

INTRODUCTION

The City of Novato (City) has determined that a program-level Environmental Impact Report (EIR) is required for the proposed Housing Element Update (Housing Element or proposed project) pursuant to the requirements of the California Environmental Quality Act (CEQA).

The program-level analysis considers the broad environmental effects of the proposed project. This EIR will be used to evaluate subsequent projects and activities under the proposed project. This EIR is intended to provide the information and environmental analysis necessary to assist public agency decision-makers in considering approval of the proposed project. As described in Chapter 1.0, additional environmental review under CEQA may be required for subsequent projects and would be generally based on the subsequent project's consistency with the proposed project and the analysis in this EIR, as required under CEQA.

PROJECT DESCRIPTION

The following provides a brief summary and overview of the proposed project. Section 2.0 of this EIR includes a detailed description of the proposed project, including maps and graphics. The reader is referred to Section 2.0 for a more complete and thorough description of the components of the proposed project.

The proposed project would:

- 1) Amend the City of Novato General Plan (General Plan) to update the Housing Element, and
- 2) Implement the Housing Element's housing programs, including:
 - Program 9.B (Implement Actions and Incentives to Address Remaining Lower Income Housing Need). Amend the General Plan Land Use Map and text, the Downtown Novato Specific Plan land use map and text, Zoning Code text, and Zoning Map to implement Program 9.B (Affordable Housing), including application of the Affordable Housing Overlay (AHO) overlay zone on Sites 1 through 5 (See Section 2.0, Program 9.B for a description of these sites);
 - Program 9.E (Adopt State-Mandated Density Bonus Ordinance and Local Density Bonus for Senior Housing). Amend the Zoning Code text to implement Program 9.E by adoption of an ordinance incorporating the state density bonus provisions and adding a local senior affordable housing density bonus; and
 - Program 12.A (Adopt an Emergency Shelter Ordinance). Amend the Hamilton/Ignacio Industrial Park Master Plan and Precise Development Plan to implement Program 12.A to allow emergency shelters as a principally permitted use subject to specific development and use standards.

AREAS OF CONTROVERSY AND ISSUES TO BE RESOLVED

This Draft EIR addresses environmental impacts associated with the proposed project that are known to the City, were raised during the Notice of Preparation (NOP) process, or raised during preparation of the Draft EIR. This Draft EIR discusses potential environmental impacts associated with aesthetics, agricultural resources, air quality, biological resources, cultural resources, geology and soils, greenhouse gases and climate change, hazards and hazardous materials, hydrology and water quality, land use and planning, noise, population and housing, public services, transportation/circulation, and utilities.

The City received six written comment letters on the NOP for the proposed project, as well as oral comments at the scoping meeting. A copy of each letter is provided in Appendix A of this Draft EIR. A public scoping meeting was held on April 1, 2013 to present the project description to the public and interested agencies, and to receive comments from the public and interested agencies regarding the scope of the environmental analysis to be included in the Draft EIR. Scoping comments included:

- General concerns related to commute patterns, greenhouse gas emissions, and air quality, including effect of location of each site relative to the proximity of public transit.
- General concerns related to adequacy of water supply to accommodate the affordable housing units contemplated by the project.
- Site 2 - Landing Court.
 - Accessing site from Clausung Avenue, including emergency access, could result in increased emergency response time and endanger residents.
 - Noise.
 - Construction-related air quality issues.
 - Public safety.
 - Aesthetic issues related to lighting and building heights.
 - Traffic and pedestrian safety.
 - Parking demand.
- Site 3 – Redwood Drive.
 - Potential hazards associated with the PG&E natural gas transmission lines through the property. Inquiry regarding recent gas line safety testing results and any required setbacks.
 - Drainage and flooding issues.
 - Landslide concerns.
 - Traffic.
 - Lack of public transportation.

- Wetlands.
- Noise and light pollution.
- Wildlife distribution or elimination.
- Views from owners on Cobblestone.
- Slope stability and landslide potential.
- Health impacts related to diesel exhaust and other freeway-related pollution exposure.
- CO2 emissions related to lack of public transportation.
- Aesthetics.
- SMART train safety risk.
- Potential archaeological resources.
- Wood Hollow Road/Redwood Boulevard Alternative Site.
 - Same concerns as listed for Site 3.
 - Traffic safety.
- Alternatives.
 - Consider vacant land adjacent to Quest church, the Sloat Nursery site, and three acres of the Junior High Site in San Marin.
 - Consider impact of increasing the minimum percentage of affordable units from 20% to 35%.

ALTERNATIVES TO THE PROPOSED PROJECT

Section 15126.6 of the CEQA Guidelines requires an EIR to describe a reasonable range of alternatives to the project or to the location of the project which would reduce or avoid significant impacts, and which could feasibly accomplish the basic objectives of the proposed project. The proposed project would not result in any significant environmental effects, as described in Sections 3.1 through 3.14 and in Chapter 4.0. Therefore, the EIR is not required to discuss alternatives to the proposed project. However, in order to provide the decision-makers with an opportunity to compare other housing sites to the proposed project, this EIR evaluates two alternatives.

Two alternatives to the proposed Housing Element Update were considered based on the analysis performed to identify the environmental effects of the proposed project. The alternatives analyzed in this EIR include the following (See Section 5.0 for full description and analysis of alternatives):

- Alternatives A through E: Alternative Sites. Under Alternatives A through E, five alternative sites (Sites A through E) are considered, which could be substituted in any combination to replace one or more of the Affordable Housing Overlay sites identified by Program 9.B of the proposed project.

- Alternative F: No Project Alternative. Under Alternative F, the City would not adopt the Housing Element Update. The 2003 Housing Element would continue to be implemented and no changes to the General Plan, Zoning Code, or other regulatory documents would occur.

As described in Section 5.0, Alternative F is the environmentally superior alternative, as it would avoid potential environmental impacts associated with the proposed project. CEQA requires that when the environmentally superior alternative is the No Project Alternative, that an EIR identify the environmentally superior alternative among the other alternatives (CEQA Guidelines Section 15126.6(e)(2)). Alternative A is the environmentally superior alternative because it better than the proposed project, on average. Alternative D is very similar to Alternative A and is also slightly better than the proposed project, on average. Alternative E is the most comparable to the proposed project, with slight improvements over the proposed project in some areas. Alternative F is also comparable to the proposed project, with slight improvements in some areas. However, Alternatives B and C are worse, on average, than the proposed project.

SUMMARY OF IMPACTS AND MITIGATION MEASURES

The environmental impacts of the proposed project, the impact level of significance prior to mitigation, the proposed mitigation measures and/or adopted policies and standard measures that are already in place to mitigate an impact, and the impact level of significance after mitigation are summarized in Table ES-1.

TABLE ES-1: PROJECT IMPACTS AND PROPOSED MITIGATION MEASURES

ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURE	RESULTING LEVEL OF SIGNIFICANCE
AESTHETICS			
Impact 3.1-1: Potential to substantially degrade the existing visual character or quality of the site and its surroundings	LS	None required.	-
Impact 3.1-2: Potential to have substantial adverse effect on a scenic vista or substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings, within a state scenic highway	LS	None required.	-
Impact 3.1-3: Potential to create a new source of substantial light or glare which would adversely affect day or nighttime views in the area	LS	None required.	-
AIR QUALITY			
Impact 3.2-1: Potential to violate of an air quality standard or contribute substantially to an existing or projected air quality violation – Project Operations	PS	<p>Mitigation Measure 3.2-1: As part of the City’s design review and entitlement process, the City shall require future development plans for Sites 1 through 5 to implement the following:</p> <ul style="list-style-type: none"> • Only natural gas burning fireplaces shall be installed in the housing units to reduce Area Source criteria pollutants. • Only low Volatile Organic Compound paint (150 g/L) (interior and exterior) on the project site. 	LS

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		<ul style="list-style-type: none"> • The developer shall install high efficiency appliances (refrigerator, fans, washers). • The developer shall install low-flow faucets, toilets, showers. • The developer shall install water-efficient irrigation systems. 	
<p>Impact 3.2-2: Potential to violate of an air quality standard or contribute substantially to an existing or projected air quality violation - Project Construction</p>	<p>PS</p>	<p>Mitigation Measure 3.2-2: To reduce construction related emissions, the City shall require future project developers to implement the following measures:</p> <ul style="list-style-type: none"> • All active construction areas shall be watered at least two times per day. • All unpaved access roads, parking areas, and staging areas shall be watered at least three times daily or shall have non-toxic soil stabilizers applied. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered or shall maintain at least two feet of freeboard. • All paved access roads, parking areas, and staging areas, as well as any track-out onto adjacent public roads shall be removed using water street sweepers at least once per day. The use of dry power sweeping is prohibited. • All vehicle speeds on unpaved roads shall be limited to 15 mph. • For all sites with riparian or wetland areas, install wheel washers for all exiting trucks, or wash off the tires or tracks of all trucks and equipment leaving the site. • All roadways, driveways, and sidewalks to be paved shall be completed 	<p>LS</p>

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		<p><i>as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.</i></p> <ul style="list-style-type: none"> • <i>Idling times shall be minimized either by shutting equipment off when not in use or reducing the maximum idling time to 5 minutes (as required by the California airborne toxics control measure Title 13, Section 2485 of California Code of Regulations [CCR]). Clear signage shall be provided for construction workers at all access points.</i> • <i>All construction equipment shall be maintained and properly tuned in accordance with manufacturer’s specifications. All equipment shall be checked by a certified visible emissions evaluator.</i> • <i>Post a publicly visible sign at the construction site with the telephone number and person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. The Bay Area Air Quality Air District’s phone number shall also be visible to ensure compliance with applicable regulations.</i> • <i>All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 miles per hour or wind gusts exceed 25 miles per hour.</i> • <i>Wind breaks (e.g., trees, fences) shall be installed on the windward side(s) of actively disturbed areas of construction.</i> • <i>Vegetative ground cover (e.g., fast-germinating native grass seed) shall be planted in disturbed areas as soon as possible and watered appropriately until vegetation is established.</i> • <i>The simultaneous occurrence of excavation, grading, and ground-</i> 	

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		<p><i>disturbing construction activities on the same area at any one time shall be limited. Activities shall be phased to reduce the amount of disturbed surfaces at any one time.</i></p> <ul style="list-style-type: none"> • <i>All trucks and equipment, including their tires, shall be washed off prior to leaving the site.</i> • <i>Sandbags or other erosion control measures shall be installed to prevent silt runoff to public roadways from sites with a slope greater than one percent.</i> • <i>Minimizing the idling time of diesel powered construction equipment to two minutes.</i> • <i>The project developer shall develop a plan demonstrating that the off-road equipment (more than 50 horsepower) to be used in the construction project (i.e., owned, leased, and subcontractor vehicles) would achieve a project wide fleet-average 20 percent Nitrogen Oxides reduction and 45 percent Particulate Matter reduction compared to the most recent California Air Resources Board fleet average. Acceptable options for reducing emissions include the use of late model engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, add-on devices such as particulate filters, and/or other options as such become available.</i> • <i>Use low Volatile Organic Compound (i.e., Reactive Organic Gases) coatings beyond the local requirements (i.e., Regulation 8, Rule 3: Architectural Coatings).</i> • <i>Requiring that all construction equipment, diesel trucks, and generators be equipped with Best Available Control Technology for</i> 	

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		<p><i>emission reductions of Nitrogen Oxides and Particulate Matter.</i></p> <ul style="list-style-type: none"> <i>Requiring all contractors use equipment that meets the California Air Resources Board's most recent certification standard for off-road heavy duty diesel engines.</i> 	
Impact 3.2-3: Potential to 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 (including releasing emissions which exceed quantitative thresholds for ozone precursors)	PS	Implement Mitigation Measure 3.2-1.	LS
Impact 3.2-4: Potential to conflict with or obstruct implementation of the applicable air quality plan	LS	None required.	-
Impact 3.2-5: Potential to expose sensitive receptors to substantial pollutant concentrations	PS	Mitigation Measure 3.2-3: <i>As part of the City's design review and entitlement process for Sites 2, 3, and 4, the project applicant shall retain a qualified professional to perform a health risk assessment to determine potential impacts associated with exposure to Toxic Air Contaminants. If Toxic Air Contaminant exposure levels exceed acceptable levels or indicate a significant increase in cancer risk, the health risk assessment shall identify measures that the development project will implement to reduce exposure to acceptable levels. Potential measures include development setbacks (e.g., increased distance from US 101), setbacks of ground floor units (e.g., use ground floor for parking, storage, office space) if upper floor units are at acceptable exposure levels, indoor air filtration equipment, disclosure statements to prospective buyers or</i>	LS

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		<i>renters notifying them of predicted health risks and identifying the importance of maintenance of any specialized equipment and keeping windows and doors shut during peak traffic periods).</i>	
Impact 3.2-5: Potential to create objectionable odors affecting a substantial number of people	LS	None required.	-
BIOLOGICAL RESOURCES			
Impact 3.3-1: Potential to 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 U.S. Fish and Wildlife Service	PS	Mitigation Measure 3.3-1: <i>As part of the City of Novato’s design review and entitlement process for any development on Sites 1, 3, 4, and 5, the project applicant for the particular site shall retain a qualified biologist to perform plant and wildlife field surveys of the site and prepare a site specific biological resource assessment. The field survey(s) shall coincide with the appropriate season (i.e. plants surveys during blooming period) for special status species that are known to occur in the region, and shall be performed in accordance with the specific methodologies outlined by the regulatory agencies. If it is determined that a site(s) contain special status species, the applicant shall seek to avoid the special status plants through the design and site planning. If avoidance of the species cannot be accommodated based on other considerations, then the applicant shall coordinate with the listing regulatory agency or organization to determine the appropriate permits, minimization measures, and compensatory mitigation if necessary. At a minimum, the applicant shall minimize the impact by contracting with qualified botanist with previous experience with the particular species that was discovered to hand excavate and relocate the individuals plants and seed bank to a pre-determined replanting site. The replanting site shall contain similar suitable habitat conditions and shall be protected from livestock or other undesirable wildlife, as</i>	LS

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		<p>well as from human entry. A report summarizing the findings of excavation, and replanting efforts shall be prepared and submitted to the City of Novato and the listing regulatory agency or organization. The replanting area shall be monitored for three years to determine the success of replanting efforts. Success is determined by the number of relocated plants that survive. If the success rate after three years is below 75%, consultation with the listing regulatory agency or organization will be required to develop appropriate remediation plans. The applicant shall be responsible for obtaining permits/authorizations prior to any disturbance. If it is determined that the site(s) do not contain special status species, then no additional action is necessary.</p> <p>Mitigation Measure 3.3-2: As part of the City of Novato’s design review and entitlement process, any development on the Sites 1 through 5 shall be conditioned as follows:</p> <p>If project construction activities, including vegetation clearing, are to occur during the nesting season for birds protected under the California Fish and Game Code and Migratory Bird Treaty Act (approximately March 1-August 31) the applicant shall retain a qualified biologist to perform preconstruction surveys for protected birds, including nesting raptors, on the site and in the immediate vicinity. At least two surveys shall be conducted no more than 15 days prior to the initiation of construction activities, including vegetation clearing. In the event that protected birds, including nesting raptors, are found on the project site, offsite improvement corridors, or the immediate vicinity, the project proponent shall:</p> <ul style="list-style-type: none"> • Locate and map the location of the nest site. Within 2 working days of the surveys prepare a report and submit to the City and CDFW; 	

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		<ul style="list-style-type: none"> • A no-disturbance buffer of 250 feet shall be established; • On-going weekly surveys shall be conducted to ensure that the no disturbance buffer is maintained. Construction can resume when a qualified biologist has confirmed that the birds have fledged. <p><i>In the event of destruction of a nest with eggs, or if a juvenile or adult raptor should become stranded from the nest, injured or killed, the qualified biologist shall immediately notify the CDFW. The qualified biologist shall coordinate with the CDFW to have the injured raptor either transferred to a raptor recovery center or, in the case of mortality, transfer it to the CDFW within 48 hours of notification. If directed/authorized by the CDFW during the notification, the qualified biologist may transfer the injured raptors to a raptor recovery center.</i></p>	
<p>Impact 3.3-2: Potential to have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service</p>	<p>PS</p>	<p>Mitigation Measure 3.3-3: <i>As part of the City of Novato’s design review and entitlement process for any development on Site 1 and Site 5 due their proximity to Novato Creek and Vineyard Creek, respectively, are subject to the policies of the Novato General Plan addressing water resources and Novato Zoning Code Division 19.35, Waterway and Riparian Protection. Accordingly a future multi-family residential project on Site 1 and/or Site 5 would be required to avoid the placement of structures or disturbance of land within the 50-foot stream protection zone required by Division 19.35. Should a future project contemplate encroachment into the stream protection zone, then the review procedures, documentation, and design standards and criteria of Division 19.35 would be triggered. This would include the need to obtain a use permit to allow development activities in the stream protection zone. With respect to Site 1 specifically, Draft Housing Element Program 9.B establishes a minimum 20-foot setback from the top of bank of Novato Creek. This program requirement is, in part, intended to buffer the riparian habitat along Novato Creek from future</i></p>	<p>LS</p>

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		<p><i>development. Accordingly, any future encroachment within the stream protection zone at Site 1 would be limited by Program 9.B.</i></p> <p>Mitigation Measure 3.3-4: <i>As part of the City of Novato’s design review and entitlement process, any development on the Site 1 and 5 shall be conditioned as follows:</i></p> <p><i>Prior to any ground disturbance, the project applicant shall install orange construction barrier fencing at the limits of the development to identify environmentally sensitive areas around Novato Creek (Site 1) or Vineyard Creek (Site 5) and its associated riparian habitat. Before construction, the contractor shall work with the Design Engineer and qualified biologist to identify the locations for the barrier fencing, and shall place stakes around the sensitive area to indicate these locations. The fencing shall be installed before construction activities are initiated and shall be maintained throughout the construction period. The following paragraph shall be included in the construction specifications:</i></p> <ul style="list-style-type: none"> <i>The Contractor’s attention is directed to the areas designated as “environmentally sensitive areas.” These areas are protected, and no entry by the Contractor for any purpose will be allowed unless specifically authorized in writing by the City of Novato. The Contractor shall take measures to ensure that Contractor’s forces do not enter or disturb these areas, including giving written notice to employees and subcontractors.</i> <p><i>Temporary fences around the environmentally sensitive areas shall be installed as the first order of work. Temporary fences shall be furnished, constructed, maintained, and removed as shown on the plans, as specified in the special</i></p>	

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		provisions, and as directed by the Design Engineer. The fencing shall be commercial-quality woven polypropylene, orange in color, and at least 4 feet high (Tensor Polygrid or equivalent). The fencing shall be tightly strung on posts with a maximum 10-foot spacing.	
Impact 3.3-3: Potential to have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means	PS	<p>Mitigation Measure 3.3-5: As part of the City of Novato’s design review and entitlement process, any development on the Sites 1, 3, 4 or 5 shall be conditioned as follows:</p> <ul style="list-style-type: none"> • Prior to any activities that would result in removal, fill, or hydrologic interruption of the hydrologic features, a formal wetland delineation shall be performed by a qualified biologist and submitted to the USACE for verification. If the USACE determines that the hydrologic features are jurisdictional and that the project activities would result in a fill, the applicant shall secure an authorization of the fill through the Section 404 permit process. • Prior to any activities that would result in removal, fill, or hydrologic interruption of the hydrologic features on Site 1, 3, 4 or 5, the City shall consult with the CDFG to determine if the activities are subject to Section 1601 of the Fish and Game Code. If the CDFG determines that the project activities are subject to these regulations, the applicant shall secure an authorization of the activities through a Streambed Alteration Agreement. 	LS
Impact 3.3-4: Potential to interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors,	PS	Implement Mitigation Measures 3.3-1, 3.3-3, and 3.3-4.	LS

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or impede the use of native wildlife nursery sites			
Impact 3.3-5: Potential to conflict with local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance	PS	Mitigation Measure 3.3-6: <i>The City of Novato shall require, during the design review and entitlement process, any development proposal to include an arborist report that documents and maps the location and health of trees located on the site. The applicant shall seek to avoid trees on the site to the extent feasible. Trees that must be removed to enable the development shall be conditioned to replace the trees consistent with the Woodland and Tree Preservation Ordinance. The minimum replacement shall be a 3:1 ratio for native trees, replaced on-site.</i>	LS
Impact 3.3-6: Potential to conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan	NI	None required.	-
CULTURAL RESOURCES			
Impact 3.4-1: Potential to cause a substantial adverse change in the significance of a historical or archaeological resource, or directly or indirectly destroy or disturb a unique paleontological resource, or disturb human remains	PS	Mitigation Measure 3.4-1: <i>As part of the City of Novato’s design review and entitlement process for any development on AHO Sites 1, 2, 3, 4, and 5 and the emergency shelter site, the project applicant shall have a project-specific cultural resources report prepared by a qualified archaeologist. As part of the cultural resources report, the report preparer shall contact the Federated Indians of the Graton Rancheria to determine if there are any known prehistoric resources of interest to the Graton Rancheria on the site.</i> <i>If any potentially eligible resources are identified, then the archaeologist shall</i>	LS

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		<p><i>identify mitigation recommendations. The City and Project applicant shall consider the recommendations and the project applicant shall implement all measures deemed feasible and appropriate by the City and sufficient to reduce the impact to less than significant. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, and other appropriate measures. The implementation of mitigation shall be formally documented in writing and submitted to the City Planning Department as verification that the mitigation has occurred.</i></p> <p>Mitigation Measure 3.4-2: <i>As part of the City of Novato’s design review and entitlement process for any development on the AHO site containing CA-MRN-678 (formerly CA-MRN-352), the project applicant shall design future development to avoid CA-MRN-678 consistent with General Plan CI Program 30.4.</i></p> <p>Mitigation Measure 3.4-3: <i>If any cultural resources, including prehistoric or historic artifacts, other indications of archaeological resources, paleontologic resources, or human remains are found during grading and construction activities on any of the five AHO sites or the emergency shelter site, all work shall be halted immediately within a 200-foot radius of the discovery.</i></p> <ul style="list-style-type: none"> - <i>If cultural resources are identified, an archaeologist meeting the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology, as appropriate, shall be consulted to evaluate the find(s). Work cannot continue at the discovery site until the archaeologist conducts sufficient research and data collection to make a determination that the resource is either 1) not cultural in origin; or 2) not potentially significant or eligible for listing on the NRHP or CRHR.</i> - <i>If a potentially eligible resource is encountered, then the archaeologist</i> 	

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		<p><i>shall identify mitigation recommendations. The City and Project applicant shall consider the recommendations and the project applicant shall implement all measures deemed feasible and appropriate by the City. Such measures may include avoidance, preservation in place, excavation, documentation, curation, data recovery, and other appropriate measures. The implementation of mitigation shall be formally documented in writing and submitted to the City Planning Department as verification that the provisions in CEQA for managing unanticipated discoveries have been met.</i></p> <ul style="list-style-type: none"> - <i>If Native American resources are identified, a Native American monitor, following the Guidelines for Monitors/Consultants of Native American Cultural, Religious, and Burial Sites established by the Native American Heritage Commission, may also be required and, if required, shall be retained at the Applicant's expense.</i> - <i>If human remains are discovered, all work shall be halted immediately within 200 feet of the discovery, the County Coroner must be notified, according to Section 5097.98 of the State Public Resources Code and Section 7050.5 of California's Health and Safety Code. If the remains are determined to be Native American, the coroner will notify the Native American Heritage Commission, and the procedures outlined in CEQA Section 15064.5(d) and (e) shall be followed.</i> 	
GEOLOGY AND SOILS			
Impact 3.5-1: Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving rupture of a fault, strong seismic ground shaking or seismic related ground	LS	None required.	-

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failure			
Impact 3.5-2: Result in substantial soil erosion or the loss of topsoil	LS	<i>None required.</i>	-
Impact 3.5-3: Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of project implementation, and potentially result in landslide, lateral spreading, subsidence, liquefaction or collapse	LS	<i>None required.</i>	-
Impact 3.5-4: Be located on expansive soils creating substantial risks to life or property	LS	<i>None required.</i>	-
Impact 3.5-5: Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater	NI	<i>None required.</i>	-
Impact 3.5.6: Result in the loss of availability of a mineral resource of value to the region or state, or a locally-important mineral resource recovery site	NI	<i>None required.</i>	-
GREENHOUSE GASES AND CLIMATE CHANGE			
Impact 3.6-1: Generate GHGs, either directly or indirectly, that may have a	LS	<i>None required.</i>	-

CC – cumulatively considerable

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<i>ENVIRONMENTAL IMPACT</i>	<i>LEVEL OF SIGNIFICANCE WITHOUT MITIGATION</i>	<i>MITIGATION MEASURE</i>	<i>RESULTING LEVEL OF SIGNIFICANCE</i>
significant effect on the environment			
Impact 3.6-2: Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases	LS	<i>None required.</i>	-
HAZARDS AND HAZARDOUS MATERIALS			
Impact 3.7-1: Potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials	LS	<i>None required.</i>	-
Impact 3.7-2: Potential to create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials	LS	<i>None required.</i>	-
Impact 3.7-3: Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school	NI	<i>None required.</i>	-
Impact 3.7-4: Potential to impair implementation of or physically interfere with an adopted emergency response	LS	<i>None required.</i>	-

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<i>ENVIRONMENTAL IMPACT</i>	<i>LEVEL OF SIGNIFICANCE WITHOUT MITIGATION</i>	<i>MITIGATION MEASURE</i>	<i>RESULTING LEVEL OF SIGNIFICANCE</i>
plan or emergency evacuation plan			
Impact 3.7-5: Potential 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 for people residing or working in the project area	LS	<i>None required.</i>	-
Impact 3.7-6: Potential for a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area	NI	<i>None required.</i>	
Impact 3.7-7: Potential to expose people or structures to a risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands	LS	<i>None required.</i>	
Impact 3.7-7: Potential to 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 create a significant hazard to the public or the environment	NI	<i>None required.</i>	

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<i>ENVIRONMENTAL IMPACT</i>	<i>LEVEL OF SIGNIFICANCE WITHOUT MITIGATION</i>	<i>MITIGATION MEASURE</i>	<i>RESULTING LEVEL OF SIGNIFICANCE</i>
HYDROLOGY AND WATER QUALITY			
Impact 3.8-1: Violate water quality standards or waste discharge requirements	LS	<i>None required.</i>	-
Impact 3.8.2: Substantially deplete groundwater supplies or interfere substantially with groundwater recharge	LS	<i>None required.</i>	-
Impact 3.8-3: Substantially alter the existing drainage pattern in a manner which would result in substantial erosion or siltation, result in flooding on- or off-site, or create or contribute runoff in excess of the capacity of stormwater drainage systems	LS	<i>None required.</i>	-
Impact 3.8-4 Otherwise substantially degrade water quality	LS	<i>None required.</i>	-
Impact 3.8-5: Place housing or structures within a 100-year flood hazard area or would impede/redirect flows within a 100-year flood hazard area as mapped on a flood hazard delineation map	LS	<i>None required.</i>	-
Impact 3.8-6: Expose people or structures to a significant risk of loss, injury or death involving flooding as a	LS	<i>None required.</i>	-

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<i>ENVIRONMENTAL IMPACT</i>	<i>LEVEL OF SIGNIFICANCE WITHOUT MITIGATION</i>	<i>MITIGATION MEASURE</i>	<i>RESULTING LEVEL OF SIGNIFICANCE</i>
result of the failure of a dam			
Impact 3.8-7: Expose people or structures to a significant risk of loss, injury or death involving inundation by seiche, tsunami, or mudflow	LS	<i>None required.</i>	-
LAND USE			
Impact 3.9-1: Potential to physically divide an established community	LS	<i>None required.</i>	-
Impact 3.9-2: Potential to conflict with an applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted to avoid or mitigate an environmental effect	LS	<i>None required.</i>	-
Impact 3.9-3: Potential to conflict with a habitat conservation plan or natural community conservation plan adopted to avoid or mitigate an environmental effect	NI	<i>None required.</i>	-
NOISE			
Impact 3.10-1: Exposure of persons to, or generation of noise levels in excess of applicable standards - traffic noise	LS	<i>None required.</i>	-
Impact 3.10-2: Potential to expose persons to, or generate noise levels in	PS	Mitigation Measure 3.10-1: <i>As part of the City's design review and entitlement process, the City shall require the following measures for the five</i>	LS

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ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURE	RESULTING LEVEL OF SIGNIFICANCE
<p>excess of applicable standards or to result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without project - construction noise</p>		<p><i>AHO sites: The following measures, when applicable, shall be followed throughout all phases of construction to reduce noise from construction activities and shall be the responsibility of the construction contractor and project applicant:</i></p> <ul style="list-style-type: none"> • <i>Construction equipment shall be well maintained and used judiciously to be as quiet as practical. Equip all internal combustion engine-driven equipment with mufflers, which are in good condition and appropriate for the equipment.</i> • <i>Use "quiet" models of air compressors and other stationary noise sources where technology exists.</i> • <i>Locate stationary noise-generating equipment and construction staging areas as far as feasible from sensitive receptors, including neighboring residential uses, when sensitive receptors adjoin or are near a construction area.</i> • <i>Prohibit unnecessary idling of internal combustion engines.</i> • <i>Designate a "construction liaison" who would be responsible for responding to any local complaints about construction noise. The liaison would determine the cause of the noise complaints (e.g., starting too early, bad muffler, etc.) and institute reasonable measures to correct the problem. Conspicuously post a telephone number for the liaison at the construction site.</i> • <i>Hold a pre-construction meeting with the job inspectors and the general contractor/on-site project manager to confirm that noise mitigation and practices (including construction hours, construction schedule, and noise coordinator) are completed.</i> 	
<p>Impact 3.10-3: Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels</p>	<p>PS</p>	<p>Mitigation Measure 3.10-2: <i>As part of the City's design review and entitlement process, the City shall require the following measures for AHO Sites 1 and 2:</i></p> <ul style="list-style-type: none"> • <i>The pre-existing condition of any buildings within 25 feet of any</i> 	<p>LS</p>

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ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURE	RESULTING LEVEL OF SIGNIFICANCE
		<p>construction activities shall be recorded in order to evaluate damage from project-related construction. Fixtures and finishes within a 25-foot radius of construction activities susceptible to damage will be documented (photographically and in writing) prior to construction. All damage will be repaired back to its pre-existing condition.</p> <ul style="list-style-type: none"> Should damage occur despite the above mitigation measures, construction operations shall be halted and the problem activity shall be identified. A qualified engineer shall establish vibration limits based on soil conditions and the types of buildings in the immediate area. The contractor shall monitor the buildings throughout the remaining construction period and follow all recommendations of the qualified engineer to repair any damage that has occurred to the pre-existing state, and to avoid any further structural damage. 	
<p>Impact 3.10-4: Potential to result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project</p>	<p>PS</p>	<p>Mitigation Measure 3.10-3: As part of the City’s design review and entitlement process for AHO Sites 2, 3, 4, and 5, the City shall require forced-air mechanical ventilation for units throughout a multi-family residential project so that windows could be kept closed at the occupant’s discretion to control interior noise and achieve the interior noise standard of 45 dBA Ldn. Closed windows typically provide 25 dBA of noise reduction.</p> <p>Mitigation Measure 3.10-4: As part of the City’s design review and entitlement process for AHO Sites 3, 4, and 5, the City shall require that sensitive exterior areas (patio/balcony) associated with future residential uses be located outside of the 65 dBA Ldn exterior traffic noise contour as shown on Figure 3.10-1. If sensitive receptors are to be located within the 65 dBA Ldn exterior noise contour, outdoor activity areas shall be shielded from the noise source using site design measures such as building orientation or sound walls to</p>	<p>PS</p>

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ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURE	RESULTING LEVEL OF SIGNIFICANCE
		<p><i>maintain a 60 dBA Ldn exterior noise level for recreation areas and 65 dBA Ldn for exterior balconies and porches.</i></p> <p>Mitigation Measure 3.10-5: <i>As part of the City’s design review and entitlement process for AHO Sites 1, 2, and 5, the City shall require the site design to implement measures to reduce exposure of adjacent uses to noise associated with mechanical equipment and on-site play areas through use of setbacks and/or barriers (e.g., placement of walls, buildings, parapets, or other structures between the noise source and adjacent sensitive receptors) to ensure that mechanical equipment associated with new development on Sites 1, 2, and 5 maintains an exterior noise level of 60 dBA Ldn at on- and off-site recreation and yard areas and a noise level of 65 dBA Ldn for exterior balconies and porches at on- and off-site multi-family units.</i></p> <p>Mitigation Measure 3.10-6: <i>As part of the City’s design review and entitlement process for AHO Sites 3 and 4, the City shall require a project applicant to retain a qualified acoustical consultant to participate in the development of the final construction plans to ensure that sensitive residential buildings are designed with appropriate noise-attenuating construction features to maintain an acceptable interior noise level of 45 dBA Ldn at those habitable spaces exposed to exterior noise levels exceeding 65 dBA Ldn due to NCRA and SMART train operations. The acoustical consultant shall perform a detailed acoustical analysis based on latest and best information about NCRA and SMART rail operations to inform the acoustical recommendations for interior noise reduction. Feasible methods to achieve acceptable interior noise levels of 45 dBA Ldn may include various Sound Transmission Class (STC) rated sound dampening techniques, such as the installation of STC-rated windows; or employing the use of double-leaf partitions, noise insulation materials and/or</i></p>	

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		<p><i>resilient wall channels.</i></p> <p>Mitigation Measure 3.10-7: <i>As part of the City’s design review and entitlement process for AHO Site 4, the City shall require the Project Applicant to prepare and distribute a disclosure to all prospective occupants of the project describing the project’s proximity to the NCRA and SMART rail line and the potential for train-related noise, including train warning horns: The disclosure shall specifically note that exterior porches and balcony areas on the east side of the project site may be exposed to periodic noise from the SMART and NCRA warning horns.</i></p>	
<p>Impact 3.10-5: For projects located within an airport land use plan, within two miles of a public airport or public use airport for which an airport land use plan has not been adopted, or within the vicinity of a private airport, potential to expose people residing or working in the project area to excessive noise levels</p>	<p>LS</p>	<p><i>None required.</i></p>	<p>-</p>
<p>Impact 3.10-6: Potential to expose of persons to, or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies or to result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project</p>	<p>LS</p>	<p><i>None required.</i></p>	<p>-</p>

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<i>ENVIRONMENTAL IMPACT</i>	<i>LEVEL OF SIGNIFICANCE WITHOUT MITIGATION</i>	<i>MITIGATION MEASURE</i>	<i>RESULTING LEVEL OF SIGNIFICANCE</i>
Impact 3.10-7: Potential to expose of persons to, or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies or to result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project	LCC	<i>None required.</i>	-
POPULATION AND HOUSING			
Impact 3.11-1: Potential to induce substantial population growth	LS	<i>None required.</i>	-
Impact 3.11-2: Potential to displace substantial numbers of people or existing housing	LS	<i>None required.</i>	-
PUBLIC SERVICES			
Impact 3.12-1: Provision of new or expanded facilities for police services	LS	<i>None required.</i>	-
Impact 3.12-2: Provision of new or expanded facilities for fire services	LS	<i>None required.</i>	-
Impact 3.12-3: Provision of new or expanded parks and recreational facilities or deterioration of existing parks and	LS	<i>None required.</i>	-

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ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURE	RESULTING LEVEL OF SIGNIFICANCE
recreation facilities			
Impact 3.12-4: Provision of new or expanded school facilities	LS	None required.	-
Impact 3.12-5: Provision of new or expanded libraries or other public facilities	LS	None required.	-
TRANSPORTATION AND CIRCULATION			
Impact 3.13-1: Potential to conflict with an applicable plan, ordinance, or policy establishing acceptable levels of service for the performance of the circulation system: Existing plus Project - Scenarios 1 and 2	LS	None required.	-
Impact 3.13-2: Potential to substantially increase hazards due to a design feature	PS	<p>Mitigation Measure 3.13-1: As part of the City's design review and entitlement process, the City shall require that any driveway serving Site 1 (1787 Grant Avenue) be located a minimum of 150 feet to the east of Novato Creek, and preferably as a southern leg to the existing intersection at Grant Avenue/8th Street.</p> <p>Mitigation Measure 3.13-2: As part of the City's design review and entitlement process, the City shall require that the finished grades of any driveways providing access to Site 3 (Redwood Boulevard/Black John Road) provide a "landing" that is at an elevation similar to the elevation of Redwood Boulevard, enabling drivers stopped on the driveway approach to have clear visibility at least 300 feet to the north and south.</p>	LS

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ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURE	RESULTING LEVEL OF SIGNIFICANCE
		<p>Mitigation Measure 3.13-3: As part of the City’s design review and entitlement process, the City shall require that the installation of a left-turn pocket serving northbound left-turn movements from Redwood Boulevard be provided into the driveway of Site 3.</p>	
<p>Impact 3.13-4: Potential to conflict with adopted policies, plans, or programs regarding bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities</p>	<p>PS</p>	<p>Mitigation Measure 3.13-5: As part of the City of Novato’s design review and entitlement process, site development plans for each of the housing element and emergency shelter sites shall be reviewed by City Staff to ensure that adequate onsite circulation for pedestrians will be provided, including providing connections between the uses on each site and fronting pedestrian facilities in the public right of way pursuant to the standards of Section 5-34 of the Novato Municipal Code.</p> <p>Mitigation Measure 3.13-6: As part of the City’s design review and entitlement process, the City shall require future development plans for Site 1 (1787 Grant Avenue) to include construction of sidewalks along its frontage of Grant Avenue between Novato Creek and 8th Street, tying into the new sidewalk facilities to be constructed as part of the planned Grant Avenue bridge rehabilitation project to be completed by the City.</p> <p>Mitigation Measure 3.13-7: As part of the City’s design review and entitlement process, the City shall require future development plans for Site 2 to include:</p> <ul style="list-style-type: none"> • construction of sidewalks along the frontage of Landing Court. • Upgrade of the pedestrian pathway between the northeast corner of Landing Court/Redwood Road (eastern frontage road to Redwood Boulevard) and the project site so that a minimum width of five feet exists. 	<p>LS</p>

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ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURE	RESULTING LEVEL OF SIGNIFICANCE
		<ul style="list-style-type: none"> • <i>Improvement of the pedestrian ramp at the northeast corner of Landing Court/Redwood Road to achieve ADA accessibility requirements. A curb extension or “bulb out” would create one potential method of achieving the necessary sidewalk width to construct an acceptable curb ramp. Sufficient width exists on Landing Court to construct such a bulbout without adversely affecting traffic safety or operation.</i> <p>Mitigation Measure 3.13-8: <i>As part of the City’s design review and entitlement process, the City shall require future development plans for Site 3 (Redwood Boulevard/Black John Road) to include:</i></p> <ul style="list-style-type: none"> • <i>Construction of sidewalks along any portion of the site’s Redwood Boulevard frontage where they do not currently exist.</i> • <i>Future frontage improvements that result in sufficient width on Redwood Boulevard to implement future on-street bicycle lanes, consistent with the City’s bicycle plan.</i> <p>Mitigation Measure 3.13-9: <i>As part of the City’s design review and entitlement process, the City shall require future development plans for Site 4 (7606 Redwood Boulevard – Olive Avenue) to include:</i></p> <ul style="list-style-type: none"> • <i>Construction of sidewalks along the frontage of Olive Avenue.</i> • <i>Construction of a pedestrian connection to the surrounding sidewalk network. This connection could take the form of a new sidewalk on the north side of Olive Avenue between the project site and Redwood Boulevard, which is included in the City’s Capital Improvement Program Project 97-001. Alternatively (or in addition), the connection could be established by a new sidewalk on the north side of Olive</i> 	

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ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURE	RESULTING LEVEL OF SIGNIFICANCE
		<p><i>Avenue between the project site and existing sidewalks on the east side of the Railroad Avenue intersection.</i></p> <ul style="list-style-type: none"> <i>Improvement of, Olive Avenue along the site frontage such that sufficient roadway width can be achieved to implement future Class II bicycle lanes, consistent with the City's bicycle plan.</i> 	
<p>Impact 3.13-5: Potential to conflict with adopted policies, plans, or programs regarding transit facilities, or otherwise decrease the performance or safety of such facilities</p>	<p>LS</p>	<p><i>None required.</i></p>	<p>-</p>
<p>Impact 3.13-6: Potential to conflict with an applicable plan, ordinance, or policy establishing acceptable levels of service for the performance of the circulation system: Construction Activities</p>	<p>PS</p>	<p>Mitigation Measure 3.13-10: <i>As part of the City's design review and entitlement process, the City shall review site development plans for Sites 1 through 5 and any emergency shelter to determine whether staging and/or construction activities could disrupt circulation, and if necessary, require individual developments to submit a traffic control plan prior to the commencement of construction. Elements of this plan shall be implemented as necessary and appropriate for each phase of construction. The traffic control plan shall include – but not be limited to:</i></p> <ul style="list-style-type: none"> <i>Identify project construction staging areas;</i> <i>Provide temporary replacement parking during the construction period;</i> <i>Designate auto, pedestrian, and bicycle detour routes to be used in order to maintain circulation during various phases of the project's construction; and</i> 	<p>LS</p>

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ENVIRONMENTAL IMPACT	LEVEL OF SIGNIFICANCE WITHOUT MITIGATION	MITIGATION MEASURE	RESULTING LEVEL OF SIGNIFICANCE
		<ul style="list-style-type: none"> Develop and implement procedures for notifying property owners within a surrounding distance set by the City of activities that will affect traffic in the vicinity of the development. 	
Impact 3.13-7: Potential to result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks	NI	None required.	-
Impact 3.13-8: Potential to conflict with an applicable plan, ordinance, or policy establishing acceptable levels of service for the performance of the circulation system: Cumulative plus Project - Scenarios 1 and 2	LCC	None required.	-
UTILITIES			
Impact 3.14-1: Potential to exceed wastewater treatment capacity or the requirements of the RWQCB	LS	None required.	-
Impact 3.14-2: Require or result in the construction of new water treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	LS	None required.	-
Impact 3.14-3: Have insufficient water	LS	None required.	-

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<i>ENVIRONMENTAL IMPACT</i>	<i>LEVEL OF SIGNIFICANCE WITHOUT MITIGATION</i>	<i>MITIGATION MEASURE</i>	<i>RESULTING LEVEL OF SIGNIFICANCE</i>
supplies available to serve the project from existing entitlements and resources, or if new or expanded entitlements are needed under existing and cumulative conditions			
Impact 3.14-4: Require the construction of new stormwater facilities or expansion of existing facilities, the construction of which could cause significant environmental effects	LS	<i>None required.</i>	-
Impact 3.14-5: Potential to contribute substantial additional sources of polluted runoff	LS	<i>None required.</i>	-
Impact 3.14-6: Be served by a landfill with adequate capacity and may not comply with all applicable solid waste regulations	LS	<i>None required.</i>	-
OTHER CEQA-REQUIRED TOPICS			
Impact 4.1: Potential to contribute to the cumulative degradation of the existing visual character of the region	LCC	<i>None required.</i>	-
Impact 4.2: Potential to contribute to impacts on agricultural land and uses	LCC	<i>None required.</i>	-

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Impact 4.3: Potential to contribute to cumulative impacts on the region's air quality	LCC	<i>None required.</i>	-
Impact 4.4: Potential to contribute to the cumulative loss of biological resources including habitats and special status species	LCC	<i>None required.</i>	-
Impact 4.5: Potential to contribute to cumulative impacts on known and undiscovered cultural resources	LCC	<i>None required.</i>	-
Impact 4.6: The project may contribute to cumulative impacts on geologic and soils characteristics	LCC	<i>None required.</i>	-
Impact 4.7: The project may contribute to cumulative impacts on greenhouse gases and climate change	LCC	<i>None required.</i>	-
Impact 4.8: The project may contribute to cumulative impacts related to hazards and hazardous materials	LCC	<i>None required.</i>	-
Impact 4.9: The project may contribute to cumulative impacts related to peak stormwater runoff flows or the degradation of water quality	LCC	<i>None required.</i>	-

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Impact 4.10: The project may contribute to cumulative impacts on communities and local land uses	LCC	<i>None required.</i>	-
Impact 4.11: The project may contribute to the cumulative exposure of existing and future noise- sensitive land uses or to increased noise resulting from cumulative development	LCC	<i>None required.</i>	-
Impact 4.12: The project may contribute to cumulative impacts on population growth	LCC	<i>None required.</i>	-
Impact 4.13: The project may contribute to cumulative impacts on public services	LCC	<i>None required.</i>	-
Impact 4.14: The project may contribute to cumulative impacts on the transportation network	LCC	<i>None required.</i>	-
Impact 4.15: The project may contribute to cumulative impacts on utilities	LCC	<i>None required.</i>	-

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