a flood hazard, tsunami, or seiche zone, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no effects related to inundation in a flood hazard, tsunami, or seiche zone that would be peculiar to the project or subject parcel that would alter the impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

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

Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR states that implementation of the Countywide Plan could result in violations of water quality standards as defined by the San Francisco Bay RWQCB in the *1995 Basin Plan*. Such pollutants would result in adverse changes to the water quality of Marin County's natural and artificial drainageways and ultimately to Richardson, San Francisco, and San Pablo Bays. The Countywide Plan includes policies and programs to address

potential adverse effects on water quality, including reducing the use of pesticides and fertilizers, minimizing erosion and downstream sedimentation, and providing public education and outreach to reduce residential nonpoint source pollution, as well as continued implementation of Marin County ordinances related to water quality. The 2007 Countywide Plan EIR determined that although implementation of policies and programs would reduce the adverse effects on water quality, degradation of water quality could still occur. Therefore, the 2007 Countywide Plan EIR concluded that future development facilitated by implementation of the Countywide Plan would result in significant impacts related to water quality at both the project level and cumulatively. To address this impact, the 2007 Countywide Plan EIR included Mitigation Measures 4.5-1(a)-(b) requiring the County to revise Program WR-2.i (Establish a Septic Inspection, Monitoring, and Maintenance District) and continue to implement County ordinances addressing nonpoint source pollution, erosion and sediment control, and surface runoff pollution control plans. Accordingly, the 2007 Countywide Plan EIR determined that implementation of policies, programs, and mitigation measures would reduce this impact to less than significant.

Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR states that established programs for controlling stormwater runoff and reducing pollutants in stormwater, as required in Marin County Code stormwater regulations and by MCSTOPPP, would apply to future development facilitated by the Housing Element Update and/or construction and other activities under the Safety Element Update. Because future development would incorporate these NPDES MS4 and Marin County Code stormwater measures, the Housing and Safety Element Update would be consistent with the San Francisco Bay Water Quality Control Plan (Basin Plan) and would not result in a conflict with the Basin Plan. Additionally, none of the four groundwater basins in the county are designated as medium- or high-priority basins by the California Department of Water Resources; therefore, none of these groundwater basins requires a groundwater management plan, and the project would not result in a conflict with a sustainable groundwater management plan. The 2023 Housing and Safety Element Update EIR concluded that impacts related to water quality control and sustainable groundwater management plans would be less than significant.

Project-Specific Analysis

As discussed under item 4.9(a) above, the project would result in a net decrease in impervious surfaces compared to existing conditions and would implement construction and post-construction water quality control measures in accordance with federal, state, and local requirements. Compliance with existing regulations and the implementation of construction and post-construction measures would ensure that the proposed project would not degrade water quality in a manner that would conflict with or obstruct implementation of a water quality control plan. Additionally, as discussed under item 4.9(b) above, the project site is within the Novato Valley Groundwater Subbasin, which is identified as Low Priority under SGMA; thus, a Groundwater Management Plan has not been prepared for the subbasin, which is only required for Medium and High Priority SGMA basins. Moreover, groundwater is not currently used as a water supply source in the subbasin nor is it anticipated to be used in the future (San Francisco Bay RWQCB 2024). Therefore, the project would not conflict with or obstruct implementation of a sustainable groundwater management plan.

Because the proposed project would be consistent with all applicable County policies, programs, and codes pertaining to water quality control and sustainable groundwater management plans, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no effects related to water quality control or sustainable groundwater management plans that would be peculiar to the project or subject parcel that would alter the impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.9.2 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures from the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR would be applicable to the proposed project.

4.10 LAND USE AND PLANNING

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) Physically divide an established community?	No	No	No	No
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?	No	No	No	No

4.10.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR evaluated whether implementation of the Countywide Plan could potentially conflict with community plans and other land use and environmental plans applicable within Marin County. The 2007 Countywide Plan EIR considered the Countywide Plan for consistency with applicable community plans for unincorporated Marin County, as well as other relevant local and regional land use and environmental plans and programs, including the Local Coastal Program, hazard mitigation and emergency planning documents, transportation and airport plans, telecommunications policies, the County Development Code, and regional plans addressing the San Francisco Bay and Bay Trail. The Countywide Plan contains several goals, policies, and programs, such as Goal CD-4, Policy CD-4.1 and Program CD-4.a that would aim to coordinate the implementation of the Countywide Plan with community plans and require the County to amend existing community plans to ensure consistency with the policies and programs of the Countywide Plan. Regarding other plans and programs adopted within the County, adoption of the Countywide Plan would require County decision-makers to consider policy updates and additions or amendments to the other plans to ensure their continued conformance with the adopted Countywide Plan. The 2007 Countywide Plan EIR found that potential conflicts associated with environmental resources protection or preservation generally resulted from Countywide Plan policies that provide stricter standards and policies than those identified in other plans and programs. Thus, although the 2007 Countywide Plan EIR identified potential inconsistencies that could require amendments to community plans and other applicable plans and programs, it did not identify any plan inconsistencies that would result in adverse physical environmental impacts. Therefore, impacts related to conflicts with applicable land use or other plans were determined to be less than significant, no mitigation was required, and the Countywide Plan would not make a cumulatively considerable contribution to land use impacts.

For impacts related to the physical disruption or division of an established community and substantial alteration of the character of a functioning community, the initial study prepared for the 2007 Countywide Plan EIR found there would be no significant effect and these impacts were scoped out from further analysis in the 2007 Countywide Plan EIR.

4.10.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

For impacts related to physically dividing an established community, the 2023 Housing and Safety Element Update EIR found that the Housing Element Update would designate sites for future housing ranging from 0.10 to 522 acres in size in approximately 100 locations. However, no development sites or major infrastructure improvements are planned that would divide existing communities. The Housing and Safety Element Update goals, policies, and implementing programs have been intentionally formulated to avoid physically dividing any established communities in unincorporated Marin County through programs that facilitate development on sites that can accommodate

additional housing units, redevelopment of existing sites, efficient use of land zoned for multi-unit development, and small-scale development, such as accessory dwelling units (ADUs), on existing residential and non-residential sites. Thus, the 2023 Housing and Safety Element Update EIR found that there would not be a physical divide of an established community, and this impact would be less than significant.

Regarding consistency with land use plans, policies, and regulations, the Housing and Safety Element Update establishes goals, policies, and programs that provide County staff and discretionary bodies with a foundation for decisions related to long-range planning for housing development and safety, including the effects of climate change. Throughout the 2023 Housing and Safety Element Update EIR, consistency with specific environmental plans, policies, programs, and regulations are discussed in the individual environmental topic chapters. The 2023 Housing and Safety Element Update EIR identified inconsistencies with Plan Bay Area 2050, the CARB 2017 Scoping Plan, and the Marin County 2030 Climate Action Plan, primarily related to vehicle miles traveled associated with accommodating the County's State-mandated RHNA; these inconsistencies and their environmental effects were addressed in the applicable environmental topic chapters in the 2023 Housing and Safety Element Update EIR. While some housing sites conflict with the Countywide Plan land use designations and zoning, the land use designations and zoning for the selected sites would be amended to allow for the number of housing units proposed. All Countywide Plan designation and zoning changes would be consistent with existing Marin County land use classifications. For these reasons, the 2023 Housing and Safety Element Update EIR concluded that the project would not result in a significant environmental impact due to a conflict with a land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Thus, this impact was found to be less than significant. The 2023 Housing and Safety Element Update EIR also concluded that no cumulatively considerable contribution to a significant cumulative land use impact would occur as a result of implementation of the Housing Element Update.

4.10.3 Project-Specific Analysis

The proposed project would be consistent with the land use impacts analyzed in the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR. The 2007 Countywide Plan EIR concluded that, although implementation of the Countywide Plan could result in potential inconsistencies with community plans and other applicable plans and programs, such inconsistencies would not result in adverse physical environmental effects. The 2023 Housing and Safety Element Update EIR concluded that development facilitated by the Housing Element Update would not physically divide established communities or result in a significant environmental impact due to conflicts with applicable land use plans, policies, or regulations.

The proposed project would be consistent with the site's existing Countywide Plan land use designation and zoning. Additionally, and as discussed above in Section 1.4," Relationship to the Santa Venetia Community Plan," the Santa Venetia Community Plan was adopted by the Marin County Board of Supervisors on February 14, 2017 as part of the Countywide Plan, and the Board determined that adoption of the Community Plan was within the scope of the 2007 Countywide Plan Final EIR and did not require additional environmental review. As part of the Countywide Plan, the Santa Venetia Community Plan provides policies specific to land use and development within the Santa Venetia community. Accordingly, consistency with the applicable Santa Venetia Community Plan policies has been considered as part of this qualification assessment. Based on the analysis presented in this qualification assessment, the proposed project would be consistent with the applicable land use policies and development framework of the 2007 Countywide Plan and Santa Venetia Community Plan. Therefore, development of the proposed project would not result in a significant land use effect peculiar to the project or project site, and no new or substantially more severe direct or cumulatively considerable environmental effects related to land use consistency would occur beyond those previously evaluated in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.10.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures were required in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR and thus none would be applicable to the proposed project.

4.11 MINERAL RESOURCES

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	No	No	No	No
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No	No	No	No

4.11.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR identifies five sites in Marin County as having significant mineral resources: Ring Mountain; Novato Conglomerate – Black Point; Franciscan Complex Sandstone – San Pedro Hill; Franciscan Complex – Borello Quarry, and Sonoma Volcanics Andesite – Burdell Mountain Open Preserve. In addition, the 2007 Countywide Plan EIR identifies four State designated and permitted mineral resource sites in the County: Nicasio Quarry; Lawson's Quarry; Martinoni Quarry; and Redwood Landfill Quarry. The Countywide Plan's approach related to mineral resources is to preserve important mineral resources and prevent incompatible development from interfering with their extraction. Its provisions include protecting State-designated mineral resource sites from encroachment; providing buffers between mineral extraction areas and incompatible uses such as housing; requiring best management practices for mining operations; requiring reclamation of mined lands; evaluating and mitigating environmental impacts when mining permits are renewed or amended; maintaining appropriate mineral-resource designations and mapping; and encouraging conservation and alternative materials to reduce demand for mined resources. As discussed in 2007 Countywide Plan EIR Section 2.6, Effects of No Significance, implementation of the Countywide Plan would result in less than significant impacts with respect to loss of significant mineral resource sites and was scoped out from further analysis in the initial study prepared for the 2007 Countywide Plan EIR.

4.11.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safey Elements Update EIR identified eight State-designated locations containing mineral resources of regional and/or statewide value and four locations permitted by Marin County for mineral operations; however, none of the candidate housing sites evaluated by the EIR were proposed for development on any of these identified mineral-resource sites. Accordingly, the 2023 Housing and Safey Elements Update EIR concluded that implementation of the Housing Element Update would result in no impact to known mineral resources of regional or statewide value or to locally important mineral resource recovery sites. The 2023 Housing and Safey Elements Update EIR also concluded that the Housing Element Update would not contribute to cumulative mineral-resource impacts and that potential cumulative impacts to mineral resources and mineral-resource recovery sites would be less than significant.

4.11.3 Project-Specific Analysis

The project site is developed with a vacant education facility that closed in 2023 within an urban residential setting and is not located within an identified mineral resource extraction or recovery site. Moreover, existing and the proposed residential uses would not involve mineral extraction or otherwise result in the loss or unavailability of a known mineral resource. Although the Franciscan Complex Sandstone – San Pedro Hill is an identified mineral resource site in the broader area, development of the project site would not convert or otherwise result in the loss of availability of that designated mineral resource area or interfere with or inhibit continued mineral extraction activities. Accordingly, the proposed project would not result in a significant effect related to the loss or availability of mineral resources that is peculiar to the project site, would not make a cumulatively considerable contribution to a significant mineral resource impact, and would not result in new or substantially more severe environmental effects related to mineral resources than those previously evaluated in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.11.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures were required in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR and thus none would be applicable to the proposed project.

4.12 NOISE

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) 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?	No	No	No	No
b) Generation of excessive groundborne vibration or groundborne noise levels?	No	No	No	No
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	No	No	No	No

4.12.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR found that traffic projections associated with implementation of the Countywide Plan would increase traffic noise by less than 1 decibel (dBA) to up to 2 dBA along roadways in the planning area by the year 2030. A 2 dBA change in noise is generally not detectable and would not be considered a substantial increase in noise. Because the 2007 Countywide Plan EIR considered a 3 dBA increase to be the threshold for a significant traffic noise impact, these increases were determined to be less than significant. The 2007 Countywide Plan EIR noted that development projects under the Countywide Plan could result in localized increases in traffic noise; however, existing County Policy NO-1.2 and Program NO-1.c ensure that transportation activities do not generate noise beyond acceptable levels and require noise mitigation for projects that would result in substantial noise increases, respectively. Therefore, it was determined that the Countywide Plan would not result in substantial traffic noise increases. For these reasons, the 2007 Countywide Plan EIR concluded that impacts related to traffic noise would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

The 2007 Countywide Plan EIR determined that implementation of the Countywide Plan would not substantially change airport or heliport activity or expose noise sensitive land uses to increased noise levels from airport and heliport operations. The 2007 Countywide Plan EIR concluded that applicable airport land use and noise standards would continue to guide future development and that impacts related to airport noise would be less than significant, with a less than cumulatively considerable contribution to cumulative impacts.

According to the 2007 Countywide Plan EIR, while subsequent development could introduce new noise-generating uses, Countywide Plan Program NO-1.a would require compliance with adopted stationary noise standards and performance benchmarks, including noise standards for siting land uses. Through project level CEQA review and discretionary permitting, projects would be required to comply with stationary noise standards. Therefore, the 2007 Countywide Plan EIR determined that stationary noise impacts would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

Related to the siting of new sensitive receptors, the 2007 Countywide Plan EIR found that future noise-sensitive land uses could be exposed to increased transportation and stationary noise levels, such as the residential units within the Housing Overlay designation which would be located along major roadways and transit corridors. Countywide Plan Program NO-1.d would establish maximum allowable exterior and interior noise levels for new residential uses of 60

dBA L_{dn} and 45 dBA L_{dn}, respectively. The Countywide Plan also included Policy NO-1.1 and Programs NO-1.a, NO-1.b, NO-1.d, and NO-1.f to require noise compatible land use planning, acoustical analyses for new noise sensitive uses, compliance with noise standards, and review of proposed development near airports for consistency with applicable airport noise standards. Based on these policies and programs, the 2007 Countywide Plan EIR determined that impacts on new sensitive land uses would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

Regarding construction noise, the 2007 Countywide Plan EIR stated that implementation of the Countywide Plan could result in increases in temporary construction noise, particularly during noise sensitive times of day. The 2007 Countywide Plan EIR noted that heavy construction equipment typically generates hourly average noise levels of approximately 80 to 85 dBA at 50 feet and that during active construction periods, hourly average noise levels could exceed 60 dBA L_{eq} at distances of 500 to 900 feet. Although Countywide Plan Policy NO-1.3 would require measures to minimize noise exposure from construction activities and Program NO-1.i proposed adoption of a noise ordinance to limit allowable construction hours, the 2007 Countywide Plan EIR determined that these measures did not identify sufficient construction practices or performance standards to demonstrate that construction noise would be reduced to a less-than-significant level. Mitigation Measure 4.4-5 was identified in the 2007 Countywide Plan EIR to revise Program NO-1.i to require, as a condition of approval, the preparation and implementation of a noise reduction plan for projects that would result in significant construction noise impacts. However, the 2007 Countywide Plan EIR concluded that noise levels could still exceed 60 dBA L_{eq} or 80 dBA L_{max} at sensitive receptors. Therefore, the 2007 Countywide Plan EIR concluded that this impact would remain significant and unavoidable and would also result in a cumulative considerable contribution to cumulative impacts.

4.12.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR evaluated potential traffic-generated noise increases associated with future development facilitated by the Housing and Safety Element Update using traffic volumes derived from the VMT analysis and modeled with the FHWA Traffic Noise Model. Significant traffic noise impacts were identified along portions of Miller Creek Road, Nicasio Valley Road, State Route 1, Petaluma Point Reyes Road, and Tamalpais Drive, where projected traffic increases would result in noise increases exceeding the County's 3 dBA significance threshold. The 2023 Housing and Safety Element Update EIR concluded that existing County noise policies and programs, including Policies NO-1.1, NO-1.2, and NO-1.4 and Programs NOI-1.a, NOI-1.b, and NOI-1.c, would help address noise from future development but may not fully mitigate increases in traffic noise to acceptable levels. Because, the Housing Element Update could result in a substantial permanent change in traffic noise in areas already affected by high noise levels that exceed County guidelines for noise and land use compatibility, the 2023 Housing and Safety Element Update EIR determined that the impacts from traffic noise would be significant. Mitigation Measure 15-1 identified in the 2023 Housing and Safety Element Update EIR requires the implementation of Transportation Mitigation Measure 18-4 to reduce VMT from new residential development. Because a reduction in vehicle trips on specific, impacted roadway segments cannot be guaranteed, the 2023 Housing and Safety Element Update EIR concluded that this impact would remain significant and unavoidable and would also result in a cumulative considerable contribution to cumulative impacts.

Regarding stationary noise impacts, the 2023 Housing and Safety Element Update EIR found that although implementation of the Housing and Safety Element Update could increase stationary noise sources (e.g., landscape and building maintenance activities, stationary mechanical equipment, garbage collection activities, and other sources such as people's voices, amplified music, and parking activities) through higher-density and mixed-use development, the 2023 Housing and Safety Element Update EIR noted that residential uses are generally not substantial noise generators and that existing County noise policies and programs would ensure new development is designed and operated consistent with applicable noise standards. Specifically, Countywide Plan Policies NO-1.1 and NO-1.3 and Programs NOI-1.a through NOI-1.d mandate compliance with allowable noise levels, require project-specific noise mitigation, and establish maximum exterior and interior residential noise standards. Therefore, the 2023 Housing and

Safety Element Update EIR determined that impacts related to stationary noise would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

The 2023 Housing and Safety Element Update EIR additionally evaluated temporary construction noise associated with future development and implementation of physical projects that reduce the County's vulnerability to environmental hazards. The analysis noted that demolition, site preparation, and grading activities typically produce the highest noise levels, with individual pieces of equipment generating noise levels of approximately 81 dBA L_{eq} and 85 dBA L_{max} at 50 feet and multiple pieces of equipment operating simultaneously generating noise levels of approximately 86 dBA L_{eq} and 88 dBA L_{max} at 50 feet. The 2023 Housing and Safety Element Update EIR states that the magnitude of construction noise impacts would depend on project-specific factors such as equipment type, distance to sensitive receptors, duration of construction, existing ambient noise levels, and the presence of barriers or shielding which were not known at the time the EIR was prepared. However, the 2023 Housing and Safety Element Update EIR concluded that existing County standards and requirements, including Policy NO-1.3 and Program NOI-1.i of the Countywide Plan and Marin County Code standards, which include provisions for construction hours and operation, would minimize construction noise exposure associated with implementation of the Housing and Safety Element Update. Therefore, the 2023 Housing and Safety Element Update EIR determined that impacts related to construction noise would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

The 2023 Housing and Safety Element Update EIR found that construction activities would generate temporary groundborne vibration from heavy equipment; however, because pile driving and other high-impact equipment is not anticipated, and because County Code setback requirements would separate construction activities from nearby structures, vibration levels from typical construction equipment would remain below established thresholds for structural damage to adjacent buildings. The 2023 Housing and Safety Element Update EIR states that as it relates to human annoyance, the operation of typical construction equipment could produce perceptible vibration within 150 feet and 400 feet of pile drivers and/or vibratory rollers. The analysis found that vibration impacts related to human disturbance would not be excessive because it would be intermittent, limited in duration, and occur only during the day. Additionally, Countywide Plan Goal NO-1, Policy NO-1.3, Program NOI-1.i, and Marin County Code restrictions on construction activities, would minimize potential vibration-related effects. Furthermore, the 2023 Housing and Safety Element Update EIR determined that future residential and mixed-use development would not introduce substantial long-term stationary or mobile sources of groundborne vibration. Therefore, the 2023 Housing and Safety Element Update EIR determined that impacts related to vibration would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

The 2023 Housing and Safety Element Update EIR also evaluated the potential for future residential development to expose residents to airport- and heliport-related noise and concluded that existing County and airport land use compatibility requirements would ensure that new development is designed to avoid excessive aircraft noise exposure. Thus, the 2023 Housing and Safety Element Update EIR determined that impacts related to airport and heliport noise would be less than significant, with a less than cumulatively considerable contribution to cumulative impacts.

4.12.3 Project-Specific Analysis

Construction is typically a temporary activity and noise from construction ceases once construction is complete. Construction noise levels vary from hour to hour and day to day, depending on the equipment in use, the operations being performed, and the distance between the noise source and receiver. Project construction is anticipated to begin in March 2027 and would take approximately 33 months. Project construction activities would include demolition, site preparation, and both exterior and interior building work. As detailed in Section 2.2.8, "Project Construction, " the project would comply with Marin County Development Code Section 6.70.030 which would limit construction activities to less sensitive times of day. No nighttime construction would occur. Therefore, construction activities would not result in sleep disturbance, and on-site project construction would not have an adverse effect on humans due to sleep awakenings at the nearest sensitive receptors adjacent to the project site on the northeast and southwest sides.

The FTA *Transit Noise and Vibration Impact Assessment Manual* identifies recommended construction noise criteria. For residential receptors, the recommended construction noise limits are 80 dBA L_{eq} during daytime hours and 70 dBA L_{eq} during nighttime hours. The corresponding limits for commercial and office uses are 85 dBA L_{eq} and 90 dBA L_{eq} for industrial uses regardless of the time of day.

Consistent with Countywide Plan Implementing Program NO-1.a, a Construction Noise and Vibration Assessment (Appendix NOI-1) was prepared for the proposed project. The assessment evaluated temporary construction noise associated with demolition, site preparation, grading, excavation, and building construction using the Federal Highway Administration's Roadway Construction Noise Model (RCNM), consistent with Federal Transit Administration guidance. Assuming operation of the two loudest pieces of equipment during each construction phase, the Construction Noise and Vibration Assessment (Appendix NOI-1) estimated maximum instantaneous noise levels ranging from 74 to 90 dBA L_{max} at 50 feet from active construction areas. Average construction noise levels were estimated to range from 74 to 84 dBA L_{eq} at 50 feet, depending on the construction phase and equipment in use.

Consistent with Marin Countywide Plan Policy NO-1.3 and Implementing Program NO-1i, the Construction Noise and Vibration Assessment (Appendix NOI-1) identifies the following construction best management practices to ensure temporary construction noise impacts during construction are minimized:

- Hours for construction activities and other work undertaken in connection with building, plumbing, electrical, and other permits issued by the Community Development Agency shall be limited to the following:
  - Monday through Friday: 7:00 a.m. to 6:00 p.m.
  - Saturday: 9:00 a.m. to 5:00 p.m.
  - Prohibited on Sundays and Holidays (New Year's Day, President's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.)
  - Loud noise-generating construction-related equipment (e.g., backhoes, generators, jackhammers) can be maintained, operated, or serviced at a construction site for permits administered by the Community Development Agency from 8:00 a.m. to 5:00 p.m. Monday through Friday only.
- Utilize the best available noise control techniques (e.g., improved mufflers, use of intake silencers, ducts, engine enclosures, and acoustically attenuating shields or shrouds) wherever feasible on equipment and trucks used for project construction.
- Require the contractor to use impact tools (e.g., jack hammers and hoe rams) that are hydraulically or electrically powered wherever possible. Where the use of pneumatic tools is unavoidable, an exhaust muffler on the compressed air exhaust shall be used along with external noise jackets on the tools.
- Locate stationary equipment such as generators and air compressors as far as feasible from nearby noise-sensitive uses.
- Locate stockpiling as far as feasible from nearby noise-sensitive receptors.
- Limit construction traffic to the extent feasible to approved haul routes.
- Require the telephone numbers of the authorized representatives for the County and the contractor that are assigned to respond in the event of a noise or vibration complaint to be displayed on construction signs posted at the construction site. If the authorized contractor's representative receives a complaint, he/she shall investigate, take appropriate corrective action, and report the action to the County.
- Post signs at the job site entrance(s), within the on-site construction zones, and along queueing lanes (if any) to reinforce the prohibition of unnecessary engine idling. All other equipment shall be turned off if not in use for more than 5 minutes.
- Require the use of noise-producing signals, including horns, whistles, alarms, and bells, shall be for safety warning purposes only, to the extent feasible. The construction manager shall use smart backup alarms, which automatically

adjust the alarm level based on the background noise level or switch off back-up alarms and replace with human spotters in compliance with all safety requirements and laws.

- Erect temporary noise barriers (at least as high as the exhaust of equipment and breaking line-of-sight between noise sources and sensitive receptors), as necessary and feasible, to maintain construction noise levels at or below the performance standard of 80 dBA Leq. Barriers shall be constructed with a solid material that has a density of at least 3 pounds per square foot with no gaps from the ground to the top of the barrier.

For vibration impacts, the FTA recommends vibration limits of 0.5 inches per second (in/sec) peak particle velocity (PPV) to avoid damage to reinforced-concrete, steel, or timber buildings (e.g., new residential and modern commercial/industrial buildings without plaster) and 0.3 in/sec PPV to prevent damage to engineered concrete and masonry buildings (e.g., older residential structures without plaster).

Similar to temporary construction noise and consistent with Marin Countywide Plan Policy NO-1.3 and Implementing Program NO-1i, the Construction Noise and Vibration Assessment (Appendix NOI-1) also evaluated potential construction-related vibration from heavy equipment and impact tools. The assessment found that vibration levels would attenuate rapidly with distance and that most construction equipment would not generate vibration levels exceeding the applicable 0.3 in/sec PPV threshold. However, certain heavy equipment, including vibratory rollers, excavators, graders, scrapers, and rubber-tired dozers, could exceed 0.3 in/sec PPV if operated in close proximity to adjacent buildings. The Construction Noise and Vibration Assessment (Appendix NOI-1) identifies the following construction best management practices and standard vibration controls to ensure temporary vibration impacts during construction are minimized:

- Avoid using vibratory rollers within 20 feet, excavators, graders, and scrapers within 15 feet, and rubber-tired dozers within 10 feet of the adjacent residences.
- A static roller shall be used instead of a vibratory roller when work is conducted within 20 feet of the residences.
- Substitute smaller equipment (e.g., Tractor/Loader/Backhoe) to complete the tasks designated for excavators, graders, scrapers, and rubber-tired dozers within the screening setbacks.
- Select demolition methods that do not involve large impact tools within 20 feet of the adjacent residences to the south. Portable jackhammers, saws, or grinders shall be used to minimize impacts to the ground.
- Avoid dropping heavy equipment and use alternative methods for breaking up existing pavement, such as a pavement grinder, instead of dropping heavy objects, within 20 feet of the adjacent residences.
- Designate a Disturbance Coordinator responsible for registering and investigating claims of excessive vibration. The contact information for the responsible party shall be posted on the construction site.

The Construction Noise and Vibration Assessment (Appendix NOI-1) concludes that implementation of the construction best management practices and standard vibration controls outlined above would ensure temporary construction noise and vibration impacts would be minimized and remain less than significant, and no project-specific mitigation measures would be required.

Implementation of the proposed project would result in the generation of new vehicle trips from residential uses. These trips would result in a small increase in average daily traffic volumes and a minimal associated increase in traffic noise levels along the surrounding roadway network. As identified in the Trip Generation and Site Plan Review Analysis prepared for the project, the project is estimated to generate approximately 308 daily vehicle trips (Hexagon Transportation Consultants, Inc. 2026a). It is widely accepted that people can begin to detect sound level increases of 3 dBA in typical noisy environments. Therefore, a traffic noise increase of less than 3 dB would clearly be less than significant. Generally, a doubling of a noise source (e.g., twice as much traffic) is required to result in an increase of 3 dB (Caltrans 2013). The 2023 Housing and Safety Element Update EIR identified existing (2019) average daily traffic (ADT) volumes of approximately 6,754 vehicles on North San Pedro Road between US 101 and Bucks Landing Road and projected year 2040 volumes to be approximately 8,316 ADT under buildout conditions. Therefore, the addition of 308 new daily trips would be negligible compared to the existing traffic on North San Pedro Road and would not

result in a substantial increase in traffic noise. Thus, traffic noise would not adversely affect any nearby sensitive receptors due to the implementation of the project.

Implementation of the project would introduce new stationary noise sources typically associated with residences, primarily outside HVAC units. Commonly installed building equipment, such as HVAC systems, may be located within the interior of the structure, on rooftops, or on the ground next to the home. Outdoor HVAC may be in direct line-of-sight to adjacent land uses. Detailed design-level information regarding the stationary equipment models to be installed and their exact location is not currently known for the proposed project. Noise levels from residential HVAC equipment vary depending on the unit efficiency, size, and location, but generally range from 60 to 70 dBA L_{eq} at 3 feet (Carrier 2022).

To avoid the risk of understating the potential noise generation of the proposed project, the conservative noise level of 70 dBA L_{eq} at 3 feet was used for residential HVAC equipment noise modeling for the proposed project. Based on this reference noise level, from distance alone, noise from residential HVAC units would attenuate to the County's daytime stationary noise standard (i.e., 50 dBA L_{eq}) within 31 feet and the nighttime stationary noise standard (i.e., 45 dBA L_{eq}) within 54 feet (see Appendix NOI-2 for detailed modeling). The project would be required to comply with Marin County noise policies, standards, and regulations, including the County's stationary daytime and nighttime noise standards for residential uses of 50 dBA L_{eq} and 45 dBA L_{eq}, respectively. These requirements include implementation of Countywide Plan policies intended to protect sensitive receptors from excessive noise and project-specific review to ensure that stationary noise sources, including mechanical equipment, are appropriately located and designed to avoid significant noise impacts. Through compliance with these requirements, potential operational noise impacts would be minimized and within applicable County standards.

Regarding impacts related to a private airstrip or an airport land use plan, the nearest airport is San Rafael Airport located approximately 1 mile north of the project site. However, the project site is located outside of the 55 dB noise contour boundary as identified in the 2007 Countywide Plan Update EIR (County of Marin 2007: 4.4-9). Therefore, the project would not result in noise impacts related to the exposure of people residing or working in the project area to excessive aircraft-related noise levels.

Because, the proposed project would be required to comply with County policies and standards as they relate to noise, and the project would implement the construction best management practices and standard vibration controls outlined above, the proposed project's noise and vibration impacts would not be more severe than the impacts previously analyzed and would be consistent with the findings of both the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR. Therefore, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no noise effects that would be peculiar to the project or subject parcel that would alter the noise impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.12.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures from the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR would be applicable to the proposed project.

4.13 POPULATION AND HOUSING

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	No	No	No	No
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	No	No	No	No

4.13.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that land uses and development consistent with buildout of the Countywide Plan would result in substantial growth in unincorporated areas within Marin County. The 2007 Countywide Plan projected an 11.7 percent population increase in Marin County from 2006 to 2030, and identified that population growth would result in impacts to public services and other areas of concern. The 2007 Countywide Plan includes policies aimed at protecting resources by establishing a land use management framework to concentrate development in the City-Centered Corridor. It also includes policies and programs that ensure new development is confined to areas with adequate public services, as well as coordination with the Marin LAFCo to generate more compact land use patterns. The 2007 Countywide Plan EIR included Mitigation Measure 4.1-2 which requires the County to provide adequate infrastructure capacity, coordinate development and infrastructure, monitor growth at least every 5 years, and conduct development review. The 2007 Countywide Plan EIR concluded that although additional policies and programs as well as implementation of Mitigation Measure 4.1-2 would reduce impacts associated with growth and concentration of population, impacts would not be reduced to a less than significant level. Therefore, impacts related to population growth, as well as cumulative impacts, were concluded to be significant and unavoidable.

Regarding decreases in the employed residents per job ratio, the 2007 Countywide Plan EIR calculated the jobs-to-housing ratio (the number of employed residents divided by number of total jobs in the county) from 1980 to 2030 and identified a steady decrease over time, projecting an employed residents per job ratio of 1.01 by 2030. Goals and policies in the 2007 Countywide Plan would minimize impacts on employment by encouraging local workforce housing, studying the nexus between local jobs and housing, and adopting a jobs/housing linkage ordinance to supply more jobs for Marin County resident workers. Increases in housing, nonresidential floor area, and population as a result of implementation of the 2007 Countywide Plan would contribute to a lower and more balanced countywide jobs-to-housing ratio. The Countywide Plan EIR concluded that an improved jobs-to-housing ratio would be a less than significant socioeconomic project and cumulative impact.

For impacts related to displacement of substantial numbers of existing housing or the displacement of substantial numbers of people, the initial study prepared for the 2007 Countywide Plan EIR found there would be no significant effect and it was scoped out from further analysis in the 2007 Countywide Plan EIR.

4.13.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR concluded that implementation of the Housing Element Update would not result in substantial unplanned population growth through the development of new housing or the extension of roads and other infrastructure. The implementation of the Housing Element Update would lead to the development of around 5,214 housing units from 2023-2031 and focuses primarily on infill development. The Housing Element Update aims to reuse underutilized parcels and preserve established residential neighborhoods. This buildout could result in approximately 12,362 new residents in Marin County. Although this increased housing and population would require utilities and road improvements, they would only occur in areas that are already being served. Additionally, since the Housing Element Update proposes amendments to the Countywide Plan to allow for increased infill housing, increased development would maintain consistency with the Countywide Plan and County Code. The population growth associated with the Housing Element Update would therefore not be considered "unplanned." For these reasons, the 2023 Housing and Safety Element Update EIR concluded that impacts on unplanned population growth, including cumulative impacts, would be less than significant.

For temporary construction-related employment impacts, the 2023 Housing and Safety Element Update EIR concluded that the increased development facilitated by the Housing Element Update would lead to the construction of road improvements, evacuation routes, and retrofitting of County facilities. Although this would result in temporary construction personnel in the County, the 2023 Housing and Safety Element Update EIR did not identify the need for new housing and concluded substantial population growth is not anticipated as a result of temporary construction-related jobs. Due to the temporary nature of this construction work, this impact was found to be less than significant and the 2023 Housing and Safety Element Update EIR concluded cumulative impacts would also be less than significant.

Regarding population and housing displacement effects, the 2023 Housing and Safety Element Update EIR concluded that increased development could result in the temporary displacement of existing residential units or residents since proposed housing sites are located in areas of existing development. The Housing Element Update also emphasized increasing the supply of affordable housing which supplements the existing housing stock and would not result in the net displacement of housing. The 2023 Housing and Safety Element Update EIR evaluated Housing Element Update policies and programs that intend to reduce risk of displacement including Policy 4.1: Tenant Protection, Policy 4.3: Affirmatively Furthering Fair Housing, and Program 3: Replacement Housing. Further, development on non-vacant sites with existing residential units would include replacement units affordable to the same or lower income level, as required by State Law (AB 1397). As a result of policy and program implementation, State Law, and an expected increase in affordable housing, the 2023 Housing Element Update's impacts on population and housing displacement, as well as cumulative impacts, were found to be less than significant.

4.13.3 Project-Specific Analysis

The project is located in the City-Centered Corridor which is primarily designated for urban development and the protection of environmental resources. It is also where approximately 96 percent of the County's population resides and where most of the development is concentrated in the County (County of Marin 2023b). The project site is currently developed with an educational facility; however, the educational facility closed in 2023 and has been vacant since that time. The proposed project would demolish the existing educational facility and construct 36 single-family homes of which seven (20 percent of the base density) would become income-restricted, below market rate homes (with deed restriction). No existing residential units or residents occur on the project site and no people or housing would be displaced as a result of the project.

As described in Section 2, Project Description, the project site is designated by the Countywide Plan as Low-Density Residential (SF5 and SF6) and Medium to High-Density Residential (MF4). The property identified as APN 179-321-36 has three zoning designations: Residential Agriculture Combined District (RA-B1, minimum lot size 6,000 square feet), Residential Agriculture Combined District (RA-B2, minimum lot size 10,000 square feet), and Residential Multiple Planned (RMP-29). The property identified as APN 179-321-37 has two zoning designations: Residential Agriculture

Combined District (RA-B1, minimum lot size 6,000 square feet) and Residential Agriculture Combined District (RA-B2, minimum lot size 10,000 square feet). The maximum density of these zoning and general plan designations is 7.26 dwelling units (DUs) per acre for RA-B1 and SF 5; 4.4 DU/acre for RA-B2 and SF 6; and 29 DU/acre for RMP-29 and 30 DU/acre for MF4. As shown in Table 2-1, Proposed Housing Type and Number of Units, the proposed project would conform to the land use designations and zoning.

While the project site was not specifically included in the 2023 Housing and Safety Element Update housing site inventory list, housing development and growth envisioned with buildout of the 2023 Housing and Safety Element Update is not restricted to development of properties only on the site inventory. The project site is consistent with the Housing Element's description of vacant or underused school sites that could accommodate residential development, and construction of the proposed project would be consistent with the land use designations and zoning for the site as well as with applicable plans, policies, and regulations, and would help the County meet identified RHNA obligations as analyzed in the 2023 Housing and Safety Element Update EIR. Additionally, the proposed project would not extend any roadways or utilities in a manner that would indirectly induce substantial unplanned growth in the immediate vicinity of the project site or elsewhere. The project would introduce development in an area that has existing infrastructure systems, and utility improvements and connections would be designed and sized in compliance with County requirements to accommodate development of the project site. Therefore, the proposed project would not result in substantial unplanned population growth or the displacement of substantial numbers of existing people or housing, and no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no population and housing effects that would be peculiar to the project or subject parcel that would alter the population and housing impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.13.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures were required in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR and thus none would be applicable to the proposed project.

4.14 PUBLIC SERVICES

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) 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:				
i) Fire protection?	No	No	No	No
ii) Police protection?	No	No	No	No
iii) Schools?	No	No	No	No
iv) Parks?	No	No	No	No
v) Other public facilities?	No	No	No	No
b) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	No	No	No	No
c) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	No	No	No	No

4.14.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that land uses and development consistent with the buildout of the Countywide Plan would require increased equipment, staff, and facilities to meet fire prevention and suppression needs. Policies and programs included in the Countywide Plan to ensure adequate fire protection include fire protection in new construction and retrofit, removal of hazardous vegetation near structures, and adoption of a County fire management plan. The construction of new or expanded fire protection facilities could result in adverse environmental effects including traffic, erosion, noise, and dust. While site-specific impacts cannot be determined until individual projects undergo their own environmental review, to minimize potential impacts from the construction of fire and emergency service facilities, the Countywide Plan includes policies such as restricting land use in stream conservation areas, reducing toxic runoff, avoiding erosion and sedimentation, mitigating air quality impacts, and regulating noise generating activities. With these policies, impacts related to fire protection and emergency services were found to be less than significant.

Regarding criminal justice services, the 2007 Countywide Plan EIR concluded that implementation of the Countywide Plan would require more police staff and facilities, which could cause adverse environmental impacts. The Countywide Plan includes goals to decrease crime and construct adequate criminal justice facilities, potentially resulting in adverse effects on the environment including traffic, erosion, noise, and dust. Similar to fire protection services, while site-specific impacts cannot be determined until individual projects undergo their own environmental

review, goals and policies in the Countywide Plan would reduce construction impacts of new or expanded criminal justice facilities through restricting land use in stream conservation areas, reducing toxic runoff, avoiding erosion and sedimentation, mitigating air quality impacts, and regulating noise generating activities. With these policies, the 2007 Countywide Plan EIR concluded that impacts related to criminal justice services, as well as cumulative impacts, would be less than significant.

For impacts related to public education services, the 2007 Countywide Plan EIR concluded that buildout from the Countywide Plan implementation would increase school enrollment and the need for new and expanded facilities. Policies and programs would ensure sufficient capacity in schools for future residents through requiring County coordination with school districts, encouraging school districts to reserve sites for future school needs, and enhancing educational programs for all ages. However, implementation of the Countywide Plan would still generate student enrollment beyond the capacity of Marin County schools. This could result in adverse impacts to the physical environment including traffic, erosion, noise, and dust. While site-specific impacts cannot be determined until individual projects undergo their own environmental review, the Countywide Plan includes goals and polices to minimize construction impacts related to new or expanded school facilities include restricting land use in stream conservation areas, reducing toxic runoff, avoiding erosion and sedimentation, mitigating air quality impacts, and regulating noise generation. With these policies, the 2007 Countywide Plan EIR concluded that impacts related to public education services, including cumulative impacts, would result in less than significant.

Regarding parks and recreation services, the 2007 Countywide Plan EIR concluded that new or expanded local and neighborhood parklands are required to meet statewide park planning standards. Policies and programs in the Countywide Plan ensure sufficient park access through mandating development of park and recreation facilities, requiring planning and development of new park and recreation facilities to protect environmental resources, and ensuring that public services meet demand as population grows in Marin County. The construction of parks and recreation facilities could result in environmental impacts such as traffic, erosion, noise, and dust. Goals to increase pedestrian and bike routes could also have adverse physical environmental effects. While site-specific impacts of construction of these facilities and infrastructure projects cannot be determined until they undergo environmental review, the Countywide Plan includes policies to minimize construction impacts from park facilities such as restricting land use in stream conservation areas, reducing toxic runoff, avoiding erosion and sedimentation, mitigating air quality impacts, and regulating noise generating activities. Thus, impacts related to parks and recreation services, including cumulative impacts, were found to be less than significant.

4.14.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

The 2023 Housing and Safety Element Update EIR concluded that development consistent with the buildout of the Housing Element Update would result in increased demand for firefighting and protection services. The Housing Element includes policies to ensure adequate fire department resources for existing and proposed development such as annual safety service limit evaluations, public facility and service level checks, and permit approval only if adequate services are available. Individual project proposals must be reviewed by the Marin County Fire Department based on uniformly applied standards and regulations. Compliance with the Housing Element Update policies and the uniformly applied fire protection standards would ensure that fire departments are equipped to serve Marin County residents. The 2023 Housing and Safety Element Update EIR concluded that impacts, including cumulative impacts, related to fire protection and emergency medical service demands would be less than significant.

With regards to police protection service demands, the 2023 Housing and Safety Element Update EIR concluded that the Housing Element Update would not include any new or expanded police facilities. Future housing development would result in increased demand for police services and it is anticipated that additional equipment and personnel staffing will be needed. However, since there are no plans for constructing or expanding police facilities, the 2023 Housing and Safety Element Update EIR concluded that the Housing Element Update would result in less than significant impacts, including cumulative impacts.

For impacts related to public schools, the 2023 Housing and Safety Element Update EIR concluded that the increase in potential students could require the construction of additional facilities which could cause adverse environmental impacts. The Marin County Board of Education would be the lead agency for CEQA review and would be responsible for the evaluation of new or expanded school facilities. The Leroy F. Greene School Facilities Act of 1998 (SB50) preempts mitigation measures for new school facilities, so projects may not be denied due to environmental impacts. Since payment of school impact fees account for all mitigation measures, the impacts on public schools from the Housing Element Update were found to be less than significant and less than cumulatively significant.

The 2023 Housing and Safety Element Update EIR concluded that implementation of the Housing Element Update would result in increased demand for parks and recreational facilities. In compliance with the Subdivision Map Act, Government Code Section 66477(a)(2), the County shall designate at least 3 acres of land per 1,000 residents for parks and recreation. Additionally, the County Code mandates new residential development to include parkland or equivalent in-lieu fees. Because future development of parkland and open space or in-lieu fees are mandatory, the 2023 Housing and Safety Element Update EIR concluded that impacts, including cumulative impacts, related to parks and recreational facilities would be less than significant.

Regarding public facilities, the 2023 Housing and Safety Element Update EIR concluded that increased development consistent with the buildout of the Housing Element Update would result in an increased demand for public municipal services, such as libraries. The development of public facilities would undergo individual CEQA evaluation, therefore, the impacts on public facilities, as well as cumulative impacts, were concluded to be less than significant.

Increased population as a result of the 2023 Housing and Safety Element Update would add to the use of neighborhood and regional parks, however, this increase is not anticipated to cause deterioration to existing facilities beyond the scope of in-lieu park fees or the required development of parkland. Construction of additional facilities shall also align with County standards of construction to avoid negative environmental impacts. Thus, the 2023 Housing and Safety Element Update EIR concluded that impacts, including cumulative impacts, resulting from the increased use of existing neighborhood and regional parks would result in a less than significant impact.

4.14.3 Project-Specific Analysis

The proposed project would construct 36 single-family homes. Using the average of 2.371 person per household as estimated in the 2023 Housing and Safety Element Update EIR, the proposed project would be occupied by approximately 85 residents (Marin County 2023a). As discussed above, the project's proposed residential land use is consistent with the site's land use designations and zoning. Therefore, the proposed project's future residential population is within the development capacity and population projections contemplated in the 2023 Housing and Safety Element Update, thereby indicating that the proposed project's demand for fire protection, police protection, schools, parks, and libraries would be consistent with what was assumed in the analysis of impacts to public services presented in the 2023 Housing and Safety Element Update EIR. With compliance with the Countywide Plan as modified by the 2023 Housing and Safety Element Update policies and programs, payment of school impact fees, and the mandatory provision of parkland or payment of equivalent in-lieu fees, the proposed project would not result in adverse impacts associated public services and impacts would be less than significant. Therefore, the proposed project would not result in new or more severe impacts or cumulative impacts related to public services compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no public services effects that would be peculiar to the project or subject parcel that would alter the public services impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.14.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures were required in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR and thus none would be applicable to the proposed project.

4.15 TRANSPORTATION

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	No	No	No	No
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	No	No	No	No
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	No	No	No	No
d) Result in inadequate emergency access?	No	No	No	No

4.15.1 Summary of 2007 Countywide Plan EIR Significance Determinations

Impacts 4.2-2 through 4.2-25 in the 2007 Countywide Plan EIR evaluate roadway level of service (LOS), traffic congestion, and related vehicle delay conditions. Since certification of the 2007 Countywide Plan EIR, CEQA has been amended through Senate Bill 743 and CEQA Guidelines Section 15064.3, which provide that a project's effect on automobile delay, as measured by LOS or similar metrics, does not constitute a significant environmental impact under CEQA. Accordingly, these LOS-based impacts are no longer relevant CEQA transportation impact considerations and are not discussed further in this analysis.

Regarding VMT, the 2007 Countywide Plan EIR concluded that, although the Countywide Plan incorporated smart-growth, transit-oriented development, workforce housing, and multimodal transportation policies intended to reduce reliance on automobiles, these measures would not be sufficient to offset projected growth in travel demand. Under full buildout, the unincorporated County's population was projected to increase by approximately 13 percent and employment by 33 percent by 2030, resulting in a countywide VMT increase of approximately 25 to 26 percent. The Countywide Plan was expected to achieve reductions in VMT per capita and increases in transit use compared to the prior Countywide Plan by concentrating future housing in the City-Centered Corridor in denser, mixed-use areas near transit; however, the 2007 Countywide Plan EIR found that the overall benefits would be limited relative to the scale of anticipated growth. The 2007 Countywide Plan EIR Mitigation Measure 4.2-1 required the addition of new Policy TR-1 and new Program TR-1 to the Transportation Section of the Built Environment Element to reduce VMT per person by 10 percent and develop a program for monitoring VMT and implementing targeted strategies to reduce VMT, respectively. However, given feasibility constraints and the inability to guarantee reductions in VMT, the 2007 Countywide Plan EIR determined that VMT impacts would remain significant and unavoidable and would also result in a cumulative considerable contribution to cumulative impacts.

The 2007 Countywide Plan EIR determined that future residential and nonresidential development would increase demand for bicycle and pedestrian facilities, particularly within the City-Centered Corridor. However, Countywide Plan Policies TR-1.1, TR-1.2, TR-1.6, and TR-2.1 through TR-2.4 would improve bicycle and pedestrian connectivity, capacity, and safety. Additionally, the County's participation in the federal Nonmotorized Transportation Pilot Program would provide funding to expand bicycle and pedestrian networks connecting transit stations, schools, residences, businesses, and recreational destinations. Implementation of these policies along with the Nonmotorized Transportation Pilot Program, would ensure adequate capacity of pedestrian and bicycle facilities and improve safety;

therefore, potential pedestrian and bicycle impacts would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

The 2007 Countywide Plan EIR concluded that future development could increase demand for public transit services and potentially contribute to overcrowding and reduced service performance. However, the 2007 Countywide Plan EIR determined that impacts would support expanded transit services and alternative transportation options because the Countywide Plan included policies intended to improve transit capacity, access, and service, including Policies TR-3.1 through TR-3.6. Therefore, the 2007 Countywide Plan EIR determined that impacts related to increased demand for public transit would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

4.15.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

While the Housing and Safety Element Update anticipates construction of up to approximately 5,124 new residential units during the 2023–2031 planning period, the transportation modeling evaluated all of the identified candidate housing sites, representing a theoretical development capacity of approximately 10,993 potential residential units. The inclusion of all candidate housing sites was chosen for modeling to obtain conservative VMT and traffic volume projections that reflect a "worst case" condition, as well as to ensure that the impacts resulting from a smaller subset of sites such as those included in the Housing Element Update (or defined at a later time by decision makers) have been fully accounted for in the environmental analysis. The 2023 Housing and Safety Element Update EIR found that the County's adopted 2007 Countywide Plan policies and implementing programs regarding transportation would help accommodate the transportation needs created by future development facilitated by the Housing and Safety Element Update. Specifically, consistency with Countywide Plan Policy TR-1.8 was demonstrated using modeling outputs from the TAMDM model, which showed that while the population in unincorporated Marin County would increase by approximately 39 percent under buildout of all candidate housing sites identified in the Housing Element Update, single-occupancy vehicle VMT would increase by only 29 percent, remaining below the population growth rate. Therefore, the 2023 Housing and Safety Element Update EIR determined that there would be no conflict with adopted Policy TR-1.8. Although some projects could affect roadway LOS, which is no longer considered a CEQA environmental impact, the Housing and Safety Element Update would not preclude traffic impact studies from being prepared and would not preclude the County from requiring transportation improvements to be completed by development projects. The 2023 Housing and Safety Element Update EIR also found that amendments to Implementing Program TR-1.e of the Countywide Plan, which would exempt residential development needed to meet the County's RHNA from being limited to the lowest end of applicable density ranges, would support the County's RHNA objectives as well as result in VMT reductions. Individual development projects would continue to be subject to project-level transportation review by County staff and transit agencies to ensure the implementation of any necessary roadway, bicycle, pedestrian, transit, access, or operational improvements through the entitlement process. For these reasons, the 2023 Housing and Safety Element Update EIR concluded that impacts related to conflicts with adopted policies, plans, or programs would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

Regarding VMT, the analysis found that the Housing and Safety Element Update would result in approximately 19.5 home-based VMT per capita, which is generally consistent with the 19.7 home-based VMT per capita forecast for the full inventory of candidate housing sites. The analysis concluded that VMT performance in unincorporated Marin County is heavily influenced by its lower-density development pattern, greater distance from major regional employment centers, and more limited non-auto travel options compared to urbanized Bay Area counties. As a result, the Housing and Safety Element Update was determined to result in a significant VMT impact. Under cumulative 2040 conditions, residential VMT per capita was projected to decrease from approximately 19.7 to 18.9 for the full inventory of candidate housing sites and to approximately 18.6 for the future development facilitated by the Housing Element Update. While these results indicate that per-capita VMT is expected to decline over time, both scenarios would remain above the applicable VMT significance threshold of 10.7 VMT per capita. The 2007

Countywide Plan includes adopted Policy TR-1.8 and Implementing Program TR-1.s to reduce VMT; however, it was determined that those strategies may be insufficient to fully offset the projected VMT impacts. Mitigation Measure 18-4 requires residential development projects to achieve a VMT significance threshold of 15 percent below the regional average residential VMT per capita by demonstrating how the necessary VMT per capita reductions will be achieved, relying on available research and evidence to support findings. However, given the inability to assure that residential VMT per capita can be reduced below significance thresholds despite required VMT reduction strategies, the 2023 Housing and Safety Element Update EIR concluded that this impact would remain significant and unavoidable and would also result in a cumulative considerable contribution to cumulative impacts.

The Housing and Safety Element Update EIR concluded that although specific development designs are not yet known, future projects would undergo County and, where sites are located on or adjacent to Highway 1, Caltrans review to ensure compliance with applicable roadway design, access, circulation, and safety standards. Any necessary improvements, such as traffic controls, turn lanes, pedestrian or bicycle facilities, and emergency access measures, would be identified during project-level review and incorporated into project design. Therefore, it was determined that the Housing and Safety Element Update would not result in hazardous transportation design features or incompatible land uses. For these reasons, the 2023 Housing and Safety Element Update EIR concluded that impacts related to transportation hazards would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

Regarding emergency access, the Housing and Safety Element Update EIR stated that the Safety Element included policies and implementation programs aimed at improving evacuation routes, providing adequate emergency ingress and egress, and ensuring new development incorporates sufficient emergency access. Future development projects would be subject to County, emergency service agency, and, where applicable, Caltrans review to verify compliance with State and local fire, access, and evacuation requirements. Because projects that do not meet applicable emergency access standards would not be approved and emergency responders are equipped to manage traffic during emergencies, the Housing and Safety Element Update EIR determined that impacts to emergency access would be less than significant and would result in a less than cumulatively considerable contribution to cumulative impacts.

4.15.3 Project-Specific Analysis

Pedestrian safety in the project area is supported by sidewalks and crosswalks. Continuous sidewalks are provided on both sides of North San Pedro Road. Additionally, high-visibility crosswalks are located at the intersections of North San Pedro Road and Washington Avenue/proposed Private Street A, North San Pedro Road and Roosevelt Avenue/Parno House Driveway, and a mid-block crosswalk is located in front of Venetia Valley School. According to Section 24.04.440 of the Marin County Municipal Code, sidewalks shall be provided on both sides of all streets. Furthermore, Marin County Municipal Code Section 24.04.450 states that the width of sidewalks shall be no less than 4 feet with a curb or 4.5 feet without a curb. The project site plan identifies 4.5-foot-wide sidewalks along both sides of Private Street A; however, no sidewalks are proposed along Parno House Driveway, Private Driveway A, or Private Driveway B.

Regarding bicycle facilities, the project would not damage or alter existing bicycle facilities in the vicinity of the project site, nor would it preclude the implementation of any future planned facilities.

Transit service is provided by Marin Transit Routes 233, 35, and 49, with stops located within walking distance of the project site. The nearest bus stop for Route 233 is located at the intersection of San Pedro Road and Roosevelt Avenue, adjacent to the project site, and the nearest bus stop for Routes 35 and 49 is located along Civic Center Drive, north of North San Pedro Road, approximately 1,500 feet from the project site. SMART rail service is also available approximately one mile from the project site. The San Rafael Transit Center, located approximately 2.5 miles south of the project site in downtown San Rafael, provides regional and local transit service including Marin Transit, Golden Gate Transit, Greyhound, SMART commuter rail service, Sonoma County Transit, and the Sonoma County Airport Express and Marin Airporter shuttles. All local bus routes serving the project site also serve the San Rafael Transit Center. Existing transit service provided in the vicinity of the project site would adequately accommodate potential transit demand generated by the project. Additionally, the project would not damage or alter existing transit facilities in the vicinity of the project site, nor would it preclude the implementation of any future planned facilities.

The Trip Generation and Site Plan Review analysis prepared for the project by the applicant determined that the project would generate low traffic volumes, resulting in minimal queuing and operational impacts at site driveways and nearby intersections that would result in transportation safety concerns; therefore, dedicated turn lanes would not be necessary along North San Pedro Road (Hexagon Transportation Consultants, Inc. 2026a). Onsite circulation was found to be generally adequate, although some project road segments would not meet County roadway width standards. Driveway widths and lengths were also determined to be generally consistent with Marin County Code Sections 24.04.250 and 24.04.260; however, all proposed eleven homes along Private Driveway A do not have driveway aprons, which would require those residents to park in their respective garages.

As outlined in Section 2.2.7, "Project Incentives, Concessions, and Waivers," because the project would provide seven income-restricted below-market-rate units, representing 20 percent of the proposed units, the project qualifies for consideration under the State Density Bonus Law, and the applicant is requesting waivers under the State Density Bonus Law of County roadway design standards to allow limited residential roads and residential roads to be constructed below the applicable minimum widths of 24 feet and 36 feet, respectively, and for driveways to be less than the required 20 feet in length. With the requested waivers for roadway widths and driveway lengths, the project would be permitted to deviate from the otherwise applicable roadway width and length requirements to the extent authorized by the waivers while remaining consistent with the site's Countywide Plan land use designation and zoning. Additionally, to ensure adequate emergency access in accordance with fire department requirements, no on-street parking would be provided along Private Driveways A or B or Private Roadway A; parking would only be allowed within enclosed garages at each of the proposed new homes.

The Trip Generation and Site Plan Review analysis also found that the project would provide adequate sight distance at project access points (Hexagon Transportation Consultants, Inc. 2026a). North San Pedro Road, which includes red curb restrictions along the project frontage, would maintain unobstructed sight lines that meet the Caltrans stopping sight distance standard of 200 feet.

Although some project road segments would not meet County roadway width standards of 24 feet and 36 feet for limited residential roads and residential roads, respectively, the project's internal roadways would be designed to meet the minimum 20-foot clear width typically required by fire agencies to accommodate emergency response vehicles (Hexagon Transportation Consultants, Inc. 2026a). Additionally, a preliminary review of the site plan by the Marin County Fire Department determined that the proposed roadway configuration and access widths, with parking prohibited on both sides of the roadways, would provide adequate emergency vehicle access and circulation throughout the project site (Alber, pers. comm., 2025). Accordingly, the project would adequately accommodate emergency vehicles consistent with applicable fire access requirements.

The VMT Assessment (Hexagon Transportation Consultants, Inc. 2026b) prepared for the project evaluated project-generated VMT consistent with the California Governor's Office of Land Use and Climate Innovation (LCI), formerly known as the Office of Planning and Research, Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory), utilizing the Transportation Authority of Marin Demand Model (TAMDM). Consistent with the Technical Advisory and the 2023 Housing and Safety Element Update EIR, residential VMT in unincorporated Marin County is evaluated against a threshold of 15 percent below the existing regional average VMT per capita for the nine-county Bay Area. Based on a regional average VMT per capita of 12.6, the significance threshold is 10.7 VMT per capita. The VMT Assessment estimated that the project would generate 13.6 VMT per capita, exceeding the applicable threshold. However, the 2023 Housing and Safety Element Update EIR similarly concluded that implementation of residential development in the unincorporated County would exceed the regional VMT threshold, estimating approximately 19.7 home-based VMT per capita under buildout conditions. Although the 2007 Countywide Plan EIR evaluated VMT impacts using methodologies and significance criteria that pre-date Senate Bill 743 and Technical Advisory guidance, it likewise concluded that implementation of the Countywide Plan would result in significant transportation impacts associated with increases in vehicle travel. Therefore, while the methodologies differ, the project's VMT impact conclusions are consistent with those reached in both the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR. Because the project's estimated VMT per capita is lower than the VMT evaluated in the 2023 Housing and Safety Element Update EIR, the project's impact would not exceed the severity of impacts previously analyzed.

The requested waivers pertaining to roadway widths and driveway lengths would obviate policy inconsistencies regarding the dimension requirements for new roadways and driveways identified in the Marin County Code. With the requested waivers, the proposed project would be consistent with all applicable County policies, programs, and codes pertaining to transportation. Additionally, although the project would generate VMT above the applicable significance threshold of 10.7 VMT per capita, the project's estimated VMT would be lower than the VMT projected in the 2023 Housing and Safety Element Update EIR. Therefore, the project's transportation impact would not be more severe than the impacts previously analyzed and would be consistent with the findings of both the 2007 Countywide Plan EIR and the 2023 Housing and Safety Element Update EIR. Therefore, no new or more severe impacts or cumulative impacts would occur compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no transportation effects that would be peculiar to the project or subject parcel that would alter the transportation impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.15.4 Applicable 2007 and 2023 EIR Mitigation Measures

The following mitigation measure from the 2023 Housing and Safety Element Update EIR would be applicable to the proposed project and is outlined below.

Mitigation Measure 18-4. Residential development projects shall be required to achieve a VMT significance threshold of 15 percent below the regional average residential VMT per capita. The methodologies and screening parameters used to determine VMT significance shall be consistent with the guidance provided in the Technical Advisory on Evaluating Transportation Impacts in CEQA, OPR, 2018 (or subsequent updates), or future VMT policies adopted by the County of Marin, provided that such policies have been shown through evidence to support the legislative intent of SB 743. Output from the TAMDM travel demand model shall be the source of the regional VMT per capita performance metric used to establish the significance threshold and shall be used in residential development project VMT assessments.

For individual residential development projects that do not achieve VMT significance thresholds, applicants shall submit documentation that demonstrates how the necessary VMT per capita reductions will be achieved, relying on available research and evidence to support findings. VMT reduction techniques will vary depending on the location of each development site and the availability of nearby transportation services though utilization of TDM strategies will play a major role in most cases. The following are TDM and other strategies that may be applied; additional measures beyond those provided in this list may be allowed if supported by evidence.

- Subsidize resident transit passes
- Provide or participate in established ride-matching program(s)
- Provide information, educational, and marketing resources for residents and visitors managed by a TDM Coordinator
- Complete bus stop improvements or on-site mobility hubs
- Construct off-site pedestrian and/or bicycle network improvements, particularly those that fill gaps and/or connect the project and surrounding neighborhood to transit
- Reduce parking supply at affordable or senior projects and projects that are well served by transit
- Unbundle parking costs (sell or lease parking separately from the housing unit) where appropriate on-street management is present
- Provide or participate in car-sharing, bike sharing, or scooter sharing program(s)
- Contribute to future VMT mitigation fee programs, banks, or exchanges as they become available.

4.16 UTILITIES AND SERVICE SYSTEMS

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	No	No	No	No
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	No	No	No	No
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?	No	No	No	No
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?	No	No	No	No
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	No	No	No	No

4.16.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that land uses and development consistent with buildout of the Countywide Plan would increase the demand for water and result in water supplies to be insufficient to serve some of the unincorporated and incorporated areas, requiring the development of additional water resources. This would result in water supplies during a normal year to have a potentially significant impact. The Countywide Plan includes several policies and implementation programs which would minimize impacts associated with increases in water demand and reduce impacts on the adequacy of the water supply. The Countywide Plan also includes three water resources goals that promote healthy watersheds, clean water, and adequate water for wildlife and humans, supporting the long-term adequacy of water supply. The 2007 Countywide Plan EIR required Mitigation Measure 4.9-1 which would require the County to amend Programs PFS-2.c (Promote Ahwahnee Principles for Water Supply), PFS-2.d (Support Water Demand Planning), PFS-2.g (Promote Xeriscaping), PFS-2.h (Promote Native Plants in Public Facilities), PFS-2.j (Upgrade West Marin Systems), PFS-2.m (Promote Catchments), PFS-2.o (Assess Project Impacts to Groundwater), PFS-2.p (Investigate and Consider Appropriate Small-Scale Wastewater Use), PFS-2.q (Adopt Tiered Billing Rates), WR-2.k (Establish Educational Partnerships), and WR-3.b (Support and Integrate Water District Conservation Efforts), add new policies to the Public Facilities and Services section of the Built Environment Element, as well as obtain funding for Programs PFS-2.e (Conduct Water Planning through LAFCO Studies), PFS-2.k (Investigate Tomales Bay Groundwater), PFS-2.n (Conduct Groundwater Recharge Study), PFS-2.p (Investigate and Consider Appropriate Small-Scale Wastewater Use), WR-2.k (Establish Educational Partnerships), WR-3.a (Support Water Conservation Efforts), WR-3.b (Support and Integrate Water District Conservation Efforts), and the new water resources program. The 2007 Countywide Plan EIR determined that, despite the implementation of policies,

programs, and mitigation measures, impacts related to increased water demand would not be reduced to a less-than-significant level. Thus, the 2007 Countywide Plan EIR concluded that impacts related to water demand and adequacy of water supply, including cumulative impacts, would remain significant and unavoidable.

Regarding increased wastewater treatment demand, the 2007 Countywide Plan EIR concluded that development in unincorporated Marin County would increase wastewater treatment demand to service providers. While sufficient capacity is projected to meet this demand, implementation of the Countywide Plan would generate wastewater flows that would exceed the capacity of the Bolinas Community Public Utilities District. The Countywide Plan includes policies and programs that would reduce wastewater capacity impacts by addressing water conservation and alternative wastewater systems, reduce the waste of potable water, support and integrate water conservation efforts, minimize the demand for water in new development, ensure that adequate wastewater facilities are provided, assess and mitigate impacts of new development on potable water supplies and water available for wildlife, and require the County to work with cities and towns through the Countywide Planning Agency to communicate regularly with water and wastewater service providers regarding development activities, growth projections, and capacity issues. The 2007 Countywide Plan EIR required Mitigation Measure 4.10-4 which requires the County to continue to cooperate with the Bolinas Community Public Utilities District to maintain the existing moratorium on new development and deny discretionary projects until such time the district is able to construct new or expanded facilities with sufficient capacity to accommodate such growth. Implementation of Countywide Plan policies and programs and Mitigation Measure 4.10-4 would reduce adverse effects of increased wastewater treatment demand to a less-than-significant level. However, cumulative impacts would remain significant and unavoidable.

Regarding new or expanded wastewater facilities, the 2007 Countywide Plan EIR concluded that land uses and development consistent with the Countywide Plan may result in the need for new or improved wastewater treatment facilities. However, policies and programs included in the Countywide Plan would reduce the demand for wastewater treatment, ensure that adequate facilities are planned for and constructed, and construction-related impacts would be reduced by establishing development setbacks in SCAs, reducing the volume of urban run-off from pollutants, maintain water quality standards, and avoid erosion and sedimentation. Thus, the 2007 Countywide Plan EIR concluded that impacts related to new or expanded wastewater facilities, including cumulative impacts, would be less than significant.

For impacts related to energy consumption, the 2007 Countywide Plan EIR found that buildout of the Countywide Plan would increase energy consumption and require additional energy resources to meet this demand. While the 2007 Countywide Plan EIR concluded that the proposed land use pattern in the Countywide Plan would focus future development within or adjacent to existing developed areas and reallocate residential and commercial uses to the City-Centered Corridor, resulting in less than significant impacts related to energy consumption and land use patterns; impacts related to energy consumption from building construction and retrofit were found to be significant and unavoidable. The Countywide Plan includes goals, policies, and programs designed to improve the energy efficiency of new and remodeled buildings through energy-efficiency standards that exceed State requirements, sustainable energy planning, incentives and technical assistance, education, integration of energy conservation into County operations, and comprehensive green-building requirements and practices for residential, nonresidential, and public buildings. Although these measures would reduce building-related energy consumption, the EIR found that timely implementation of certain programs could not be assured because of funding and implementation uncertainties. Therefore, Mitigation Measure 4.10-8 was included and requires the County to obtain additional funding and implement certain programs in a timely manner. Because funding and implementation could not be guaranteed and would depend in part on outside organizations and energy providers, the 2007 Countywide Plan EIR concluded that impacts, including cumulative impacts, related to energy consumption from building construction and retrofit would remain significant and unavoidable after mitigation.

Regarding solid waste, the 2007 Countywide Plan EIR states that implementation of the Countywide Plan would not affect the ability of the County to provide at least 15 years of permitted disposal capacity. The increase in the amount of solid waste generated under the Countywide Plan would not exceed the capacity of the Redwood Landfill, which accepts 90 percent of Marin County's solid waste. Policies and programs included in the Countywide Plan would reduce solid waste generation and related adverse effects to the environment, as well as reduce the generation of solid waste during the construction phase of development. Although the 2007 Countywide Plan EIR noted that future expansion of

the Redwood Landfill is currently uncertain, the estimated disposal capacity is at least 20.5 years of permitted disposal capacity, and potentially as many as 51 years depending on expansion alternatives. Based on the permitted disposal rates, the remaining capacity at the Redwood Landfill, and the Regional Integrated Waste Management Plan (RIWMP) capacity siting criteria available, the solid waste disposal needs for the projected population under the Countywide Plan would be met by existing landfill conditions. Thus, the 2007 Countywide Plan EIR concluded that impacts related to solid waste generation, including cumulative impacts, would be less than significant.

4.16.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

For impacts related to water supply and water system infrastructure, the 2023 Housing and Safety Element Update EIR states that due to uncertainty associated with drought impacts on water supply and with the timing and fruition of efforts by the County and water districts to supplement water supplies, water districts may not be able to meet the water demand. The 2023 Housing and Safety Element Update EIR states that existing policies and programs, including Policy EHS-6.5, CD-5.1, CD-5.2, PFS-1.4, and Programs EHS-6.3.h, EHS-6.5.a, and EHS-6.5.b that would assist in reducing demand and maintaining water supplies. However, even with implementation of the policies and programs, the uncertainty associated with drought impacts and the timing and fruition efforts of the County and water districts to supplement water supplies would present the possibility that the Districts may not be able to supply water. Thus, 2023 Housing and Safety Element Update EIR concluded that this impact, including cumulative scenarios, would be significant and unavoidable.

Regarding wastewater treatment capacity, the 2023 Housing and Safety Element Update EIR concluded that multiple new connections discharging an increased amount of wastewater to existing infrastructure and facilities could exceed the existing capacity for conveyance and treatment. The Housing and Safety Element Update includes existing policies and programs, including Policies PFS-1.4, CD-5.2, and EHS-6.5 and Program EHS-6.3h, which would maintain or reduce sewage discharges from proposed development or redevelopment, and assist in maintaining existing infrastructure and treatment capacity. However, the 2023 Housing and Safety Element Update EIR concluded that due to uncertainties associated with unknown future treatment capacities at the Las Gallinas Valley Sanitary District (LGVSD), Sanitary District No. 5, and Central Marin Sanitation Agency, this impact, including cumulative impacts, would be significant and unavoidable.

For impacts related to wastewater system infrastructure, the 2023 Housing and Safety Element Update EIR concluded that compliance with local water district, County, State, and federal regulations and adopted standards would ensure that potential impacts would be less than significant. Although there could be potential impacts associated with infrastructure and facility improvement projects, compliance with regulations and standards for development and construction of sanitary sewer system infrastructure and facilities would reduce potential impacts. Thus, the 2023 Housing and Safety Element Update EIR concluded that this impact, including cumulative impacts, would be less than significant.

Similarly, for impacts related to storm water drainage infrastructure, the 2023 Housing and Safety Element Update EIR concluded that compliance with local water district, County, State, and federal regulations and adopted standards would ensure that potential impacts would be less than significant. Although there could be potential impacts associated with infrastructure and facility improvement projects, compliance with regulations and standards for development and construction of storm water drainage infrastructure and facilities would reduce potential impacts. Thus, the 2023 Housing and Safety Element Update EIR concluded that this impact, including cumulative impacts, would be less than significant

Regarding electricity, natural gas and telecommunications infrastructure, the 2023 Housing and Safety Element Update EIR concluded that the Housing and Safety Element Update would require or result in the relocation or construction of new or expanded electric power, natural gas, or telecommunications facilities. While buildout of the Housing Element Update would increase the County's current population, PG&E has anticipated this level of growth in its long-range service planning process. Additionally, through implementation of the Countywide Plan and the County's Telecommunications Facilities Policy Plan, the anticipated incremental growth of telecommunications networks, new or modified facilities, and expanded systems in the County could be accommodated through the County's development

review process. Thus, the 2023 Housing and Safety Element Update EIR concluded that impacts, including cumulative impacts, related to electricity, natural gas, and telecommunications infrastructure would be less than significant.

Regarding solid waste, the 2023 Housing and Safety Element Update EIR concluded that solid waste generation and landfill capacity impacts would be reduced by Countywide Plan policies, the County Code, and the County's development review process. Additional solid waste requiring disposal in the local landfill that would be produced from buildout of the Housing Element Update anticipated population increase would be within the daily and permitted disposal capacities of the Redwood Landfill which completed its latest phased expansion in 2017. The existing Countywide Plan, County Code, and County development review process would help reduce impacts by continuing to encourage source reduction and recycling of additional waste that would otherwise be disposed in the local landfill. Thus, the 2023 Housing and Safety Element Update EIR concluded that impacts, including cumulative impacts, related to solid waste would be less than significant.

4.16.3 Project-Specific Analysis

As discussed in Section 2.2.6, Utilities and Infrastructure, utility services necessary to serve the proposed project are currently available at the project site. However, the project would relocate and/or remove some of the existing onsite infrastructure as well as install new utility lines and infrastructure to serve the proposed new homes, including new water, sewer, gas, electricity, and telecommunications. All newly installed utility lines would be constructed within joint trenches, existing roadways, or within the footprint of existing utility infrastructure. Additionally, the project would include new storm drain systems to accommodate stormwater runoff from the project site. The project does not propose any offsite improvements. As discussed above, the proposed project would conform to the existing zoning and General Plan land use designations, and while the project site was not specifically identified on the 2023 Housing and Safety Element Update housing site inventory list, housing development and growth envisioned with buildout of the 2023 Housing and Safety Element Update is not restricted to development of properties only on the site inventory. The project site is consistent with the Housing Element's description of vacant or underused school sites that could accommodate residential development, and thus utility demand generated from the proposed residential uses was analyzed and anticipated in the 2023 Housing and Safety Element Update EIR.

The proposed project would be served by the Marin Municipal Water District, which the 2023 Housing and Safety Element Update EIR found would be able to accommodate new development proposed under the Housing Element Update, although prolonged drought could affect available supplies. In addition, the LGVSD would provide wastewater treatment service for the proposed project. The 2023 Housing and Safety Element Update EIR identified LGVSD as having a wastewater treatment capacity of 2.9 million gallons per day but identified its remaining treatment capacity as unknown. More recent LGVSD planning documents also do not report a quantified estimate of remaining treatment capacity; however, LGVSD has continued to evaluate collection-system capacity, including potential capacity constraints associated with development anticipated under the 2023 Housing Element Update. LGVSD's June 2025 Sewer System Management Plan indicates that the District completed an updated hydraulic model in 2025 to evaluate potential collection-system capacity deficiencies associated with new discharges and identify potential inflow and infiltration reduction measures and infrastructure improvements. The 2025 Sewer System Management Plan also states that, as of June 2025, no immediate development projects within the district's service area would significantly affect the current capacity analysis, although larger future projects could affect specific trunk sewers and pump stations and may require planned system improvements (EOA, Inc and Las Gallinas Valley Sanitary District 2025). LGVSD's Integrated Wastewater Master Plan, which is intended to integrate wastewater treatment plant capacity with collection-system capacity and other infrastructure considerations, remains in progress.

For environmental impacts related to electricity, natural gas, and telecommunications facilities, the proposed project would remain consistent with the energy and utility impacts analyzed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. The 2007 Countywide Plan EIR anticipated increased energy use from future development but included policies and programs promoting energy efficiency, conservation, renewable energy, and green building practices. The 2023 Housing and Safety Element Update EIR similarly anticipated increased demand for electricity, natural gas, and telecommunications from planned residential growth and concluded that existing

service providers could accommodate this growth and upgrade infrastructure as needed. Because the proposed project would conform to the zoning and land use designations, comply with current energy-efficiency requirements and connect to existing utility systems, and represents the type of growth anticipated in the County's planning framework, it would not result in new or more severe impacts or cumulative impacts related to utilities than those previously analyzed.

Similarly, for solid waste impacts, the proposed project would remain consistent with the impacts evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. Moreover, since certification of the 2007 Countywide Plan EIR, the Redwood Landfill has been expanded and has approximately 31 million tons of remaining capacity, with an anticipated closure date of 2036 (CalRecycle 2026), and can accommodate solid waste generated by the proposed project. Accordingly, the proposed project would not exceed available landfill capacity or result in new or substantially more severe solid waste impacts than those previously analyzed.

Overall, the proposed project would not result in new or more severe impacts or cumulative impacts related to utilities and service systems compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There would also be no impacts on the environment associated with the project's proposed infrastructure improvements that have not already been addressed by the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no utilities and service systems effects that would be peculiar to the project or subject parcel that would alter the utilities and service systems impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.16.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures from the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR would be applicable to the proposed project.

4.17 WILDFIRE

Would the Metropolis Project result in:	A significant project impact not analyzed in the prior EIR?	A previously analyzed significant project impact that is now substantially more severe?	A potentially significant cumulative impact not analyzed in the prior EIR?	An impact peculiar to the project or parcel?
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	No	No	No	No
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?	No	No	No	No
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?	No	No	No	No
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?	No	No	No	No
e) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires? [Note: Consistent with the County of Marin Housing & Safety Element Update to the Marin Countywide Plan EIR, this threshold has been moved from Section 4.8, Hazards and Hazardous Materials, and included in this section.]	No	No	No	No

4.17.1 Summary of 2007 Countywide Plan EIR Significance Determinations

The 2007 Countywide Plan EIR concluded that the Countywide Plan would expose people and structures to the risk of loss, injury, or death involving wildfires. Policies and programs included in the Countywide Plan would reduce exposure to wildland fire hazards by ensuring fire protection is included in new construction and retrofit, hazardous vegetation is removed near structures, and that the County would adopt a fire management plan. Additionally, the Countywide Plan contains 16 implementing programs that would include measures for design review, fire protection techniques, and the adoption of new more restrictive regulations in areas of very high fire risk. The Urban-Wildland Interface (UWI) Fire Code would place additional requirements for new development and renovations to existing buildings that are in designated high fire risk areas. The UWI Fire Code would mitigate fire hazards by addressing the spread of fire from wildlands to structures as well as the spread of structural fires to wildland fuels. Together, these policies, programs, and code requirements would reduce the exposure of people and structures to loss, injury, or death from wildland fire hazards, however, they would not completely eliminate wildfire risk especially in areas of very high fire risk (i.e., those with steep slopes, high fuel loads, and/or inadequate emergency access). Assuming timely implementation of the program providing for adoption of the UWI Fire Code, the 2007 Countywide Plan EIR concluded that impacts related to wildland fire hazards would be less than significant and that the Countywide Plan's contribution to cumulative wildland fire hazards would be less than cumulatively considerable. No mitigation was required.

Note that all other wildfire impact thresholds listed above were added to the State CEQA Guidelines in 2018 and were not evaluated as part of the 2007 Countywide Plan EIR. Therefore, these impact thresholds are not included in this summary of 2007 Countywide Plan EIR significance determinations.

4.17.2 Summary of 2023 Housing and Safety Element Update to the Countywide Plan EIR Significance Determinations

For impacts related to emergency response and emergency evacuation plans, the 2023 Housing and Safety Element Update EIR concluded that development included under the Housing Element Update would increase the population of the County, which may exacerbate existing evacuation deficiencies by increasing the number of vehicles utilizing evacuation routes. The 2023 Housing and Safety Element Update EIR found that Marin County has not adopted a countywide emergency evacuation plan. While Chapter 4 of the Marin Fire Code addresses fire safety and evacuation plans for specific types of buildings, there is not a communitywide evacuation plan. Many of the proposed implementing programs included in the Safety Element Update are designed to create safe evacuation processes and outcomes and would improve evacuation and emergency response compared to existing conditions. As a result, 2023 Housing and Safety Element Update EIR concluded that with implementation of the proposed Safety Element Update implementing programs, ongoing countywide developments in evacuation planning, and the selection of housing sites in locations that would not impair emergency response or evacuation efforts, this impact would be less than significant.

Regarding wildfire-related pollutant concentration exposure, the County faces substantial wildfire threats due to hilly terrain, dry weather conditions, and the nature of vegetation coverage. The 2023 Housing and Safety Element Update EIR found that current regulations, along with the Safety Element Update policies and programs, would continue to guide future housing development and would regulate building design, access, firefighting water supply, and vegetation management to lessen the possible risk of ignition and spread of wildfire. The Safety Element Update policies and programs require collaboration with fire departments operating within the County to provide adequate fire protection of existing and new development. Additionally, the Housing Element Update inventory of sites has been selected to avoid hazardous areas, including areas subject to wildfire hazards. The 2023 Housing and Safety Element Update EIR concluded that through compliance with existing Safety Element Update policies and implementing programs, existing Marin County Code, State regulatory requirements, and the applicable fire department review process for new development would minimize potential wildfire impacts. Therefore, the 2023 Housing and Safety Element Update would not substantially exacerbate wildfire risks due to slope, prevailing winds, or other factors and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. Thus, this impact was found to be less than significant.

Regarding infrastructure improvements, the Housing and Safety Element Update would facilitate the construction of residential housing which could require the installation or maintenance of associated infrastructure that may result in temporary or ongoing impacts to the environment but that are intended to reduce the risk of wildfire. However, adoption of the Housing and Safety Element Update would not result in direct impacts to the environment from infrastructure improvements, as the Housing and Safety Element Update does not propose or authorize any specific development. Implementing programs included in the Housing and Safety Element Update are designed to minimize potential wildfire ignitions and impacts, including the potential for infrastructure to exacerbate fire risk, by restricting land divisions in hazardous areas, requiring fuel reduction and management plans for new development, and promoting the use of existing infrastructure. Thus, the 2023 Housing and Safety Element Update EIR concluded that since development proposed under the Housing Element Update would be regulated in terms of location, design, building materials, and fuel modification/protection and would be subject to the proposed Safety Element Update policies and programs, this impact would be less than significant.

Regarding post-fire impacts, the 2023 Housing and Safety Element Update EIR found that most soils in Marin County are not prone to massive soil movement in post-fire conditions. However, some areas within the County may be susceptible to soil movement and loss due to previous fire conditions, concave topography, rain, and increased runoff. The Safety Element Update includes policies and programs designed to minimize exposure of people and structures to post-fire risks by maintaining an adequate level of preparedness and protecting development from geologic hazards, potential flooding, or landslides. Thus, the 2023 Housing and Safety Element Update EIR concluded that through implementation of Safety Element Update policies and programs, people or structures would not be exposed to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. This impact was found to be less than significant.

Regarding the risk to people and/or structures from exposure to wildfire, the 2023 Housing and Safety Element Update EIR found that the Housing Element Update would introduce new development that could potentially be impacted directly or indirectly by wildfire. However, the proposed Safety Element Update policies and implementing programs would reduce risks through the inclusion of reduction measures that propose community wildfire education efforts, fuel reduction requirements and guidance, creating adequate evacuation conditions, using land regulation to limit placement of residential units in hazardous areas, requiring fire-resistant building designs, and increasing overall levels of community preparedness. Additionally, the Housing Element Update inventory of sites were selected to avoid the most hazardous areas in the high fire hazard severity zones (HFHSZ). Through policies and implementing programs listed in the Safety Element Update, potential for wildfire ignition and spread would be reduced, reducing the potential for post-fire impacts to harm people or structures. Thus, the 2023 Housing and Safety Element Update EIR concluded that this impact would be less than significant.

4.17.3 Project-Specific Analysis

According to CAL FIRE's "find your FHSZ" online mapping tool, the project site is not located in a State Responsibility Area (SRA) and is located within a Local Responsibility Area (LRA) for wildland fire hazards (CAL FIRE 2026). The entire project site is located in an area that the State Fire Marshall has identified as a moderate FHSZ in an LRA. As a result, the proposed project must comply with design and construction material requirements for this FHSZ.

Construction of the proposed project would remain consistent with the wildfire impacts analyzed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. The 2007 Countywide Plan EIR recognized that future development could expose people and structures to wildland fire hazards but concluded that County policies, programs, fire-code requirements, vegetation management, fire-resistant construction, and development review would adequately reduce these risks. The 2023 Housing and Safety Element Update EIR further evaluated wildfire impacts under the current CEQA thresholds, including emergency response and evacuation, wildfire-related pollutant exposure, infrastructure that could exacerbate fire risk, post-fire hazards, and direct or indirect exposure of people and structures to wildfire, and found each impact to be less than significant based on existing regulations, Safety Element policies and programs, Housing Element site selection, and project-level review requirements. The proposed project would be required to comply with these same applicable fire-safety, building, access, vegetation/fuel management, and development review requirements and would therefore represent the type of residential development and associated wildfire risk contemplated in both EIRs. Therefore, the proposed project would maintain consistency with the wildfire impacts previously analyzed and would not result in new or more severe impacts or cumulative impacts compared to what was previously evaluated and disclosed in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR. There are no wildfire effects that would be peculiar to the project or subject parcel that would alter the wildfire impact conclusions in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR.

4.17.4 Applicable 2007 and 2023 EIR Mitigation Measures

No mitigation measures were required in the 2007 Countywide Plan EIR and 2023 Housing and Safety Element Update EIR and thus none would be applicable to the proposed project.

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6 REFERENCES

Alber, Scott. Battalion Chief/Fire Marshall. Marin County Fire Department. December 10, 2025—email to Ken Busch of Sares Regis Development regarding site plan review for the Marin County Metropolis Development Project.

Alta Archaeological Consulting. 2026 (May). *Archaeological Survey Report for 160 San Pedro Road San Rafael*. Prepared for Regis Homes. CONFIDENTIAL

Archaeological Resource Management. 2026 (May). *Historic Evaluation of the Structures at 150 & 160 N. San Pedro Road in Marin County*. Prepared for Sares Regis Group of Northern California.

Busch, Ken. 2026 (September 22). DRAFT Affordable Housing Plan 160/164 North San Pedro Road.

CAL FIRE. 2026. Find Your Fire Hazard Severity Zone. Available: https://experience.arcgis.com/experience/5065c998b4b0462f9ec3c6c226c610a9. Accessed July 24, 2026.

California Department of Conservation. 2022. Tsunami Hazard Area Map. Available: https://maps.conservation.ca.gov/cgs/informationwarehouse/ts_evacuation/?extent=-13694023.236%2C4549659.9458%2C-13630580.5025%2C4619676.2637%2C102100&utm_source=cgs+active&utm_content=marin. Accessed July 24, 2026.

California Department of Conservation. 2026a. California Important Farmland Finder. Available: https://maps.conservation.ca.gov/DLRP/CIFF/. Accessed May 22, 2026.

California Department of Conservation. 2026b. Williamson Act Enrollment Finder. Available: https://maps.conservation.ca.gov/dlrp/WilliamsonAct/#data_s=id%3Awidget_22_output_config_default_geocode_0_0%3A0. Accessed May 22, 2026.

California Department of Fish and Wildlife. 2026a. CDFW – EPIMS-MAN-66796-R3 – Notification Complete. EPIMS Correspondence to David Hopkins.

California Department of Fish and Wildlife. 2026b. Notification of Lake or Streambed Alteration, Notification No. Epims-Man-66796-R3, 150 & 160 North San Pedro Road Residential Project. Letter Correspondence to David Hopkins.

California Department of Transportation. 2013 (September). Technical Noise Supplement to the Traffic Noise Analysis Protocol. Available: https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/tens-sep2013-a11y.pdf. Accessed July 28, 2026.

California Department of Toxic Substances Control. 2026a. EnviroStor. Available: https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=160+north+san+pedro. Accessed: July 29, 2026.

California Department of Toxic Substances Control. 2026b. MARINE CORPS RESERVE TRAINING CENTER (21920002). Available: https://www.envirostor.dtsc.ca.gov/public/profile_report.asp?global_id=21920002. Accessed: July 30, 2026.

California Native Plant Society. 2026. Glossary. Available: https://rareplants.cnps.org/Home/Glossary#_Toc72398838. Accessed July 20, 2026.

CalRecycle. 2026. SWIS Facility/Site Activity Details Redwood Landfill (21-AA-0001). Available: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/3054?siteID=1727. Accessed July 24, 2026.

Carrier. 2022. GH5S Single-Stage Heat Pump with Puron® Refrigerant 1-1/2 To 5 Tons Product Data. Available: https://www.shareddocs.com/hvac/docs/1009/Public/0A/GH5S-01PD.pdf. Accessed July 28, 2026.

Caltrans. *See* California Department of Transportation.

CDFW. *See* California Department of Fish and Wildlife.

CNPS. *See* California Native Plant Society.

DOC. *See* California Department of Conservation.

DTSC. *See* California Department of Toxic Substances Control.

EOA, Inc and Las Gallinas Valley Sanitary District. 2025. Sewer System Management Plan. June 2025 Update. Available: chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.lgvsd.org/files/1a50f43d7/LGVSD+SSMP+2025+update+final.pdf. Accessed July 24, 2026.

Hexagon Transportation Consultants, Inc. 2026a. Trip Generation and Site Plan Review for the Proposed Residential Development at 160 North San Pedro Road in Marin County, California. May 12, 2026.

Hexagon Transportation Consultants, Inc. VMT Assessment for the Proposed Residential Development located at 160 North San Pedro Road in Marin County, Riverside. May 12, 2026.

HortScience-Bartlett Consulting. 2026. *Preliminary Arborist Report*. Prepared for Regis Homes Bay Area, LLC. Updated January 2026.

Huffman-Broadway Group. *See* Huffman-Broadway Group, Inc.

Huffman-Broadway Group, Inc. 2024. *Stream Conservation Area Biological Resources Evaluation for 160/164 North San Pedro Road, San Rafael, Marin County, California*. April 5, 2024.

Huffman-Broadway Group, Inc. 2025. *Biological Site Assessment 160 & 164 North San Pedro Road Residential Project Marin County, California*. Prepared for Sares Regis. July 2025.

Huffman-Broadway Group, Inc. 2026a. *Updated Site Plan for the 160 & 164 North San Pedro Road Residential Project, Marin County, California*. Prepared for Sares Regis.

Huffman-Broadway Group, Inc. 2026b. *Addendum to the Biological Site Assessment dated July 2025 titled Biological Site Assessment, 150-160 North San Pedro Road Residential Project, Marin County, California*.

Huffman-Broadway Group, Inc. 2026c. *Mitigation and Monitoring Plan for the 150 & 160 North San Pedro Residential Project Marin County, California*. Prepared for Regis Home Bay Area LLC.

Illingworth & Rodkin Inc. 2025. 150-160 N. San Pedro Road Construction Emissions & Health Risk Assessment. December 12, 2025. I&R Project # 25-149.

Illingworth & Rodkin Inc. 2026. Air Quality Assessment. 150-160 N. San Pedro Road Development, Marin County, CA. January 15, 2026. Job #25-149.

Marin County. 2007. Marin Countywide Plan. SCH No. 2004022076. Adopted November 6, 2007. Available: https://assets.marincounty.gov/marincounty-prod/public/2026-02/cwplan_2023_updated_2026.pdf. Accessed: May 19, 2026

Marin County. 2023a. Housing & Safety Element Update to the Marin Countywide Plan Environmental Impact Report. SCH No. 2021120123. Adopted January 2023. Available: https://www.marincounty.gov/departments/cda/planning/environmental-planning/current-ceqa-projects/marin-county-housing-and-safety-elements-environmental-impbioact-report. Accessed: May 19, 2026.

Marin County. 2023b. Housing Element Update 6th Cycle 2023-2031. Marin Countywide Plan. Adopted January 24, 2023. Available: https://www.marincounty.gov/departments/cda/planning/plans-policies-and-regulations/marin-countywide-plan. Accessed May 20, 2026.

San Francisco Bay Regional Water Quality Control Board. 2024 (June). Novato Valley Groundwater Subbasin (2-30) Fact Sheet. Available: https://www.waterboards.ca.gov/sanfranciscobay/water_issues/programs/groundwater/BasinLinks/2024links/Novat_Valley.pdf. Accessed July 24, 2026.

Sares Regis. *See* Saris Regis Group of Northern California.

Saris Regis Group of Northern California. 2026a. *Riparian Landscape Plan: 160 & 164 North San Pedro Road*. Prepared with KTGY, BKF, and The Guzzardo Partnership. April 21, 2026.

Saris Regis Group of Northern California. 2026b. *Tree Disposition Plan*. Prepared with KTGY, BKF, and The Guzzardo Partnership. April 6, 2026.

State Water Resources Control Board. 2026a. Geotracker. Available: https://geotracker.waterboards.ca.gov/map/?global_id=T0607302824. Accessed: July 29, 2026.

State Water Resources Control Board. 2026b. MARINE CORPS RESERVE CENTER (T0604100072). Available: https://geotracker.waterboards.ca.gov/profile_report.asp?global_id=T0604100072. Accessed: July 30, 2026.

US Army Corps of Engineers. 2026. Provisional Notification. SPN-2026-00090. Correspondence to Robert Perrera.

USACE. *See* US Army Corps of Engineers.

West Environmental Services & Technology. 2025 (September). Phase I Environmental Site Assessment 160 N. San Pedro Road, San Rafael, California. Prepared for Regis Homes Bay Area, LLC.

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