Zero Emissions Bus Operations and Maintenance Facility Project

Final Initial Study/Mitigated Negative Declaration, Response to Comments, and Mitigation Monitoring and Reporting Program

State Clearinghouse No. 2025110114

December 2025

Preface

This document represents the Final Initial Study/Mitigated Negative Declaration (IS/MND) for the Zero Emissions Bus Operations and Maintenance Facility Project. The Final IS/MND presents the environmental information and analyses that have been prepared for the project, including comments received addressing the adequacy of the Draft IS/MND, and responses to those comments. The Draft IS/MND for the proposed project was circulated for a public review period beginning on November 3, 2025 through December 3, 2025. Two (2) comment letters were received on the Draft IS/MND during the public review period and one (1) comment letter was received afterward. The comment letter submitted after the public review period has been included in the record. On December 1, 2025, the Marin Transit Board of Directors held a public meeting during which the public had another opportunity to provide comments; however, no comments were received at the meeting regarding the adequacy of the Draft IS/MND. The comment letters and responses to comments are included in this document as **Attachment A**.

In 1989, the Legislature amended CEQA to require that public agencies adopting feasible mitigation measures outlined in Environmental Impact Reports (EIRs) and negative declarations also implement a mitigation monitoring and reporting program. This program is designed to ensure compliance with any project modifications mandated by the public agency to reduce or avoid significant environmental impacts. A Mitigation Monitoring and Reporting Plan (MMRP) has been developed for the project (**Attachment B**).

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Acronyms and Abbreviations

AAQS	ambient air quality standards
AB	Assembly Bill
ABAG	Association of Bay Area Governments
APN	Assessor's Parcel Numbers
BAAD	Bay Area Air District
BLM	Bureau of Land Management
CAA	Clean Air Act
CAL FIRE	California Department of Forestry and Fire Protection

CAL FIRE	California Department of Forestry and Fire Protection
Cal/OSHA	California Department of Industrial Relations, Division of Occupational Safety and Health
CALGreen	California Green Building Standards Code
CalRecycle	California Department of Resources Recycling and Recovery
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CASGEM	California Statewide Groundwater Elevation Monitoring
CBSC	California Building Standards Commission
CCAP	City Climate Action Plan
CCMU	Community Commercial Mixed Use
CDFW	California Department of Fish and Wildlife
CEC	California Energy Commission
CEQA	California Environmental Quality Act
CESA	California Endangered Species Act
CFR	Code of Federal Regulations
CGS	California Geological Survey
CH_4	methane
CO	carbon monoxide
CO_2	carbon dioxide
CO_2e	carbon dioxide equivalent
Construction General Permit	NPDES General Construction Permit for the State of California
CPUC	California Public Utilities Commission
CRHR	California Register of Historical Resources
CUPA	Certified Unified Programs Agency
dBA	decibels
DWR	Department of Water Resources
ECHO	Enforcement and Compliance History Online
EIR	Environmental Impact Report
EO	Executive Order
EPA	Environmental Protection Agency
ESA	environmentally sensitive area
FAR	floor area ratio
FEMA	Federal Emergency Management Agency
FESA	Federal Endangered Species Act
FHSZ	Fire Hazard Severity Zone

FINDS	Facility Index System
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
FTA	Federal Transit Administration
GHG	greenhouse gas
GWh	gigawatt-hours
GWP	global warming potential
HFC	hydrofluorocarbon
HIST CORTESE	Historic Cortese Site
HIST UST	Historical Underground Storage Tank
I-580	Interstate 580
L_{eq}	Equivalent continuous sound level
LGVSD	Las Gallinas Valley Sanitary District
LID	low impact development
L_{max}	maximum instantaneous noise level
LOS	level of service
LRA	local responsibility area
LUST	Leaking Underground Storage Tank
Marin Transit	Marin County Transit District
Marin Water	Marin Municipal Water District
MBTA	Migratory Bird Treaty Act
MCE	Marin Clean Energy
MCSTOPPP	Marin County Stormwater Pollution Prevention Program
MDF	Main Distribution Frame
MMThm	million U.S. therms
MRP	Municipal Regional Stormwater NPDES Permit
MRZ	Mineral Resource Zone
MT	metric tons
MTC	Metropolitan Transportation Commission
MW	megawatts
N_2O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NO	nitric oxide
NO_2	nitrogen dioxide

NOI	Notice of Intent
NOx	oxides of nitrogen
NPDES	National Pollutant Discharge Elimination System
NPS	National Park Service
NRHP	National Register of Historic Places
NWIC	Northwest Information Center
NWL	natural and working lands
O_3	ozone
OEHHA	Office of Environmental Health Hazard Assessment
Pb	lead
PCB	polychlorinated biphenyl
PFC	perfluorocarbon
PG&E	Pacific Gas & Electric
Phase I ESA	Phase I Environmental Site Assessment
PM_{10}	particulate matter 10 microns or less in diameter
$PM_{2.5}$	particulate matter 2.5 microns or less in diameter
PPV	peak particle velocity
PRC	Public Resources Code
PRMP	Paleontological Resources Monitoring Program
RCRA	Resource Conservation and Recovery Act
RGA	Recorded Government Archive
ROG	reactive organic gases
RPS	Renewable Portfolio Standard
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
SB	Senate Bill
SCS	Sustainable Communities Strategy
SF_6	sulfur hexafluoride
SFBAAB	San Francisco Bay Area Air Basin
SFHA	Special Flood Hazard Area
SHMA	Seismic Hazards Mapping Act
SMARA	Surface Mining and Reclamation Act
SMGB	State Mining and Geology Board
SO_2	sulfur dioxide
Sonoma Water	Sonoma County Water Agency
SRA	state responsibility area
SRFD	San Rafael Fire Department

SRPD	San Rafael Police Department
SRSD	San Rafael Sanitation District
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resources Control Board
TCR	tribal cultural resources
TOC	toxic air contaminants
TPH	total petroleum hydrocarbons
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
UST	Underground Storage Tank
UWMP	Urban Water Management Plan
VdB	vibration decibels
VHFHSZ	Very High Fire Hazard Severity Zone
VMT	vehicle miles traveled
Water Board	San Francisco Bay RWQCB
Wildfire Action Plan	San Rafael Wildfire Prevention and Protection Action Plan
WMP	Watershed Management Plan
ZEB	Zero Emission Bus

1 Project Information

Project Title	Zero Emissions Bus Operations and Maintenance Facility Project
Lead Agency/Project Sponsor/Project Owner	Marin County Transit District
Lead agency contact and address	Paul Haifley Facility Development Project Manager Marin County Transit District 711 Grand Avenue, Suite 110 San Rafael, CA 94901 phaifley@marintransit.org
Document preparer	Circlepoint 1625 Clay Street, Suite 700 Oakland, CA 94612 g.reilly@circlepoint.com
Project Location	1075 East Francisco, San Rafael, CA 94901
Property APN	009-191-37 and 009-191-38
General Plan Designation	Community Commercial Mixed Use
Zoning	General Commercial

1.1 Project Location and Setting

Project Location

The project site is located in the City of San Rafael in eastern Marin County. The site consists of two parcels made up of about 3.5 acres, generally bordered by Castro Avenue to the north, Francisco Boulevard East to the west, commercial and industrial private parcels to the south, and Kerner Boulevard to the east. The site consists of two parcels identified by Assessor's Parcel Numbers (APN) 009-191-37 and 009-191-38 (formerly Parcels 009-191-02, -03, -04, -09 and -10). Interstate 580 (I-580) runs in a northwest-southeast orientation located adjacent to the west of Francisco Boulevard East (see **Figure 1**).

Regional and Project Site Map

Figure 1

Source: Google Earth, 2025

Existing Setting

The project site is in an urbanized area surrounded by Light Industrial/Office, Community Commercial Mixed-use, and Public/Quasi Public land uses under the San Rafael General Plan (see **Figure 2**). The zoning designations surrounding the project site include Light Industrial/Office, General Commercial, and Public/Quasi-Public zoning designations. See **Figure 3** and **Figure 4** for photographs of existing conditions at the project site and surrounding land uses. Actual current uses of properties adjacent to the project site include auto repair shops, tire shops, tile store and warehouse, car wash, health and beauty products warehouse, a sofa store, a ski shop and freeway use.

The project site is currently vacant. Most recently, the project site was used for storage of up to 400 vehicles for nearby auto dealerships under a Temporary Use Permit. Before that, in 2006, the project site was entitled for a car dealership (sales and services facility), which was never constructed, and the entitlements have long expired. Before the car dealership entitlement, the project site was developed with a different auto dealership, which was demolished in 2005. Thus, for the last nearly 20 years the project site has been used for vehicle storage and related purposes or has sat vacant.

The immediate prior owner planned to construct a hotel on the project site. In 2020, the City of San Rafael granted entitlements for a 185-room hotel development (with 195 passenger vehicle parking) for a portion of the project site and a vehicle storage lot for the remainder of the site. When the City of San Rafael approved that development project, the City concluded the development project was exempt from the California Environmental Quality Act (CEQA); the City determined it would not cause any significant environmental impacts (including in traffic, noise, air quality, or water quality) and required no mitigation.

The immediate prior owner subsequently concluded that development of a hotel on the project site was not economically viable; the owner preferred to sell the project site. The immediate prior owner approached the Marin County Transit District (Marin Transit or District) about a voluntary, off-market sale of the property. Marin Transit closed on the purchase of the project site in November 2024. Marin Transit has held the project site in its existing condition since its acquisition.

Existing Site Conditions

The existing condition of the project site encompasses entirely pervious surface of approximately 151,000 square feet in size.

As noted above, the project site was originally planned for construction of a hotel. During the preparation for the hotel construction, existing soil surcharge was added to the site for stabilization. Approximately 17,000 cubic yards of soil remaining within the project site that would require off-hauling. Both surcharging monitoring and piezometer monitoring (i.e., the measurement of water pressure within soil, earth fills, foundations, and concrete structures) were completed throughout 2022 to ensure settlement did not occur in neighboring properties.

Existing Land Use Designation

Under the City's General Plan, the project site has a Land Use Designation of Community Commercial Mixed Use (see **Figure 2**). This designation is described as follows in the City's General Plan Land Use Element: "This category corresponds to general retail and service uses, restaurants, automobile sales

and service uses, hotels/ motels, and other commercial activities. Offices are also permitted, except where specifically precluded by General Plan policies. Mixed use projects that combine housing and commercial uses are encouraged. Projects that are entirely residential are permitted, although limitations may apply in certain zoning districts to ensure that adequate land is provided for activities generating sales tax, jobs, and local service opportunities." Residential development is subject to a maximum net density of 43.6 units per acre. The floor area ratio (FAR) limit of 0.3 applies to non-residential square footage only, and excludes square footage associated with housing in mixed-use projects.

Existing Zoning

The project site has a Zoning designation of General Commercial in the San Rafael Municipal Code of Ordinances. The Zoning designation is described as a district that "promotes a full range of retail and service used in major shopping centers and certain areas of the City which have freeway or major street access and visibility. Residential use is allowed with a use permit. Offices are conditional secondary uses, for example, on portions of sites with poor retail visibility. Floor Area Ration (FAR), trip allocation and design criteria vary throughout the district in response to specialized conditions recognized in the general plan."

As outlined in San Rafael Municipal Code Section 14.05.020, General Commercial use may allow for public, quasi-public, and community uses, such as maintenance or storage yards, are permissible as a conditional use.

On August 6, 2024, the District requested the City provide a Report on Conformity with the General Plan. The City's September 13, 2024 responsive report concludes that Marin Transit's acquisition of the project site and use for an electric vehicle bus operations and maintenance facility would not be consistent with the City's General Plan -- Community Commercial Mixed Use land designation (**Appendix F**). On October 24, 2024, the District considered and acted on the City's report. As the District noted, the General Plan contemplates "automobile services" uses in the Community Commercial Mixed Use category, and the zoning ordinance permits, with a conditional use permit approved by the Zoning Administrator:

- Parking facilities, commercial or municipal
- Repairs, major (engine work, painting, and body work)
- Repairs, minor (tune-ups, brakes, batteries, tires, mufflers and upholstery)

These permitted uses are similar to the proposed project and, thus, are a basis to conclude that the project is consistent with the General Plan Land Use element and zoning ordinance.

The City's September 13, 2024 report discusses only the Land Use and Neighborhood elements of the General Plan; it does not discuss how the proposed project aligns with other elements, such as the Conservation and Climate Change and Mobility elements. Marin Transit's October 24, 2024 report highlights some of the provisions of the San Rafael General Plan that were not addressed in the City's report but which appear to have direct bearing on whether the proposed project conforms with the City's General Plan. The excerpts illuminate two themes in the City's General Plan:

(1) reducing car trips, improving alternatives to driving, and supporting shifts to zero emission vehicles as strategies the General Plan embraces to achieve San Rafael's climate policies, and

(2) supporting accessible, reliable, and cost-effective transit services, particularly for the benefit of San Rafael's seniors, youth, low-income households, and persons with disabilities, are General Plan goals to advance equity in the community.

The proposed project could directly advance express policies, goals, and programs in the City's General Plan around climate, mobility, and equity. Based on this more complete look at the General Plan, there appears to be ample basis for the City to conclude the proposed project conforms with the General Plan.

Furthermore, the proposed project is harmonious with surrounding land uses, as many parcels in the vicinity of the project site are designated Light Industrial/Office under the General Plan. San Rafael has stated that electric vehicle charging and maintenance would be consistent with the City's Light Industrial/Office designation and, thus, consistent with many of the properties surrounding the project site.

1.2 Project Description

Marin Transit provides the local public transit service in Marin County, immediately north of the Golden Gate Bridge in Northern California. Marin Transit currently has a fleet of 68 buses used for fixed route service and 32 vehicles for demand response services. The Marin Transit fleet has three million boardings and alighting's each year across 19 bus routes. The District also provides paratransit services and other innovative community-based transportation programs to meet the needs of those who cannot use the fixed route bus network.

Marin Transit owns all of its vehicles, but relies on three independent operators to operate fixed route and demand response public transit services. Until recently, Marin Transit did not own any facilities, which drove the need for many small contracts with requirements that the contractors provide associated transit vehicle parking and maintenance facilities; the approach has resulted in a county-wide network of several storage and maintenance facilities owned or leased by contractors.

The District has identified the value of investing in permanent, District-controlled facilities to incentivize competition for service operations contracts, reduce cost uncertainty, and reduce or minimize overall operating cost growth. District ownership of a facility will impact procurements and operations for all Marin Transit services. District-owned facilities will enable the District to better plan for service growth and effectively deploy, maintain, and integrate zero emission bus technologies.

Additionally, to meet climate goals and California Air Resources Board (CARB) requirements, Marin Transit is converting from diesel-electric hybrid buses to electric buses under its Zero Emission Bus (ZEB) Plan. As part of the ZEB Plan, the District has acquired six electric buses and associated charging infrastructure. While charging stations and solar power are provided by the contractor or at the smaller sites owned by the District, a larger site is needed for full electrification of the District's fleet.

In October 2016, the Marin Transit Board established goals and criteria for evaluating potential bus maintenance and operations facility sites. At a minimum, the site had to be at least 3 acres for a single

site or combination of two sites, consistent with the local jurisdiction's General Plan, and the purchase and development needed to be financially feasible and cost effective. Other adopted criteria included:

1. Within Marin County to minimize deadhead or non-revenue service costs
2. Accessible to US 101
3. Compatible land use / good neighbor potential
4. Sufficient size and accessibility to maneuver and store buses
5. Primary egress and ingress routes to site are compatible with local circulation plan
6. Site readiness
7. Minimal vulnerability in case of a natural disaster
8. Title VI Equity Analysis
9. Preliminary Analysis of Potential Environmental Impacts on Site Surroundings

From January 2020 to August 2022, the District made three small property purchases. In November 2024, the District purchased the project site. The proposed project would complete the District's plan for District-owned parking, maintenance, and electric charging facilities. The District is not planning for material growth of its fleet through the proposed project; instead, the District is seeking to consolidate existing parking and maintenance requirements in a more centrally-located, District-owned facility.

1.3 Project Components

As part of the project, Marin Transit would develop the site with a new building dedicated to District operations; visitor, employee, and bus parking; maintenance, charging, potential solar panel infrastructure; and fencing. The project will support both diesel-electric hybrid buses and electric buses, so a diesel refueling station will be included to service diesel-electric hybrid buses until the transition to an all-electric fleet. There is one tree on-site, and it is expected to be removed during construction and replaced following project buildout (the District's plan is consistent with San Rafael 2040 General Plan policy C-1.17). These components are discussed in greater detail below.

Building

The project would include an 18,600 square-foot building not to exceed 36 feet in height (see **Figure 5**), in the approximate middle of the site. The southern side of the building would be dedicated to office space, a cash safe, two shower rooms, two restrooms, a breakroom, and a manager's office. The northern side of the building would be dedicated to driver's check-in, employee lockers, breakroom, and utility rooms such as main electricity room, mechanical room, janitorial closet, copy room, and a Main Distribution Frame (MDF) room. The remainder of the building would include five (5) bus bays and maintenance support areas such as parts and tire storage, tool/battery room, and maintenance equipment storage. The bus maintenance bays would be equipped with mobile lifts for easier access to the underside of fleet vehicles. A bus wash station would be included on the east side of the building.

Subsurface excavation of up to ten feet would occur to allow for the construction of the building foundation.

The bus facilities would be enclosed. The facilities would include five bus maintenance bays, storage for parts and tires, a bus washing station, fare exchange, and a vacuum island. The bus maintenance bays would be equipped with mobile lifts for easier access to the underside of fleet vehicles.

Site Access and Parking

Access to the visitor, employee, and bus facilities area (parking/maintenance/charging/fueling lots) would be provided via four driveways, including one dedicated bus driveway along Castro Avenue on the northeast corner of the site, one visitor/employee driveway along Francisco Boulevard East, and two dedicated bus driveways along Francisco Boulevard East on the west side of the site (see **Figure 5**). The visitor parking lot would be accessible via the northeastern driveway and would provide up to 60 passenger parking spaces for employees and visitors. The project would provide up to 50 bus parking stalls being accessible via the Francisco Boulevard East driveway and would allow for both ingress and egress. The bus parking spaces would be dedicated to bus charging, with canopies possibly equipped with rooftop solar not to exceed 36 feet in height.

The City of San Rafael has begun a 2024-2025 Pavement Maintenance Project, which removes existing striping, places crack seal, slurry seal, and micro-surfacing along roadways, and installs new striping on various roadways in the City.[1] This City project is being completed incrementally and is not expected to substantially inhibit access to the District's project site or adversely impact the District's project and its progress, just as the District's project is not expected to adversely affect the City's project.

External Facility Equipment (Outside the Building)

Space would be included outside the building for fare exchange, vacuum island, transformers, backup generator, a single above-ground 10,000 gallon diesel tank, bus charging equipment, and solar canopies not to exceed 36 feet in height.

Other Infrastructure, Equipment, and Utilities

Water

Water service for the project would be provided by the Marin Municipal Water District. Before service is provided to the project site, Marin Municipal Water District must approve the appropriate water service improvements and connections permits.

Wastewater

For areas south of Puerto Suello Hill, the San Rafael Sanitation District (SRSD) maintains and operates the City's sewer systems, which would provide sewer service for the project. Before sewer service would be provided to the project site, the appropriate sanitary sewer connection permits would be completed and approved.

[1] City of San Rafael. 2024/25 Pavement Maintenance Project. https://www.cityofsanrafael.org/2024-25-pavement-maintenance-project/

Electricity and Natural Gas

The infrastructure to provide electricity and natural gas service would be provided to the project site by Pacific Gas & Electric (PG&E) or Marin Clean Energy (MCE). Electrical improvements and connection permits must be approved before service is provided to the site. Various locations throughout the site would have light fixtures constructed (i.e., outdoor lighting on building, light poles throughout project site). PG&E manages two underground electric lines in the project vicinity: a 115 kV north-south electric line and a 60 kV east-west electric line. Electric service to the project site would be provided by connections to these lines. In the City of San Rafael, the default energy provider is Marin Clean Energy (MCE), a local clean energy provider that operates in Marin, Contra Costa, Napa, and Solano Counties.

The project would require one backup generator that would be used only during an emergency scenario and critical building loads and would not be used for bus charging. During usage, the generator would support critical systems and loads for the facility. The generator would be approximately 300 kilowatts and be located towards the southwest side of the building.

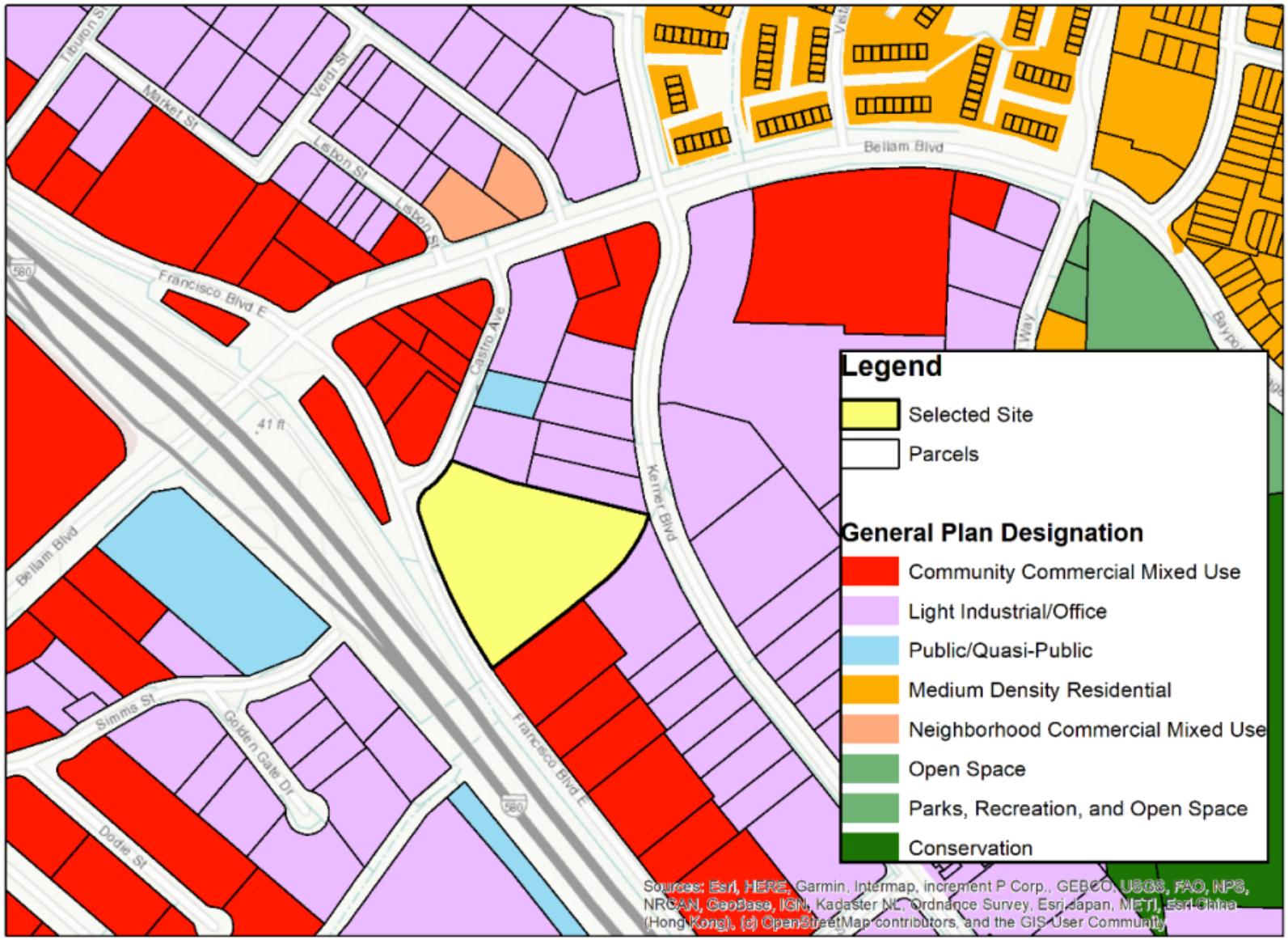
Other Infrastructure

The staff and visitor parking area would be fenced. Security cameras would be located throughout the project site focusing on the building and entrances and exits to the project site. Exterior lighting would be constructed at various points throughout the project site, and attached to the main building.

Stormwater Control and Landscaping

The site layout would be designed to comply with Marin County's "Stormwater Quality Manual for Development Projects in Marin County". The City of San Rafael is a participating city in the Marin County Stormwater Pollution Prevention Program (MCSTOPPP).

There is only one tree located on-site, which would be removed during construction and replaced with ornamental landscaping throughout the project site. Additionally, bioswales would be implemented to capture, treat, and infiltrate stormwater runoff.



General Plan Land Use Designations **Figure 2**

Source: Marin Transit Board of Directors, 2024

Project site looking north

Project site looking southwest

Project site looking west

Project site looking northeast

Photographs of Existing Conditions

Figure 3

Source: Google Earth, 2025

Castro Avenue looking south

Francisco Boulevard East looking east

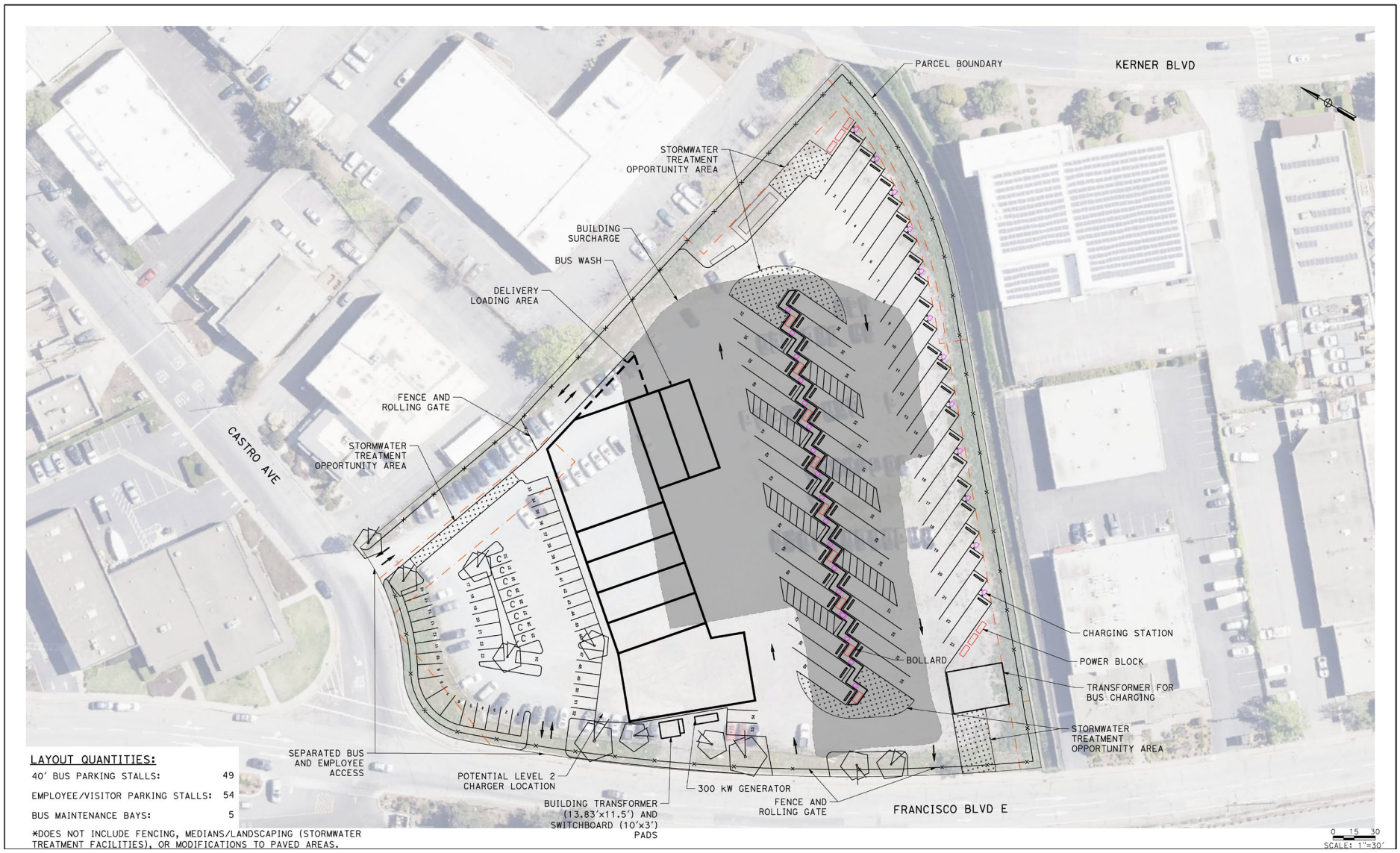
Francisco Boulevard East looking northeast

Kerner Boulevard looking north

Photographs of Existing Conditions

Figure 4

Source: Google Earth, 2025



Site Plan

Figure 5

Source: Mark Thomas & Co., 2025

Construction

Construction staging and activities would generally occur within the boundaries of the project site. Construction would occur Monday through Friday from 7:00 a.m. to 6:00 p.m., consistent with the City's permitted construction days and hours. Construction is expected to require approximately 18 to 24 months. There is existing soil surcharge on site associated with the prior plan to develop the project site as a hotel, and project construction would require the off-haul of approximately 17,000 cubic yards of soil. Equipment used for construction would include scrapers, blades, bulldozers, excavators, skid steers, loaders, concrete trucks, dump trucks, and a small crane. Public access to the project site during construction would be restricted, and materials would be stored and moved around on-site as needed. Construction of the project would require subsurface work extending to depths of up to 10 feet below grade.

Operation

Upon the completion of construction, the zero emissions operations and maintenance facility would be used to charge and conduct routine maintenance and storage of the vehicle fleet. This routine maintenance would include, but is not limited to, general repairs, tire repairs, part replacements, refueling diesel-electric hybrid buses until they are phased out, and cleaning of the interior and exterior of the buses. The number of buses traveling on roadways in the surrounding area would increase compared to current conditions as a result of buses traveling to and from the facility; the total number of buses, however, is expected to be the same as existing but more consolidated rather than spread around various locations in Marin County.

The facility would be used by three primary groups of users with varied hours of use. The highest number of users would be transit drivers and they would typically use the facility over a 23 hour period from 4:00 a.m. to 3:00 a.m. The second largest group would be maintenance workers (two shifts) who would typically occupy the facility from 5:00 a.m. until 9:00 p.m. and would return for service during the p.m. peak hours (4 p.m. to 10 p.m.). Administrative staff, the smallest group of users, would typically use the facility from 7:00 a.m. until 5:00 p.m. The mid- to late-morning hours (8:00 a.m. – 12:00 p.m.) and late-night hours (after 11:00 p.m.) will experience the lowest volume of trips.

A typical day would see two periods of increased activity around the times when drivers would report and pull out for service and the times when drivers would pull in and exit the facility. Drivers would enter the facility and park their personal car in the employee lot before reporting for work. After entering the building and checking-in, drivers would be assigned a transit vehicle in yard, conduct their inspection, and depart the yard to start service. In total, 58 buses will be stored in the yard for driver assignment. Additional trips to/from the facility made by users outside these primary user groups would occur during the administrative hours and consist of visitor traffic, deliveries to the facility (primarily for maintenance parts), and fuel trucks. These daily volumes are expected to be very minimal.

Project Approvals and Permits

The project is expected to require certain approval and permits, including the following:

- National Pollutant Discharge Elimination System (NPDES) General Construction Permit
- National Pollutant Discharge Elimination System (NPDES) Municipal Regional Stormwater Permit

    - Permit granted to the Regional Water Quality Control Board in 2009
- Pacific Gas & Electric (PG&E) electrical improvements approval
- PG&E connection permits
- Prior to commencing any work within the public right-of-way, Marin Transit would obtain an encroachment permit from San Rafael[2]

[2] Under State law, Government Code section 53090, the state, the counties, rapid transit districts, and certain rail transit districts are not subject to the building and zoning ordinances of the county or city in which the territory of the specified entity is situated.

2 Evaluation of Environmental Impacts and Mitigation Measures

This Initial Study evaluates impacts based on the CEQA Guidelines Appendix G Environmental Checklist:

- "No Impact" indicates that there is no impact.
- "Less than Significant Impact" indicates that, while there is some impact, without the incorporation of mitigation measures, the impact does not exceed identified thresholds.
- "Less than Significant with Mitigation Incorporated" indicates that a potentially significant and/or significant impact has been identified in the course of this analysis and mitigation measures have been provided to reduce a potentially significant impact and/or significant impact to a Less than Significant level.
- "Potentially Significant Impact" indicates that a potentially significant and/or significant impact has been identified in the course of this analysis and has not been reduced to Less than Significant. If an impact is significant and unavoidable, an Environmental Impact Report (EIR) will be required. Mitigation measures developed for this project reduce any potentially significant and/or significant impacts to a Less than Significant level qualifying the project for a Mitigated Negative Declaration (MND), and therefore preparation of an EIR will not be required.
- **Section 2.22, Mandatory Findings of Significance**, discusses cumulative impacts. Cumulative impacts are two or more individual effects, which when combined, are considerable or which compound or increase other environmental impacts. Cumulative impacts can result from individually minor but collectively significant projects taking place over time. If a significant cumulative impact is identified, the project's contribution to the significant cumulative impact is considered.

The environmental factors checked below would be potentially affected by the project, involving at least one impact that is a less than significant impact with mitigation as indicated by the checklist on the following pages. Mitigation measures have been provided for each significant impact, reducing all to a less than significant level.

- ☐ Aesthetics
- ☒ Air Quality
- ☒ Cultural Resources
- ☒ Geology & Soils
- ☐ Hazards & Hazardous Materials
- ☐ Land Use & Planning
- ☒ Noise & Vibration
- ☐ Public Services
- ☐ Transportation
- ☐ Utilities & Service Systems
- ☐ Agriculture & Forestry Resources
- ☐ Biological Resources
- ☐ Energy
- ☐ Greenhouse Gas Emissions
- ☐ Hydrology & Water Quality
- ☐ Mineral Resources
- ☐ Population & Housing
- ☐ Recreation
- ☒ Tribal Cultural Resources
- ☐ Wildfire
- ☒ Mandatory Findings of Significance

2.1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	☐	☐	☐	☒
b) Substantially damage scenic resources, including but not limited to: trees, rock outcroppings, and historic buildings within a state scenic highway?	☐	☐	☐	☒
c) In nonurbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☐	☐	☐	☒
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☐	☐	☒	☐

Regulatory Setting

State

California State Scenic Highway Program

The California Scenic Highway Program is operated under the California Department of Transportation (Caltrans). This program developed specific conservation measures to preserve and enhance the natural scenic quality of the California highway system and adjacent visual corridors. State scenic highway status is typically determined by how much natural landscape can be seen by travelers using these highways, the scenic quality of the landscape, and the extent to which development impacts the travelers' enjoyment of the view. There are no eligible or designated scenic highways near the project site.[3]

Local

San Rafael General Plan 2040

The City's General Plan contains the following policies related to aesthetic resources:

[3] Caltrans. California State Scenic Highway System Map. Accessed January 22, 2025. https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aacaa

Policy CDP-1.1: City Image	Reinforce San Rafael's image by respecting the city's natural features, protecting its historic resources, and strengthening its focal points, gateways, corridors, and neighborhoods.
Policy CDP-1.5: Views	Respect and enhance to the greatest extent possible, views of the Bay and its islands; wetlands, marinas, and canal waterfront; hillsides and ridgelines; Mt. Tamalpais; Marin Civic Center; and St. Raphael's bell tower; as seen from streets, parks, and public pathways.
Policy CDP-4.1: Design Guidelines and Standards	Use design guidelines and standards to strengthen the visual and functional qualities of San Rafael's neighborhoods, districts, and centers. Guidelines and standards should ensure that new construction, additions, and alterations are compatible with the surrounding neighborhoods while still allowing for innovative, affordable design.
Policy CDP-4.11: Lighting	Encourage lighting for safety and security while preventing excessive light spillover and glare. Lighting should complement building and landscape design.

Existing Conditions

The project site is in a highly urbanized area surrounded by Light Industrial/Office, Community Commercial Mixed-use, and Public/Quasi Public land uses under the San Rafael General Plan. The zoning designations surrounding the project site include Light Industrial/Office, General Commercial, and Public/Quasi-Public zoning designations. Views of the surrounding commercial and industrial areas are to the east, south, and west of the project site. The surrounding development includes automotive shops, a sports store, a recording studio, a tile store, a furniture store, and freeway use. The closest residences are approximately 0.16 miles to the northeast. Surrounding buildings are adjacent to the road and are offset by a narrow sidewalk.

The visual character of the project site is an urban built environment. The project site was previously a car sales lot, and it is currently an undeveloped dirt lot. The project site has a chain-link fence around the perimeter with a single tree on the western side of the project site. The project site is flat with views of foothills of San Pedro Mountain to the north. San Pedro Mountain is also viewable from off-site locations, including Francisco Boulevard East, Castro Avenue, and Kerner Boulevard. A small portion of the peak of Mt. Tamalpais is visible from Castro Avenue along the northern portion of the project site. There are no scenic resources on site, and the site is not visible from a scenic highway.

Impact Discussion

a) Have a substantial adverse effect on a scenic vista?

No Impact. Mt. Tamalpais and its surrounding hillsides are the only scenic vistas described in the San Rafael General Plan 2040. Views from the project site are primarily commercial buildings and the John T.

Knox (I-580) Freeway. Off-site views of San Pedro Mountain are provided from Francisco Boulevard East, Castro Avenue, and Kerner Boulevard. The project area does not offer any long-range views of Mt. Tamalpais, and any potential views are currently obstructed by existing structures, nor would the project impede long-range views of any listed scenic vistas. Therefore, the project would not result in any adverse impacts on scenic vistas.

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

No Impact. According to Caltrans's *State Scenic Highway System Map*, there are no designated scenic highways in the City. Additionally, the project site is not within any areas with scenic resources as designated by the City's General Plan. Additionally, there are no rock outcroppings or historic buildings on-site. There is a single tree within the project site that, if removed, would be replaced during project buildout. Therefore, the project would not have any impact on scenic resources such as trees, rock outcroppings, and historic buildings within a state scenic highway.

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

No Impact. The project site is located in an urbanized area of the City. The project site is currently graded in preparation for construction of a prior project that was abandoned, and is designated as a Community Commercial Mixed Use (CCMU) area by the San Rafael General Plan and is zoned for General Commercial Use by the City Code of Ordinances. Project development would result in the construction of a new transit-serving facility, which would change the visual character of the existing project site. However, the project's size and design are consistent with the site context (e.g., located on a site the previously was a car dealership, adjacent to a freeway, consistent with commercial and light industrial existing uses in the vicinity). In the City's September 13, 2024, report on conformity with the City's General Plan pursuant to Government Code section 65402(c), the City did not identify any failure to conform with any scenic quality elements of the City's zoning or General Plan. As noted above, there are no scenic viewpoints or resources identified by the City in the project vicinity.

As noted above in **Section 1.3, Project Components**, ornamental landscaping would be added to the project site. Ornamental landscaping would likely be implemented around the perimeter and at selected area within the project site for visual enhancement and potential screening purposes to preserve the aesthetic characteristics of the area. The visual character of the streetscape would be maintained, and it would continue to be a highly urbanized area primarily composed of light industrial, commercial and mixed-use buildings. Therefore, the project would have no impact on visual character or scenic quality.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact. The project site is currently undeveloped with no sources of light or glare. Existing sources of light and glare in the project vicinity include street lighting, interior and exterior lighting associated with adjacent land uses, and the headlights of passing automobiles along Francisco Boulevard East and surrounding roadways and the I-580 freeway. Existing sources of glare include

automobile windshields and windows associated with adjacent land uses. As project development will involve the installation of new exterior lighting, a new potential source of light and glare will be introduced on the project site. However, existing exterior lighting in the immediate area of the project site is typical of commercial and mixed-use areas in the City, particularly on buildings, above parking lots, and adjacent to sidewalks. Project lighting would be designed and installed to reduce adverse lighting impacts on nighttime views, and ensure safe and secure operations. Lighting would be designed to be minimally invasive by utilizing techniques such as shielded lighting, downward-directed fixtures to limit light overspill and glare onto adjacent properties and into the night sky. The project would not introduce features that would present a new source of substantial glare. Therefore, the project would have a less than significant impact on daytime and nighttime views related to lighting and glare.

2.2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
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?	☐	☐	☐	☒
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☐	☐	☐	☒
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	☐	☐	☐	☒
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Regulatory Setting

State

Farmland Mapping and Monitoring Program

The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) assesses the location, quality, and quantity of agricultural, and conservation of these lands over time. Agricultural land is rated according to soil quality and irrigation status. The best quality land is called Prime Farmland. Farmland of Statewide Importance is similar to Prime Farmland but may be in areas with a lower ability to store soil moisture or at greater slopes. Farmland of Local Importance is significant to the local agricultural economy and is determined by county representatives. Unique Farmland is of a lower quality than Prime Farmland, but it is used to produce some of the state's leading agricultural crops, such as citrus fruits. In CEQA analyses, the FMMP classifications and published county

maps are used to identify whether agricultural resources that could be affected are present on-site or in the project area.[4]

California Land Conservation Act (Williamson Act)

The California Land Conservation Act (Williamson Act) enables local governments to enter into contracts with private landowners to restrict parcels of land to agricultural or related open space uses. In return, landowners receive lower property tax assessments. These contracts last for 10-year terms, after which point they are available for contract renewals. In CEQA analyses, identification of properties that are under a Williamson Act contract is used to identify sites that may contain agricultural resources or are zoned for agricultural uses.

Fire and Resource Assessment Program

The California Department of Forestry and Fire Protection (CAL FIRE) identifies forest land, timberland, and lands zoned for timberland production that can support forestry resources. Programs such as CAL FIRE's Fire and Resource Assessment Program are used to identify whether forest land, timberland, or timberland production areas that could be affected are located on or adjacent to the project site.

Existing Conditions

The California Department of Conversation's Important Farmlands Map, last updated in 2020, classifies the project site as Urban and Built-Up land. Urban and Built-Up land is defined by the California Department of Conservation as land with a building density of at least 1 unit to 1.5 acres, or approximately structures to a 10-acre area. There is not any agricultural land in or adjacent to the project site, nor are there any active Williamson Act contracts.

The project site and surrounding areas are designated for urban development and uses. California Public Resources Code (PRC) 12220(g) defines forest land as land that can support 10-percent native tree cover under natural conditions and that allows for the management of forest resources. California PRC Section 4526 defines timberland as land that is available for and capable of growing a crop of trees used to produce lumber and other forest products, excluding land owned by the federal government. There are no forest lands or timberlands in or adjacent to the project site. Therefore, there are no agricultural lands, forest lands, timberlands, or open space lands in the vicinity of the project site.

Impact Discussion

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 Impact. The project site is designated as Urban and Built-Up Land by the FMMP. No land within or adjacent to the project site is designated as farmland of any type. Therefore, implementation of the project would not convert agricultural land to non-agricultural uses, and no impact would occur.

[4] California Department of Conservation. DLRP Important Farmland Finder. Accessed at: https://maps.conservation.ca.gov/dlrp/ciff/. Accessed: January 31, 2025.

b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?

No Impact. The project site is zoned for General Commercial Land Use by the City of San Rafael, and there is no land zoned for agricultural use in the project vicinity. There are no active Williamson Act contracts within the project site or its vicinity. Therefore, project development would not impact land zoned for agricultural use or Williamson Act contracts, and no impact would occur.

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 Impact. The project site is zoned for General Commercial Land Use by the City of San Rafael, and there are no forest lands (as defined in PRC § 12220(g)), timberland (as defined in PRC § 4526), or timberland zoned/Timberland Production areas (as defined in Government Code §51104(g)) within the project site or its vicinity. Therefore, no impact would occur.

d) Result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. There is no forest land within the project site or in its vicinity. Therefore, project development would not result in the conversion of forest land to non-forest use, and no impact would occur.

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 Impact. The project site is currently zoned for General Commercial Land Use by the City of San Rafael, and there is no farmland or forest land in or adjacent to the project site. Thus, project development would not result in the conversion of farmlands or forest lands to non-agricultural or non-forest uses, and no impact would occur.

2.3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☐	☐	☐	☒
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?	☐	☒	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☐	☐	☒	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☐	☐	☐	☒

The following discussion is based in part on an Air Quality and Greenhouse Gas Technical Report prepared for the project in May 2025. A copy of this report is included in Appendix A to this Initial Study.

Regulatory Setting

Federal/Regional

Air Quality Regulations

The Federal and State Governments have authority under the Federal and State CAA to regulate emissions of airborne pollutants and have established ambient air quality standards (AAQS) for the protection of public health. An air quality standard is defined as "the maximum amount of a pollutant averaged over a specified period of time that can be present in outdoor air without harming public health.[5] The U.S. Environmental Protection Agency (EPA) is the Federal agency designated to administer air quality regulation, while CARB is the State equivalent in California. Federal and State AAQS have been established for six criteria pollutants: Ozone, carbon monoxide (CO), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter 10 microns or less in diameter (PM_{10}), particulate matter 2.5 microns or less in diameter ($PM_{2.5}$), and lead (Pb), which can be harmful to public health and the environment. The CAA identifies two types of national ambient air quality standards. Primary standards provide public health protection, including protecting the health of "sensitive" populations such as asthmatics,

[5] 21California Air Resources Board. 2023. National Ambient Air Quality Standards. Available: https://ww2.arb.ca.gov/resources/national-ambient-air-quality-standards. Accessed: May 2025.

children, and the elderly. Secondary standards provide public welfare protection, including protection against decreased visibility and damage to animals, crops, vegetation, and buildings.[6]

In addition, the State of California has established health-based ambient air quality standards for these and other pollutants, some of which are more stringent than the Federal standards.[7] Refer to **Table 1**, for the federal and California ambient air quality standards.

Table 1 Federal and State Ambient Air Quality Standards

Pollutant	Averaging Time	Federal Primary Standards	California Standards
Ozone	1-Hour	---	0.09 ppm
	8-Hour	0.070 ppm	0.070 ppm
Carbon Monoxide	8-Hour	9.0 ppm	9.0 ppm
	1-Hour	35.0 ppm	20.0 ppm
Nitrogen Dioxide	Annual	0.053 ppm	0.030 ppm
	1-Hour	0.100 ppm	0.18 ppm
Sulfur Dioxide	Annual	---	---
	24-Hour	---	0.04 ppm
	1-Hour	0.075 ppm	0.25 ppm
PM_{10}	Annual	---	20 µg/m3
	24-Hour	150 µg/m3	50 µg/m3
$PM_{2.5}$	Annual	15 µg/m3	12 µg/m3
	24-Hour	35 µg/m3	---
Lead	30-Day Average	---	1.5 µg/m3
	3-Month Average	0.15 µg/m3	---

Source: United States Environmental Protection Agency, 1970. Last updated December 16, 2024.
ppm = parts per million; µg/m3 = micrograms per cubic meter

Bay Area Air District

The Bay Area Air District (BAAD) is the primary agency responsible for assuring that the NAAQS and CAAQS are attained and maintained in the Bay Area. The BAAD's jurisdiction includes all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties, and the southern portions of Solano and Sonoma counties. The BAAD's responsibilities in improving air quality in the region include: preparing plans for attaining and maintaining air quality standards; adopting and enforcing rules and regulations; issuing permits for stationary sources of air pollutants; inspecting stationary sources and responding to citizen complaints; monitoring air quality and meteorological

[6] United States Environmental Protection Agency. 2023. NAAQS Table. Available: https://www.epa.gov/criteriaairpollutants/naaqs-table. Accessed: May 2025.

[7] California Air Resources Board. 2023. California Ambient Air Quality Standards. Available: https://ww2.arb.ca.gov/resources/california-ambient-air-quality-standards. Accessed: May 2025.

conditions; awarding grants to reduce mobile emissions; implementing public outreach campaigns; and assisting local governments in addressing climate change.

BAAD Rules and Regulations

The BAAD establishes and administers a program of rules and regulations to achieve and maintain state and national air quality standards and regulations. Rules and regulations that are applicable to the project include, but are not limited to, the following:

- **Regulation 2 (Permits)** – this regulation specifies the requirements for authorities to construct and permits to operate.
- **Regulation 6, Rule 1 (General Requirements)** – this rule limits the quantity of particulate matter in the atmosphere by controlling emission rates, concentration, visible emissions, and opacity.
- **Regulation 6, Rule 6 (Prohibition of Trackout)** – this rule reduces limits the quantity of particulate matter in the atmosphere through control of trackout of solid materials onto paved public roads outside the boundaries of Large Bulk Material Sites, Large Construction Sites, and Large Construction Sites, and Large Disturbed Surface sites including landfills (applicable to sites greater than one acre).
- **Regulation 8, Rule 1 (General Provisions 2021 Amendment)** – this regulation limits the emission of organic compounds to the atmosphere.
- **Regulation 8, Rule 3 (Architectural Coatings)** – this rule limits the quantity of volatile organic compounds in architectural coatings supplied, sold, offered for sale, applied, solicited for application, or manufactured for use within the District.
- **Regulation 8, Rule 5 (Storage of Organic Liquids)** – this rule limits emissions of organic compounds from storage tanks.
- **Regulation 8, Rule 15 (Emulsified and Liquid Asphalts)** – this rule limits the emissions of volatile organic compounds caused by the use of emulsified and liquid asphalt in paving materials and pacing and maintenance operations.

Additionally, the BAAD recommends that all proposed projects implement the following Basic Best Management Practices (BMPs) for Construction-Related Fugitive Dust Emissions:

- **B-1:** All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
- **B-2:** All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
- **B-3:** All visible mud or dirt track-out onto adjacent roads shall be removed using wet power vacuum street sweepers at least once per day. The use of dry power sweeping is prohibited.
- **B-4:** All vehicle speeds on unpaved roads shall be limited to 15 miles per hour (mph).
- **B-5:** All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
- **B-6:** All excavation, grading, and/or demolition activities shall be suspended when average wind speeds exceed 20 mph.
- **B-7:** All trucks and equipment, including their tires, shall be washed off prior to leaving the site.

- **B-8:** Unpaved roads providing access to sites located 100 feet or further from a paved road shall be treated with a 6- to 12-inch compacted layer of wood chips, mulch, or gravel.
- **B-9:** Publicly visible signs shall be posted with the telephone number and name of the person to contact at the lead agency regarding dust complaints. This person shall respond and take corrective action within 48 hours. BAAD's General Air Pollution Complaints number shall also be visible to ensure compliance with applicable regulations.

Association of Bay Area Governments and the Metropolitan Transportation Commission

The Association of Bay Area Governments (ABAG) and the Metropolitan Transportation Commission (MTC) are the two regional planning agencies for the Bay Area's nine counties – Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma. The ABAG and the MTC are responsible for developing and adopting a sustainable communities strategy (SCS) that integrates transportation, land use, and housing to meet CARB's 7 percent per capita GHG reduction by 2020 goal and a 15 percent per capita GHG reduction by 2035 goal for the Bay Area. ABAG and MTC adopted the Plan Bay Area 2050 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS) on October 21, 2021. The RTP/SCS states that the ABAG region is home to about 8 million people and currently includes approximately 4 million jobs. The RTP/SCS projects that, by 2050, these figures will increase to 10 million people and 5 million jobs. The Plan Bay Area 2050 outlines 35 strategies to improve housing, the economy, transportation, and the environment to support a Bay Area that is affordable, connected, diverse, healthy, and vibrant through 2050 and beyond. If Plan Bay Area 2050's strategies were implemented, housing and transportation costs, the two largest expenditures for most Bay Area families, would decrease as a share of household income by 2050, and families with low incomes would see larger reductions in these costs than the region at large. Additionally, under Plan Bay Area 2050's strategies, just under half of all Bay Area households would live within one half-mile of frequent transit by 2050, with this share increasing to over 70 percent for households with low incomes. Greenhouse gas emissions from transportation would decrease significantly as a result of these transportation and land use changes, and the Bay Area would meet the state mandate of a 19 percent reduction in per capita emissions by 2035 — but only if all strategies are implemented.[8]

Local

San Rafael 2040 General Plan

The City's General Plan contains the following policies related to air quality:

Policy C-2.1: State and Federal Air Quality Standards	Continue to comply with state and federal air quality standards.
Policy C-2.2: Land Use Compatibility and Buildings Standards	Consider air quality conditions and the potential for adverse health impacts when making land use and development decisions. Buffering, landscaping, setback standards, filters,

[8] ABAG, MTC, Plan Bay Area 2050, October 21, 2021. Available online at: https://planbayarea.org/sites/default/files/documents/Plan_Bay_Area_2050_October_2021.pdf, accessed March 24, 2025.

	insulation and sealing, home HVAC measures, and similar measures should be used to minimize future health hazards.
Policy C-2.3: Improving Air Quality Through Land Use and Transportation Choices	Recognize the air quality benefits of reducing dependency on gasoline-powered vehicles. Implement land use and transportation policies, supportable by objective data, to reduce the number and length of car trips, improve alternatives to driving, reduce vehicle idling, and support the shift to electric and cleaner-fuel vehicles.
Policy C-2.4: Particulate Matter Pollution Reduction	Promote the reduction of particulate matter from roads, parking lots, construction sites, agricultural lands, wildfires, and other sources.
Policy C-2.5: Indoor Air Pollutants	Reduce exposure to indoor air pollutants such as mold, lead, and asbestos through the application of state building standards, code enforcement activities, education, and remediation measures.
Policy C-4.1: Renewable Energy	Support increased use of renewable energy and remove obstacles to its use.
Policy C-5.4: Municipal Programs	Implement and publicize municipal programs to demonstrate the City's commitment to sustainability efforts and reducing greenhouse gases.
Policy M-1.4: Transportation Innovation	Take a leadership role in delivering innovative transportation services and improvements.
Policy M-3.1: VMT Reduction	Achieve State-mandated reductions in Vehicle Miles Traveled [VMT] by requiring development and transportation projects to meet specific VMT metrics and implement VMT reduction measures.
Policy M-3.3: Transportation Demand Management	Encourage, and where appropriate require, transportation demand measures that reduce VMT and peak period travel demand. These measures include, but are not limited to, transit passes and flextime, flexible work schedules, pedestrian and bicycle improvements, ridesharing, and changes to project design to reduce trip lengths and encourage cleaner modes of travel.
Policy M-3.5: Alternative Transportation Modes	Support efforts to create convenient, cost-effective alternatives to single passenger auto travel. Ensure that

	public health, sanitation, and user safety is addressed in the design and operation of alternative travel modes.
Policy M-3.6: Low Carbon Transportation	Encourage electric and other low-carbon emission vehicles, as well as the infrastructure needed to support these vehicles.
Policy M-3.8: Land Use and VMT	Encourage higher-density employment and residential uses near major transit hubs such as Downtown San Rafael, recognizing the potential for VMT reduction in areas where there are attractive alternatives to driving, concentrations of complementary activities, and opportunities for shorter trips between different uses.
Policy M-4.4A: Local Transit Options	Encourage local transit systems that connect San Rafael neighborhoods, employment centers, and other destinations.
Policy M-4.5: Transit and the Environment	Encourage a less carbon-intensive transit system with reduced environmental impacts. This could include electrification of buses and trains, and the use of smaller vehicles in areas of lower demand. Environmental costs and benefits should be a critical factor when evaluating transit service improvements over the long- and short-term.

Existing Conditions

Local Climate and Meteorology

The project site is within the San Francisco Bay Area Air Basin (SFBAAB), which encompasses Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara counties. The SFBAAB is under the jurisdiction of the BAAD. As the local air quality management agency, the BAAD is required to monitor air pollutant levels to ensure that State and Federal air quality standards are met and, if they are not met, to develop strategies to meet the standards.

Regional Climate and Air Pollution in the SFBAAB

The City of San Rafael is located in the northern portion of the SFBAAB, and the City's proximity to the Pacific Ocean and the San Francisco Bay influence the climate in the city and surrounding region. The Santa Cruz Mountains and Diablo Mountain Range on either side of the South Bay restrict air dispersion, and this alignment of the terrain also channels winds from the north to south, carrying pollution from

the northern Peninsula toward the south bay. Winds play a large role in controlling climate in the area, and annual average winds range between five and ten miles per hour in this region.[9]

Air pollutant emissions in the SFBAAB are generated primarily by stationary and mobile sources. Stationary sources can be divided into two major subcategories: point and area sources. Point sources occur at a specific location and are often identified by an exhaust vent or stack. Examples include boilers or combustion equipment that produce electricity or generate heat. Area sources are distributed widely and include those such as residential and commercial water heaters, painting operations, lawn mowers, agricultural fields, landfills, and some consumer products. Mobile sources refer to emissions from motor vehicles, including tailpipes and evaporative emissions, and are classified as either on-road or off-road. On-road sources may be operated legally on roadways and highways. Off-road sources include aircraft, ships, trains, and self-propelled construction equipment. Air pollutants can also be generated by the natural environment such as when high winds suspend fine dust particles.

Air Pollutants of Primary Concern

Primary criteria pollutants are emitted directly from a source (e.g., vehicle tailpipe, an exhaust stack). The Federal and State Clean Air Acts (CAA) mandate the control and reduction of certain air pollutants. Under these laws, the U.S. Environmental Protection Agency (U.S. EPA) and the California Air Resources Board (CARB) have established the National Ambient Air Quality Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS) for "criteria pollutants" and other pollutants. Criteria air pollutants are those that have designated safety standards for outdoor concentrations. Criteria air pollutants include ozone (O_3), nitrogen dioxide (NO_2), carbon monoxide (CO), sulfur dioxide (SO_2), particulate matter 2.5 microns or less in diameter ($PM_{2.5}$), particulate matter ten microns or less in diameter (PM_{10}), and lead (Pb). Other pollutants are created indirectly through chemical reactions in the atmosphere, such as ozone, which is created by atmospheric chemical and photochemical reactions primarily between reactive organic gases (ROG) and oxides of nitrogen (NO_x). Secondary pollutants include oxidants, ozone, and sulfate and nitrate particulates (smog). The characteristics, sources and effects of criteria pollutants are discussed in the following subsections. The following subsections describe the characteristics, sources, and health and atmospheric effects of air pollutants of primary concern.

Ozone

Ozone is a highly oxidative unstable gas produced by a photochemical reaction (triggered by sunlight) between NO_x and ROG. ROG is composed of non-methane hydrocarbons (with specific exclusions), and NO_x is composed of different chemical combinations of nitrogen and oxygen, mainly nitric oxide (NO) and NO_2. NO_x is formed during the combustion of fuels, while ROG is formed during the combustion and evaporation of organic solvents. As a highly reactive molecule, ozone readily combines with many multiple different atmosphere components. Consequently, high ozone levels tend to exist only while high ROG and NO_x levels are present to sustain the ozone formation process. Once the precursors have

[9] Bay Area Air Quality District (BAAD). 2017. California Environmental Quality Act: Air Quality Guidelines. Available: http://www.baaqmd.gov/~/media/files/planning-and-research/ceqa/ceqa_guidelines_may2017-pdf.pdf?la=en.Accessed May 2025.

been depleted, ozone levels rapidly decline. Because these reactions occur on a regional rather than local scale, ozone is considered a regional pollutant.

In addition, because ozone requires sunlight to form, it mainly occurs in concentrations considered serious between April and October. Groups most sensitive to ozone include children, the elderly, people with respiratory disorders, and people who exercise strenuously outdoors. Depending on the level of exposure, ozone can cause coughing and a sore or scratch throat; make it more difficult to breathe deeply and vigorously and cause pain when taking a deep breath; inflame and damage the airways; make the lungs more susceptible to infection; and aggravate lung diseases such as asthma, emphysema, and chronic bronchitis.[10]

Carbon Monoxide

Carbon monoxide (CO) is a localized pollutant found in high concentrations only near its source. The primary source of CO, a colorless, odorless, poisonous gas, is automobile traffic's incomplete combustion of petroleum fuels. Therefore, elevated concentrations are usually only found near areas of high traffic volumes. Other sources of CO include the incomplete combustion of petroleum fuels at power plants and fuel combustion from wood stoves and fireplaces throughout the year. When CO levels are elevated outdoors, they can be of particular concern for people with some types of heart disease. These people already have a reduced ability to get oxygenated blood to their hearts in situations where they need more oxygen than usual. As a result, they are especially vulnerable to the effects of CO when exercising or under increased stress. In these situations, short-term exposure to elevated CO may result in reduced oxygen to the heart accompanied by chest pain, also known as angina.[11]

Nitrogen Dioxide

Nitrogen dioxide (NO_2) is a by-product of fuel combustion. The primary sources are motor vehicles and industrial boilers, and furnaces. The principal form of NO_x produced by combustion is NO, but NO reacts rapidly to form NO_2, creating the mixture of NO and NO_2, commonly called NO_x. NO_2 is a reactive, oxidizing gas and an acute irritant capable of damaging cell linings in the respiratory tract. Breathing air with a high concentration of NO_2 can irritate airways in the human respiratory system. Such exposures over short periods can aggravate respiratory diseases leading to respiratory symptoms (such as coughing, wheezing, or difficulty breathing), hospital admissions, and visits to emergency rooms. Longer exposures to elevated concentrations of NO_2 may contribute to the development of asthma and potentially increase susceptibility to respiratory infections. People with asthma, such as children and the elderly are generally at greater risk for the health effects of NO_2.[12] NO_2 absorbs blue light and causes a

[10] United States Environmental Protection Agency. 2022. Ground-level Ozone Basics. Available: https://www.epa.gov/groundlevel- ozone-pollution/ground-level-ozone-basics#effects. Accessed : May 2025.

[11] United States Environmental Protection Agency. 2022. Basic Information about Carbon Monoxide (CO) Outdoor Air Pollution. https://www.epa.gov/co-pollution/basic-information-aboutcarbon-monoxide-co-outdoor-air-pollution#Effects. Accessed: May 2025.

[12] United States Environmental Protection Agency. 2022. Basic Information about NO2.Available: https://www.epa.gov/no2-pollution/basic-information-about-no2#Effects. Accessed: May 2025.

reddish-brown cast to the atmosphere and reduced visibility. It can also contribute to the formation of O_3/smog and acid rain.

Sulfur Dioxide

SO_2 is included in a group of highly reactive gases known as "oxides of sulfur." The largest sources of SO_2 emissions are from fossil fuel combustion at power plants (73 percent) and other industrial facilities (20 percent). Smaller sources of SO_2 emissions include industrial processes such as extracting metal from ore and burning fuels with a high sulfur content by locomotives, large ships, and off-road equipment. Short-term exposures to SO_2 can harm the human respiratory system and make breathing difficult. People with asthma, particularly children, are sensitive to these effects of SO_2.[13]

Particulate Matter

Suspended atmospheric PM_{10} and $PM_{2.5}$ are comprised of finely divided solids and liquids such as dust, soot, aerosols, fumes, and mists. Both PM_{10} and $PM_{2.5}$ are emitted into the atmosphere as byproducts of fuel combustion and wind erosion of soil and unpaved roads. The atmosphere, through chemical reactions, can form particulate matter. The characteristics, sources, and potential health effects of PM_{10} and $PM_{2.5}$ can be very different. PM_{10} is generally associated with dust mobilized by wind and vehicles. In contrast, $PM_{2.5}$ is generally associated with combustion processes and formation in the atmosphere as a secondary pollutant through chemical reactions. PM_{10} can cause increased respiratory disease, lung damage, cancer, premature death, reduced visibility, surface soiling. For $PM_{2.5}$, short-term exposures (up to 24-hours duration) have been associated with premature mortality, increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, and restricted activity days. These adverse health effects have been reported primarily in infants, children, and older adults with preexisting heart or lung diseases.[14]

Lead

Lead (Pb) is a metal found naturally in the environment, as well as in manufacturing products. The major sources of lead emissions historically have been mobile and industrial. However, due to the U.S. EPA 's regulatory efforts to remove lead from gasoline, atmospheric Pb concentrations have declined substantially over the past several decades. The most dramatic reductions in Pb emissions occurred before 1990 due to the removal of Pb from gasoline sold for most highway vehicles. Pb emissions were further reduced substantially between 1990 and 2008, with reductions occurring in the metals industries at least partly due to national emissions standards for hazardous air pollutants.[15] As a result of phasing out leaded gasoline, metal processing is currently the primary source of Pb emissions. The highest Pb level in the air is generally found near Pb smelters. Other stationary sources include waste incinerators, utilities, and Pb-acid battery manufacturers. Pb can adversely affect the nervous system, kidney function, immune system, reproductive and developmental systems, and cardiovascular system

[13] United States Environmental Protection Agency (U.S. EPA). 2023. Sulfur Dioxide Basics. https://www.epa.gov/so2-pollution/sulfur-dioxide-basics#effects. Accessed: May 2025.

[14] California Air Resource Board. 2023. Overview: Diesel Exhaust & Health. N.d. Available: https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health. Accessed: May 2025.

[15] U.S. EPA. 2013. Policy Assessment for the Review of the Lead National Ambient Air Quality Standards, External Review Draft. Available: https://www3.epa.gov/ttn/naaqs/standards/pb/data/010913_pb-draft-pa.pdf. Accessed: May 2025

depending on exposure. Pb exposure also affects the oxygen-carrying capacity of the blood. The Pb effects most likely encountered in current populations are neurological in children. Infants and young children are susceptible to Pb exposures, contributing to behavioral problems, learning deficits, and lowered IQ.[16]

Toxic Air Contaminants

In addition to the criteria pollutants discussed above, Toxic Air Contaminants (TAC) are airborne substances diverse group of air pollutants that may cause or contribute to an increase in deaths or serious illness, or that may pose a present or potential hazard to human health. TACs include both organic and inorganic chemical substances that may be emitted from a variety of common sources, including gasoline stations, motor vehicles, dry cleaners, industrial operations, painting operations, and research and teaching facilities. TACs are different than criteria pollutants because ambient air quality standards have not been established for TACs. TACs occurring at extremely low levels may still cause health effects and it is typically difficult to identify levels of exposure that do not produce adverse health effects. TAC impacts are described by carcinogenic risk and by chronic (i.e., long duration) and acute (i.e., severe but of short duration) adverse effects on human health. People exposed to TACs at sufficient concentrations and durations may have an increased chance of getting cancer or experiencing other serious health effects. These health effects can include damage to the immune system, as well as neurological, reproductive (e.g., reduced fertility), developmental, respiratory, and other health problems.[17]

Sensitive Receptors

CARB and the Office of Environmental Health Hazard Assessment (OEHHA) have identified the following groups of individuals as the most likely to be affected by air pollution: the elderly over 65, children under 14, infants (including in utero in the third trimester of pregnancy), and persons with cardiovascular and chronic respiratory diseases such as asthma, emphysema, and bronchitis.[18,19] Additionally, the BAAD's *2022 CEQA Guidelines* states that sensitive receptor population groups include children, the elderly, off-site workers, students, and those with preexisting medical conditions. The closest air quality-sensitive receptor to the project site is the Marin Health and Wellness Campus to the east along Kerner Boulevard (461 feet) and single-family residences to the east (1,482 feet).

[16] United States Environmental Protection Agency. 2022. Basic Information about Lead Air Pollution. Available: https://www.epa.gov/lead-air-pollution/basic-information-about-lead-air-pollution#health. Accessed: May 2025

[17] United States Environmental Protection Agency. 2023. Health and Environmental Effects of Hazardous Air Pollutants. Available: https://www.epa.gov/haps/health-and-environmental-effects-hazardous-airpollutants. Accessed: May 2025.

[18] California Air Resources Board (CARB). 2005. Air Quality and Land Use Handbook: A Community Health Perspective. Available: https://ww3.arb.ca.gov/ch/handbook.pdf. Accessed: May 2025.

[19] Office of Environmental Health Hazard Assessment (OEHHA). 2015. Air Toxics Hot Spots Program. Available:https://oehha.ca.gov/media/downloads/crnr/2015guidancemanual.pdf. Accessed: May 2025.

Impact Discussion

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

No Impact. The California CAA requires that air districts create a Clean Air Plan that describes how the jurisdiction will meet air quality standards. The most recent plan developed by BAAD is the 2017 Clean Air Plan which regulates and reduces air pollutant emissions. The BAAD CEQA Air Quality Guidelines (2022) established thresholds for criteria pollutants that are used to determine whether pollutants are at levels of attainment. A project that would not support the 2017 Plan's goals would not be consistent with the 2017 Plan. On an individual project basis, consistency with BAAD quantitative thresholds is interpreted as demonstrating support for the clean air plan's goals. As shown in **Tables 2 and 3** below, the anticipated emissions associated with the project would not exceed BAAD thresholds and would therefore comply with the 2017 Clean Air Plan.

Furthermore, the eventual shift to a fully electric fleet of buses would eliminate the need for diesel fuel and would further reduce fuel-based emissions associated with Marin Transit, further supporting the goals of the 2017 Clean Air Plan. Therefore, the project would not conflict with the implementation of the 2017 Clean Air Plan and would have no impact.

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?

Less than Significant Impact with Mitigation.

Construction Emissions

Project construction would involve activities that have the potential to generate air pollutant emissions, as shown in **Table 2**. The analysis of regional daily construction emissions was prepared utilizing the CalEEMod computer model. These calculations assume that appropriate dust control measures would be implemented as part of the project during each phase of development, as specified by BAAD Regulation 6, Rule 1 (General Requirements), Regulation 6, Rule 6 (Prohibition of Trackout), and Regulation 8, Rule 3 (Architectural Coatings).

Table 2 Average Daily Emissions of Project Construction-Related Criteria Pollutants

Construction Year	ROG (lbs/day)	NO_x (lbs/day)	CO (lbs/day)	SO_2 (lbs/day)	PM_{10} (lbs/day)	$PM_{2.5}$ (lbs/day)
2027	0.41	4.24	5.28	0.01	0.46	0.25
2028	1.28	6.79	9.92	0.02	0.29	0.22
2029	0.20	0.24	0.37	<0.01	0.01	0.01
BAAD Average Daily Threshold	54	54	None	None	82	54
Exceed BAAD Threshold?	No	No	No	No	No	No

Source: Impact Sciences, July 2025

As shown in **Table 2**, the daily emissions generated during the construction of the project would not exceed any of the emission thresholds established by the BAAD. Therefore, project construction would

not result in a cumulatively considerable net increase of any criteria air pollutant for which the project region is nonattainment under an applicable federal or state ambient air quality standard.

Additionally, as a part of Mitigation Measure AQ-1, the project would include BAAD Basic Best Management Practices for Construction-Related Fugitive Dust Emissions to ensure construction air quality impacts remain less than significant.[20]

> **Mitigation Measure AQ-1:** During any construction period ground disturbance, the construction contractor shall implement measures to control dust and exhaust. Implementation of the measures recommended by BAAD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices that are required of all projects:
>
> - All mobile off-road equipment (wheeled or tracked) greater than 50 horsepower used during construction activities shall meet the U.S. EPA Tier 4 final standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards.
> - Include construction equipment exhaust controls and measures to control dust and exhaust during construction.
> - All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day.
> - All haul trucks transporting soil, sand, or other loose material off-site shall be covered.
> - All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum 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 miles per hour.
> - All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used.
> - 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). Clear signage shall be provided for construction workers at all access points.
> - All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked

[20] BAAD, *2022 CEQA Guidelines,* Adopted April 20, 2022. Available online at: https://www.baaqmd.gov/plans-andclimate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines, accessed April 30, 2025.

by a certified mechanic and determined to be running in proper condition prior to operation.

- A publicly visible sign shall be posted at the project site with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours of receiving a complaint. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.

Operational Emissions

While the District's existing fleet of buses are largely operated on diesel, Marin Transit is converting from diesel-electric hybrid buses to electric under it zero emissions plan. As part of the zero emissions plan, the District has acquired six electric buses and associated charging infrastructure. While charging stations and solar power are provided at the smaller sites owned by the District, the large size of the project site can accommodate the eventual electrification of the District's fleet. The project will support both diesel and hybrid vehicles, so the diesel refueling station will be included to service diesel-electric hybrid buses until the transition to an all-electric fleet is completed. Therefore, operational emissions would be reduced as the fleet will convert from diesel-electric hybrid to electric overtime.

Long-term operational emissions were calculated assuming the existing diesel fleet would be replaced overtime to achieve the full electrification of the fleet. Long-term emissions associated with project operation are shown in **Table 3**, and **Appendix A**, **Air Quality and Greenhouse Gas Technical Report**. Operations emissions would not exceed BAAD daily or annual thresholds for any criteria pollutant. Since project emissions would not exceed BAAD thresholds for construction or operation, the project would not violate an air quality standard or result in a cumulatively considerable net increase in criteria pollutants and impacts would be less than significant.

Table 3 Project Long-Term Operational Emissions

Emissions Source	ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Average Daily Emissions (lbs/day)						
Mobile	0.24	0.33	4.76	0.01	0.90	0.24
Area	0.54	<0.01	0.40	<0.01	<0.01	<0.01
Energy	0.01	0.21	0.18	<0.01	0.02	0.02
Total Average Daily Operational Emissions	0.81	0.62	5.40	<0.04	<0.94	<0.28
Average Daily Emissions Threshold	54	54	None	None	82	54
Exceed?	No	No	NA	NA	No	No
Annual Emissions (tons/year)						
Mobile Source	0.04	0.06	0.87	<0.01	0.16	0.04
Area Source	0.10	<0.01	0.07	<0.01	<0.01	<0.01
Energy Source	<0.01	0.04	0.03	<0.01	<0.01	<0.01

Emissions Source	ROG	NO_x	CO	SO_2	PM_{10}	$PM_{2.5}$
Total Annual Operational Emissions (tons/year)	0.16	0.12	0.98	<0.04	<0.19	<0.07
Annual Thresholds (tons/year)	10	10	None	None	15	10
Exceed?	No	No	NA	NA	No	No

Source: Impact Sciences, July 2025. The above measurements represent the project emissions across one year of project operation.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact.

Construction

Project construction would include daily use of heavy construction equipment during a construction duration period of 18 to 24 months.

During the heaviest building construction period, onsite construction equipment would generate approximately 0.2 lbs/day of diesel exhaust emissions($PM_{2.5E}$) per **Appendix A**, **Air Quality and Greenhouse Gas Technical Report**. Emissions generated from the development of the new transit facility are temporary and localized and would cease upon the completion of construction. Furthermore, health impacts associated with diesel exhaust are primarily a chronic risk, which means the receptor would need to be exposed to the pollutant for extended periods of time to potentially experience significant health risks (such as a resident in the same location for 30 years). As noted above, the closest air quality-sensitive receptor to the project site is the Marin Health and Wellness Campus to the east along Kerner Boulevard (461 feet). However, the wellness campus is an outpatient facility and does not provide overnight stays or result in long-term exposure for patients.

Any emissions related to project buildout would be temporary and localized in nature. The nearest sensitive receptors are the Marin Health and Wellness Campus (461 feet east of the project site) and single-family residential units (1,482 feet east of the project site). However, as duration of construction would be temporary and localized and would cease upon completion of construction, low-level emissions from project construction would not expose sensitive receptors to substantial pollutant concentrations, and the impact is less than significant.

Operation

Project operations are not anticipated to present significant risks to sensitive receptors in the project vicinity. As show in **Table 4** and discussed in **Appendix A**, project operations would not exceed the thresholds established by BAAD, and project operations would not pose a substantial health risk to sensitive receptors. The project would not expose sensitive receptors to significant health risks, nor

would it contribute to any cumulative human health risk impacts. Therefore, impacts to sensitive receptors would be less than significant.

Table 4 Health Risk Results from Project Operations

Risk Value	Results	BAAD Thresholds (lbs/day)
Maximum Residential Cancer Risk (chances/million)	0.01	10.0
Maximum Worker Cancer Risk (chances/million)	0.21	10.0
Chronic Health Impact	0.01	1.0
Acute Health Impact	0.54	1.0

Source: Impact Sciences, July 2025.

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

No Impact. The BAAD Air Quality Guidelines identify certain land uses as sources of odors. These land uses include wastewater treatment plants, food processing facilities, composting facilities, petroleum refineries, chemical manufacturing, landfills, diaries, and fiberglass manufacturing. The project is a transit facility and is not considered to be substantial odor source.

Construction activities associated with project buildout may generate detectable odors related to heavy-duty equipment exhaust. However, odors are temporary in nature and would cease following construction completion. The project would comply with California Code of Regulations, Title 13, sections 2449(d)(3) and 2485, requiring reductions in idling time for construction equipment when not in use. This compliance would reduce detectable odors, and odor impacts would be short-term and limited in range. Therefore, to the project would not result in other emissions adversely affecting a substantial number of people, and no impact would occur.

2.4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☒	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	☐	☐	☐	☒
c) Have a substantial adverse impact 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?	☐	☐	☐	☒
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?	☐	☐	☐	☒
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Regulatory Setting

Federal

Federal Endangered Species Act

The Federal Endangered Species Act (FESA) identifies special-status species that are considered rare, threatened, or endangered. Federal legislation regarding endangered species allows the United States Fish and Wildlife Service (USFWS) to conserve and protect plant and animal species that are currently limited in distribution and/or are experiencing population declines. Permits may be required from

the USFWS if activities associated with a proposed project would result in the "take" of a listed threatened or endangered species. Take is broadly defined by the federal Endangered Species Act to include harm of a listed species.

Migratory Bird Treaty Act

The federal Migratory Bird Treaty Act (MBTA) prohibits the killing, capture, possession, or trade of migratory birds except in compliance with the regulations established by the Secretary of the Interior. Hunting and poaching of protected species is prohibited. The take of birds is not explicitly prohibited if the underlying purpose of that activity is not to take or harm birds. Nesting birds are considered to be special-status species under MBTA, and they are protected by the USFWS.

State

California Endangered Species Act (CESA)

The California Endangered Species Act (CESA) identifies special-status species that are considered rare, threatened, or endangered within the state of California. Special-status species are those plant and animal species that are currently limited in distribution and/or are experiencing population declines. Permits may be required from the California Department of Fish and Wildlife (CDFW) if the activities associated with a proposed project would result in the "take" of a listed threatened or endangered species. The State of California defines a "taking" of a listed species as "to hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill" these species.

California Migratory Bird Treaty Act

The CDFW protects migratory and nesting birds under California Fish and Game Code Sections 3503, 3503.5 and 3800. In regards to migratory birds, "take" is defined as causing the abandonment and/or loss of reproductive efforts of migratory bird species through habitat disturbance.

CEQA Guidelines sections 15380(b) and (c)

Sections 15380(b) and (c) of the CEQA Guidelines provide that all potential sensitive species, as well as habitats capable of supporting rare species, must be considered as part of the environmental review process. These include plant species listed by the California Native Plant Society and CDFW-listed Species of Special Concern.

Sensitive Habitat Regulations

CEQA considers wetlands and riparian habitats to be sensitive. They are protected by a variety of local, state, and federal legislation, and these lands are monitored and regulated by the United States Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), CDFW, and/or the USFWS as is outlined in the Clean Water Act and the Porter-Cologne Water Quality Control Act.

Fish and Game Code Section 1602

CDFW regulates streambeds, banks, and their associated riparian habitats. Work within or adjacent to these lands requires a Streambed Alternation Agreement issues by the CDFW.

Local

San Rafael 2040 General Plan

The City's General Plan contains the following policies related to biological resources:

Policy C-1.12: Native or Sensitive Species	Protect habitats that are sensitive, rare, declining, unique, or represent a valuable biological resource. Potential impacts to such habitats should be minimized through compliance with applicable laws and regulations, including biological resource surveys, reduction of noise and light impacts, restricted use of toxic pesticides, pollution and trash control, and similar measures.
Policy C-1.13: Special Status Species	Conserve and protect special status plants and animals, including those listed by State or federal agencies as threatened and/or endangered, those considered to be candidate species for listing by state and federal agencies, and other species that have been assigned special status by the California Native Plant Society and the California Fish and Game Code. Avoidance of impacts, accompanied by habitat restoration, is the preferred approach to conservation, but mitigation measures may be considered when avoidance is not possible.
Policy C-1.14: Control of Invasive Plants	Remove and control undesirable non-native plant species from City-owned open space and road rights-of-way and encourage the removal and control of these species from non-City owned ecologically sensitive or fire-prone areas.
Policy C-1.15: Landscaping with Appropriate Naturalized Plant Species	Encourage landscaping with native and compatible non-native plant species that are appropriate for the dry summer climate of the Bay Area, with an emphasis on species determined to be drought-resistant. Diversity of plant species is a priority for habitat resilience.
Policy C-1.17: Tree Management	The removal of healthy trees shall be discouraged, and their replacement may be required when trees are removed due to health, safety, or maintenance reasons. Site plans should indicate the location of existing trees and include measures to protect them wherever feasible.

Existing Conditions

The project site is currently an undeveloped, vacant dirt lot. The site is covered in entirely pervious surface with existing soil surcharge located on the site. There are no natural areas within or adjacent to

the project site. There is a single tree within the project site, and it would be removed during project buildout and replaced afterward. Prior uses of the project site include auto dealership and vehicle storge. As noted above, the surrounding land uses are Light Industrial/Office, Community Commercial Mixed-use, and Public/Quasi Public, and the overall area is highly urbanized.

The project site is in an area classified as having limited connectivity opportunity.[21] The nearest critical habitat for threatened and endangered species is a critical Northern spotted owl habitat, approximately 3.4 miles southwest of the project site. Project development would not impact this habitat or the species within it as development would be limited to the project site. Overall, the project would not require permits or consultation about effects to natural areas and wildlife.

Endangered species that could occur near the project include the Salt Marsh Harvest Mouse (*Reithrodontomys raviventris*), the California Least Tern (*Sterna antillarum browni*), and the California Ridgway's Rail (*Rallus obsoletus obsoletus*). ESA-listed threatened animal species that could occur near the project include the Marbled Murrelet (*Brachyramphus marmoratus*), the Northern spotted owl (*Strix occidentalis caurina*), and the Western Snowy Plover (*Charadrius nivosus nivosus*). Additionally, there are no wildlife or waterfowl refuges within 0.5 miles of the project site, nor are there any nearby environmentally-sensitive areas (ESA). The nearest wetland to the project site is a 57.5-acre freshwater emergent wetland habitat, approximately 0.3 miles east of the site,[22] and there is no riparian habitat in the project vicinity.

Impact Discussion

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, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?

Less than Significant Impact. No special-status plants have the potential to occur within the project site, and there are no natural communities capable of supporting special-status species within the project site. There is a singular tree within the project site, and it is not anticipated to provide suitable habitat to any nesting bird species. All of the species listed have a low potential to occur near the project site. A review of available biological resource databases and site reconnaissance confirmed the absence of sensitive habitats or species.

Due to the disturbed condition of the site and the lack of suitable habitat, the project would not result in direct or indirect impacts to any species identified as candidate, sensitive, or special-status by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service. Therefore, the project would have a less than significant impact on any special-status species within the project site.

[21] USFWS. 2025. *BIOS-6 Viewer.* Accessed April 16, 2025. Available at: https://apps.wildlife.ca.gov/bios6/?bookmark=648

[22] USFWS. 2025. *National Wetlands Inventory*. Accessed April 16, 2025. Available at: https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/

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

No Impact. While the project site itself is undeveloped, the surrounding area is developed and highly urbanized. As noted above, there are no riparian habitats located within or adjacent to the project site, and there are no sensitive natural communities within the project site. Therefore, there would be no impact to riparian habitats or other ecologically sensitive communities as a result of the project.

c) Have a substantial adverse impact 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 Impact. While the project site itself is undeveloped, the surrounding area is developed and highly urbanized. The nearest wetland is a 57.5-acre freshwater emergent wetland habitat, approximately 0.3 miles east of the site.[23] Project construction and buildout are not anticipated to adversely impact any wetlands. Therefore, there would be no impact to federally protected wetlands as a result of the project.

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 Impact. The project site is in an area classified as having limited connectivity opportunity, and there are no significant wildlife movement corridors, habitat linkages, or native wildlife nursery sites in or adjacent to the project site.[24] Therefore, there would be no impacts to the movement of any wildlife species or wildlife nursery have.

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

No Impact. The San Rafael 2040 General Plan includes regulations and policies to protect biological resources in the City. The project would occur in a highly urbanized area, and there are not expected to be any impacts to sensitive biological resources or special-status species. A maximum of one tree would be removed that would be replaced following project buildout. In the City's September 13, 2024 report on conformity with the City's General Plan pursuant to Government Code section 65402(c), the City did not identify any conflict with the biological resources component of the plan. Therefore, no impacts related to conflicts with local policies or ordinances would occur.

[23] USFWS. 2025. *National Wetlands Inventory*. Accessed April 16, 2025. Available at: https://fwsprimary.wim.usgs.gov/wetlands/apps/wetlands-mapper/

[24] USFWS. 2025. *BIOS-6 Viewer.* Accessed April 16, 2025. Available at: https://apps.wildlife.ca.gov/bios6/?bookmark=648

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 Impact. No habitat conservation plans or natural community conservation plans have been adopted that encompass the project site.[25] Therefore, the project would not conflict with any provisions in an adopted Habitat Conservation Plan, Natural Community Conservation Plan or local habitat conservation plans.

[25] Conservation Biology Institute. 2025. *Habitat Conservation Plan [map].* Accessed April 16, 2025. Available at: https://databasin.org/maps/new/#datasets=c116dd0d32df408cb44ece185d98731c

2.5 Cultural Resources

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?	☐	☐	☐	☒
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	☐	☒	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☐	☒	☐	☐

The following discussion is based in part on an Archaeological Survey Report prepared by Alta Archaeological Consulting dated May 2025 and is available for review at Marin Transit District by qualified individuals only; it is considered confidential (**Appendix B**).

Regulatory Setting

Cultural resources are evidence of past human occupation and activity and include both historical and archaeological resources. These resources may be located above ground or below ground and have significance in history, prehistory, architecture, architecture of cultural of the nation, State of California, or local or tribal communities.

Federal and State

National Historic Preservation Act

Federal protection is legislated by the National Historic Preservation Act of 1966 (NHPA) and the Archaeological Resource Protection Act of 1979. These laws maintain processes for determination of the effects on historical properties eligible for listing in the National Register of Historic Places (NRHP). Section 106 of the NHPA and related regulations (36 Code of Federal Regulations [CFR] Part 800) constitute the primary federal regulatory framework guiding cultural resources investigations and require consideration of effects on properties that are listed or eligible for listing in the NRHP. Impacts to properties listed in the NRHP must be evaluated under CEQA.

California Register of Historical Resources

The California Register of Historical Resources (CRHR) is administered by the State Office of Historic Preservation and encourages protection of resources of architectural, historical, archeological, and cultural significance. The CRHR identifies historical resources for state and local planning purposes and

affords protections under CEQA. Under Public Resources Code Section 5024.1(c), a resource may be eligible for listing in the CRHR if it meets any of the NRHP criteria.[26,27]

Historical resources eligible for listing in the CRHR must meet the significance criteria described previously and retain enough of their historic character or appearance to be recognizable as historical resources and to convey the reasons for their significance. A resource that has lost its historic character or appearance may still have sufficient integrity for the CRHR if it maintains the potential to yield significant scientific or historical information or specific data.

The concept of integrity is essential to identifying the important physical characteristics of historical resources and, therefore, in evaluating adverse changes to them. Integrity is defined as "the authenticity of a historical resource's physical identity evidenced by the survival of characteristics that existed during the resource's period of significance." The process of determining integrity are similar for both the CRHR and NRHP and use the same seven variables or aspects to define integrity that are used to evaluate a resource's eligibility for listing. These seven characteristics include: location, design, setting, materials, workmanship, feeling, and association.

California Native American Historical, Cultural, and Sacred Sites Act

The California Native American Historical, Cultural, and Sacred Sites Act applies to both state and private lands. The act requires that upon discovery of human remains, construction or excavation activity must cease, and the county coroner be notified.

Public Resources Code Sections 5097 and 5097.98

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American humans remains on non-federal land. These procedures are outlined in Public Resources Code Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction as well as establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project and establish the Native American Heritage Commission (NAHC) as the authority to resolve disputes regarding disposition of such remains.

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

[26] Office of Historic Recreation Department of Parks and Recreation (OHP). 2001. California Office of Historic Preservation Technical Assistance Series #1: California Environmental Quality Act (CEQA) and Historical Resources. Available: https://ohp.parks.ca.gov/pages/1054/files/ts01ca.pdf. Accessed: May 2025.

[27] California Office of Historic Preservation. 2011. CEQA Guidelines Section 15064.5 (a)(3) and California Office of Historic Preservation Technical Assistance Series #6. Available: https://ohp.parks.ca.gov/pages/1069/files/technical%20assistance%20bulletin%206%202011%20update.pdf. Accessed: May 2025.

Local

San Rafael 2040 General Plan

The City's General Plan contains the following policies related to cultural resources:

Policy NH-1.8: Historic Resources	Enrich Downtown's identity by encouraging historic preservation and ensuring that development is sensitive to historic context. Renovation and adaptive reuse of historic buildings is strongly encouraged.
Policy CDP-5.13: Protection of Archaeological Resources	Protect significant archaeological resources by: a) Consulting the City's archaeological resource data base prior to issuing demolition or construction permits in known sensitive areas. b) Providing information and direction to property owners to make them aware of these resources and the procedures to be followed if they are discovered on-site. c) Identifying, when possible, archaeological resources and potential impacts on such resources. d) Implementing measures to preserve and protect archaeological resources, including fines and penalties for violations.
Policy CDP-5.14: Tribal Cultural Resources	Coordinate with representatives of the Native American community to protect historic Native American resources and raise awareness of San Rafael's Native American heritage.
Policy CDP-5.15: Paleontological Resource Protection	Prohibit the damage or destruction of paleontological resources, including prehistorically significant fossils, ruins, monuments, or objects of antiquity, that could potentially be caused by future development.

Existing Conditions

Historic Resources

The project site is currently a vacant lot with no existing development. There are no buildings within the project site, however, the project site was previously occupied by an auto dealership that was subsequently demolished. Historical aerial photographs prior to the auto dealership depict the project site as undeveloped. The Northwest Information Center (NWIC) base maps show no recorded buildings or structures within the project area.

Cultural/Archaeological/Prehistoric Resources

Prior to 1950, the project site was located within a coastal marshland on the border of the San Francisco Bay. Around 1945, these vacant marshland areas were infilled and developed into residential, commercial, and industrial parcels. The project site is underlain by five to nine feet of artificial fill over

Bay Mud, which extends approximately 70 feet below ground surface, and Quaternary marine and marsh deposits.

There is no immediate evidence that would suggest the presence of subsurface cultural resources, and no archaeological sites have been recorded within or adjacent to the project area. The project site has not been previously studied for its cultural resource potential. However, the project site upon is situated above five to nine feet of artificial fill above Bay Mud, which extends approximately 70 feet below the surface. The project construction is expected to disturb about 10 feet below surface, so principally in the artificial fill. Neither artificial fill nor Bay Mud are considered sensitive for archaeology. Therefore, the project site is anticipated to have low potential for unrecorded archeological resources to be within the project area.

There is no immediate evidence of archaeological, cultural, or tribal cultural resources within imported surcharge fill of approximately 15,900 cubic yards, though there is some concern of inadvertent discovery of tribal cultural resources due to unknown origins of the soil and apparent temporary movement to at least two previous sites and no known records of previous monitoring. This potentially significant impact to tribal cultural resources is covered in Section 2.19, Tribal Cultural Resources, and mitigated to a less than significant level under Mitigation Measure TCR-1.

Impact Discussion

a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?

No Impact. A historical records search of the California Inventory of Historical Resources, California Historical Landmarks for Marin County, California Points of Historical Interest, the Built Environment Resources Directory Listing, and the Historic Properties Directory was conducted for the project site. No California Historical Landmarks or Points of Historical Interest are present at the project site, and no NRHP-listed or -eligible properties are located within the 0.5-mile viewshed of the project site. Additionally, the Marin History Museum and the Marin City Historical Preservation Society were contacted to gather information about the potential for historical resources in the project area. To date, no responses have been received. Therefore, the project would not cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5, and no impacts would occur.

b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?

Less than Significant with Mitigation. A cultural resources inventory was conducted for the project site to evaluate the potential presence of archaeological resources in the project site. Following a records search, literature review, outreach to Native American groups, and an archaeological field survey, no archaeological or cultural resources were identified in the project area. Project construction would extend up to 10 feet below the surface and principally would encounter artificial soils, which are not considered sensitive for archaeological resources. Therefore, the proposed project would have low potential to encounter cultural deposits.

However, there is some possibility construction on-site could encounter undiscovered subsurface prehistoric archaeological resources. If the exposure or destruction of subsurface prehistoric resources were to occur, it would be considered a potentially significant impact. Therefore, the project shall be

required to implement **Mitigation Measure CUL-1**, described below, to reduce the potential of adverse change in the significance of an archaeological resource to a less than significant level.

> **Mitigation Measure CUL-1: Inadvertent discovery of prehistoric or historic resources during construction.** If previously unidentified cultural resources are encountered during project implementation, project personnel shall avoid altering the materials and their stratigraphic context. Project personnel shall not collect cultural resources. A qualified professional archaeologist shall be contacted to evaluate the situation. Historic-era resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies. Resources associated with Native peoples include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, and/or human burials. Historic-era resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies. If a Native American resource is discovered, the Federated Indians of Graton Rancheria shall be contacted to evaluate the situation in coordination with the qualified professional archaeologist. If the Federated Indians of Graton Rancheria determine that the resource constitutes a tribal cultural resource, they will provide direction for its treatment.

With the implementation of Mitigation Measure CUL-1, the project would not cause a substantial adverse change in the significance of archaeological resources pursuant to Section 15064.5, and the potential of significant impacts to archaeological resources would be reduced to a less than significant level.

c) Disturb any human remains, including those interred outside of dedicated cemeteries?

Less than Significant with Mitigation. Although there are no known human remains on the site, construction on-site could result in the exposure or destruction of undiscovered subsurface prehistoric human remains. If the exposure or destruction of these resources were to occur, it would be considered a potentially significant impact. Therefore, the project shall be required to implement **Mitigation Measure CUL-2**, described below, to reduce the potential of disturbance of human remains to a less than significant level.

> **Mitigation Measure CUL-2**: **Protocol for Human Remains Discovery**. In the event that human remains are discovered during excavation and/or grading of the project site, all activity within a 50-foot radius of the find shall be stopped. The County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the NAHC immediately. Once the NAHC identifies the most likely descendant (Federated Indians of Graton Rancheria), the descendant will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines. All actions taken under this mitigation measure shall comply with Health and Human Safety Code § 7050.5(b).

With the implementation of Mitigation Measure CUL-2, the project would not cause a disturbance of human remains, and the potential of significant impacts would be reduced to a less than significant level.

2.6 Energy

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☐	☐	☒	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☐	☐	☒	☐

Regulatory Setting

Federal

Energy Independence and Security Act of 2007

Enacted by Congress in 2007, the Energy Independence and Security Act aims to improve fuel economy and reduce the United States' dependence on foreign oil supplies. It expands the production of renewable fuels, resulting in lower carbon emissions. The act specifically requires fuel producers to use at least 36 billion gallons of biofuel in 2022, which represents a nearly five-fold increase over current levels. The act also sets a national fuel economy standard of 35 miles per gallon by 2020, representing a 40 percent increase in fuel economy. Light efficiency standards were also established under this act. New development must install photosensors and energy-efficient lighting consistent with 42 US Section 170001 et seq.

Construction Equipment Fuel Efficiency Standards

The United States Environmental Protection Agency (EPA) establishes emission standards for construction equipment. The latest iteration of these standards is the set of Tier 4 energy efficiency requirements that are described in 40 Code of Federal Regulations Parts 1039, 1065, and 1068. These standards were last updated in 2014. Emissions requirements for new off-road Tier 4 vehicles were completely phased in by 2015.

State

Executive Order B-55-18 to Achieve Carbon Neutrality

Executive Order B-55-18 set a statewide goal to achieve carbon neutrality by 2045 and to maintain net negative emissions in later years. The California Air Resources Board (CARB) establishes measures to achieve the goal of carbon neutrality. By 2025, any remaining carbon emissions shall be offset by equivalent net removes of carbon dioxide (CO_2) from the atmosphere through carbon sequestration.

California Energy Plan

The California Energy Plan is prepared by the California Energy Commission (CEC) and identifies trends related to energy supply, demand, conservation, and public health and safety. The 2008 California Energy Plan requires the state to assist in the transformation of transportation systems so as to improve air quality, reduce traffic congestion, and increase the efficient use of fuel supplies. Under this policy, incentive programs for zero-emission vehicles were established, and urban designs that reduce overall vehicle miles traveled (VMT) were encouraged.

Assembly Bill 2076 to Reduce California's Petroleum Dependence

The CEC and CARB adopted Assembly Bill 2076, a joint-agency report, in 2003. This report has recommendations to increase the use of alternative fuels to 20 percent of on-road transportation fuel use by 2020 and 30 percent use by 2030. This bill also aims to lower petroleum demand to 15 percent below 2003 demand by 2020.

Senate Bill 1389 to Establish the Integrated Energy Policy Report

Senate Bill 1389 required the CEC to evaluate and project energy supply, production, transportation, delivery, and distribution within the state. These forecasts are used to develop energy policies that conserve resources, protect the environment, ensure energy reliability, and enhance the state's economy. The 2018 Integrated Energy Policy Report, its most recent iteration, highlights the implementation of California's innovative policies in establishing a clean energy economy and

Renewables Portfolio Standard Program

The Renewables Portfolio Standard Program was established in 2002 to increase the percentage of renewable energy in the state's electricity mix to 20 percent of retail energy sales by 2010. Governor Schwarzenegger issued Executive Order (EO) S-3-05, requiring statewide emissions reductions to 80 percent below 1990 levels by 2050. In 2008, EO S-14-08 was signed into law, requiring retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. In October 2015, Governor Brown signed SB 350 to codify California's climate and clean energy goals. A key provision of SB 350 requires retail sellers and publicly owned utilities to procure 50 percent of their electricity from renewable sources by 2030. SB 100, passed in 2018, requires 100 percent of electricity in California to be provided by 100 percent renewable and carbon-free sources by 2045.

California Renewable Portfolio Standard and Senate Bill 100

California Renewable Portfolio Standard (RPS) requires investor-owned utilities, energy service providers, and community choice aggregators to procure 33 percent total retail sales of electricity from renewable sources by 2020, 60 percent by 2030, and 100 percent by 2045. This program is jointly implemented by CEC and CPUC.

Energy Action Plan

In 2005, the CEC and CPUC updated the Energy Action Plan by incorporating policy guidance related to climate change, transportation-related energy use, and research and development.

Assembly Bill 1007 to Prepare a State Alternative Fuels Plan

Assembly Bill 1007 required the CEC, in partnership with CARB, to prepare a plan that requires the increased use of alternative fuels in California. The Alternative Fuels Plan outlines strategies that California shall use to increase the use of nonpetroleum fuels in a manner that minimizes costs to California and maximizes the economic benefits of in-state fuel production.

Executive Order S-06-06 to Prepare a Bioenergy Action Plan

Executive Order S-06-06 sets targets for the use and production of biofuels and biopower in California while providing environmental protection and mitigation. The order establishes targets to increase the production and use of bioenergy, particularly ethanol and biodiesel fuels made from renewable resources. The targets include: produce a minimum of 20 percent of the state's biofuels in California by 2010, 40 percent by 2020, and 75 percent by 2050. California must also meet a target for the use of biomass electricity under this plan. The Bioenergy Action Plan was updated in 2011 to provide a more detailed approach to achieve an increased energy production from organic waste, encouraged development of diverse bioenergy technologies, job growth and economic stimulation, reduced fire risk, and improved air and water quality.

Title 24, California Building Standards Code

Title 24 of the California Code of Regulations outlines the Energy Efficiency Standards for Residential and Nonresidential Buildings. Title 24 was established to create legislation that can reduce California's energy consumption, and compliance with Title 24 is mandatory at the time when new building permits are issued by city and county governments.

Part 6 (Building Energy Efficiency Standards)

Part 6 of Title outlines Building Efficiency Standards for new residential and non-residential buildings as of 2020. The design of building exteriors and components must conserve energy where applicable. Residential photovoltaic systems, updated thermal envelope standards, residential and nonresidential ventilation requirements, and nonresidential lighting requirements are the focus of Part 6.

Part 11 (CALGreen)

In 2008, the California Building Standards Commission (CBSC) adopted the nation's first green building standards. The California Green Building Standards Code (24 CCR, Part 11, known as "CALGreen") was adopted as part of the California Building Standards Code (CBC), and is updated every 3 years. CALGreen established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The mandatory provisions of the CALGreen became effective January 1, 2011, and were updated in 2016. The 2016 Standards, which became effective on January 1, 2017, establish green building criteria for residential and nonresidential projects. The CEC adopted updates to the 2016 Standards in 2019 and 2022, the latter of which came into effect on January 1, 2023.

Local

San Rafael General Plan 2040

The City's General Plan contains the following policies related to energy:

Program C-4.1: Renewable Energy	Support increased use of renewable energy and remove obstacles to its use.
Program C-4.2: Energy Conservation	Support construction methods, building materials, and home improvements that improve energy efficiency in existing and new construction.
Policy C-4.5: Resource Efficiency in Site Development	Encourage site planning and development practices that reduce energy demand and incorporate resource- and energy-efficient infrastructure.
Policy C-5.2: Consider Climate Change Impacts	Ensure that decisions regarding future development, capital projects, and resource management are consistent with San Rafael's CCAP and other climate goals, including greenhouse gas reduction and adaptation.
Policy C-5.4: Municipal Programs	Implement and publicize municipal programs, including shifts to zero emissions vehicles, to demonstrate the City's commitment to sustainability efforts and reducing greenhouse gases.
Policy CSI-4.4: Sustainable Design	Plan, design, and operate infrastructure to minimize non-renewable energy and resource consumption, improve environmental quality, promote social equity, and reduce greenhouse gas emissions. An evaluation of costs and benefits must be a factor in all improvements. This includes the potential costs of inaction and potential for "avoided costs," particularly with respect to climate change.
Policy M-3.6: Low Carbon Transportation	Encourage electric and other low-carbon emission vehicles, as well as the infrastructure needed to support these vehicles.

Policy M-4.4: Local Transit Options	Encourage local transit systems that connect San Rafael neighborhoods, employment centers, and other destinations.
Policy M-4.5: Transit and the Environment	Encourage a less carbon-intensive transit system with reduced environmental impacts. This could include electrification of buses and trains, and the use of smaller vehicles in areas of lower demand. Environmental costs and benefits should be a critical factor when evaluating transit service improvements over the long- and short-term.

Existing Conditions

In 2022, California used 287,826 gigawatt-hours (GWh) of electricity, 54 percent of which was generated from non-GHG and renewable sources. California consumed approximately 11,711 million U.S. therms (MMThm) of natural gas in 2022. The project site would be provided with electricity by Pacific Gas & Electric (PG&E). **Table 5** and **Table 6** show the 2022 electricity and natural gas consumption by sector and total for PG&E's service area. In 2022, PG&E provided 27 percent of California's electricity and 37.8 percent of California's natural gas.

Table 5 Electricity Consumption in the PG&E Service Area in 2022

Agriculture and Water Pump	Commercial Building	Commercial Other	Industry	Mining and Construction	Residential	Streetlight	Total Usage
7,506	26,928	4,056	10,092	1,814	27,210	281	77,887

Note: All values are in GWh.
Source: CEC, 2023

Table 6 Natural Gas Consumption in the PG&E Service Area in 2022

Agriculture and Water Pump	Commercial Building	Commercial Other	Industry	Mining and Construction	Residential	Total Usage
47	871	49	1,371	227	1,856	4,421

Note: All values are in MMThms.
Source: CEC, 2023.

In 2021, the City of San Rafael consumed 216 million kWh (kilowatts) of electricity according to MCE. Total electricity consumption for Marin County was approximately 1,348 million kWh in 2021, with 360 million kWh for non-residential uses according to the CEC. Thus, electricity consumption in the City represented approximately 6.2 percent of total electricity consumption in the County in 2021.

Petroleum

The transportation sector accounts for approximately 85 percent of the petroleum consumed in

California.[28] In 2021, California consumed approximately 13.8 billion gallons of gasoline as motor vehicle fuel.[29] Increasing vehicle electrification and increased fuel economy is expected to contribute to a decline in gasoline demand from 15.8 billion gallons in 2017 to approximately 12.5 billion gallons by 2030.[30]

Impact Discussion

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

Less than Significant Impact.

During project construction, energy would be consumed in the form of petroleum-based fuels used to power off-road construction vehicles and equipment to the project site, construction workers traveling to and from the project site, and vehicles used to deliver materials. In addition, the project would require hauling existing soil surcharge; vendor trips during building construction; and worker trips for all phases of construction, such as demolition, site preparation, grading, paving, building construction, and architectural coating.

Construction equipment would be maintained to applicable standards, and construction activity and associated fuel consumption and energy use would be temporary and typical for construction sites. It is reasonable to assume contractors would avoid wasteful, inefficient, and unnecessary fuel consumption during construction to reduce construction costs. In addition, construction contractors would be required to comply with the provisions of California Code of Regulations Title 13 Sections 2449 and 2485, which prohibit diesel-fueled commercial motor vehicles and off-road diesel vehicles from idling for more than five minutes and would minimize unnecessary fuel consumption. Construction equipment would be subject to the U.S. EPA Construction Equipment Fuel Efficiency Standard (i.e., Tier 4 efficiency requirements), which would also minimize inefficient, wasteful, or unnecessary fuel consumption.

Electrical power would be consumed to construct the project, and the demand, to the extent required, would be supplied from existing electrical infrastructure in the area. However, construction activities would require minimal electricity consumption and would not be expected to have any adverse impact on available electricity supplies or infrastructure. In addition, per applicable regulatory requirements such as 2022 CALGreen, the project would comply with construction waste management practices to divert a minimum of 65 percent of construction and demolition debris. These practices would result in efficient use of energy necessary to construct the project.

Furthermore, in the interest of cost-efficiency, construction contractors would not utilize fuel in a manner that is wasteful or unnecessary, such as scheduling unnecessary deliveries of materials or operating diesel-fueled equipment while not in use. Therefore, project construction would not result in

[28] U.S. Energy Information Administration. California State Energy Profile. Retrieved from: https://www.eia.gov/state/print.php?sid=CA. Accessed January 2025.

[29] CEC. 2022. What Drive's California's Gas Prices. Retrieved from: https://www.energy.ca.gov/data-reports/energy-insights/what-drives-californias-gasoline-prices#:~:text=56.2%20percent%20of%20crude%20oil,12.4%20billion%20gallons%20during%202021. Accessed: January 2025.

[30] CEC. 2018. Revised Transportation Energy Demand Forecast 2018-2030. Retrieved from: https://efiling.energy.ca.gov/getdocument.aspx?tn=221893. Accessed: January 2025.

potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and construction impacts would be less than significant, and no mitigation is required.

Assembly Bill 2127 examines the charging needs to support California's zero-emission vehicle targets in 2030 and 2035. Pursuant to Assembly Bill 2127, the CEC is required to publish a biennial report on charging infrastructure needed for California to meet its zero-emission vehicle targets by 2030. The analysis undertaken by the CEC projects that California will require about 114,500 chargers (109,000 depo chargers and 5,500 en route chargers) for 155,000 medium- and heavy-duty vehicles in 2030, and 264,000 chargers (256,000 depot chargers and 8,500 en route chargers) for 377,000 medium- and heavy-duty vehicles in 2035.[31]

As the site is currently vacant, operation of the project would increase area energy demand at the site as a result of increased electricity consumption. Electricity would be used to provide power for the office building, maintenance bay, and charging stations for the fleet. Electricity would also be used for general uses such as heating and cooling systems, lighting, appliances, and water usage. Energy demand would also include gasoline fuel consumed by employee vehicles trips and diesel fuel consumed by the fleet until full roll out of electrification.

Operation of the project in nature would not increase energy usage, as the existing bus maintenance facilities would be consolidated into one facility. As the various maintenance facilities are using energy, consolidation into one maintenance facility would overall reduce energy consumption by streamlining operations. Additionally, the project may include solar infrastructure that would further minimize impacts to energy usage.

Energy consumption would be in conformance with the latest version of California's Green Building Standards Code and Building Energy Efficiency Standards, and would help facilitate the goal of Assembly Bill 2127. Additionally, PG&E has sufficient supplies to serve the project. Therefore, the operation would not result in wasteful or unnecessary energy consumption. Therefore, project operation would not result in potentially significant environmental effects due to the wasteful, inefficient, or unnecessary consumption of energy, and the project's impact would be less than significant, and no mitigation is required.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less than Significant Impact. The project proposes to develop the project site with zero emissions charging and maintenance building dedicated to Marin Transit operations and visitor, employee, and bus parking. The facility will maintain a 68-fixed route vehicle fleet. The project is necessary to not only provide a consolidated larger facility to accommodate the District's fleet of buses, but also to meet climate goals and CARB requirements. While the project will initially support both diesel and electric vehicles, the project supports the goals of the District's ZEB Plan through the eventual conversion of all District buses from diesel-electric hybrid to electric. The project would support the State and the City's goals around the electrification of transportation and is consistent with CARB's 2022 California Scoping

[31] **California Energy Commission.** *Assembly Bill 2127 Second Electric Vehicle Charging Infrastructure Assessment: Assessing Charging Needs to Support Zero-Emission Vehicles in 2030 and 2035.* Publication No. CEC-600-2024-003. Updated March 6, 2024.

Plan priority area of transportation electrification. The project would be consistent with applicable goals and policies as outlined in the City's General Plan and CAP. Therefore, impacts would be less than significant, and no mitigation is required.

2.7 Geology and Soils

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map, issued by the State Geologist for the area or based on other substantial evidence of a known fault?	☐	☐	☐	☒
ii) Strong seismic ground shaking?	☐	☐	☒	☐
iii) Seismic-related ground failure, including liquefaction?	☐	☐	☒	☐
iv) Landslides?	☐	☐	☐	☒
b) Result in substantial soil erosion or the loss of topsoil?	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) Be located on expansive soil, as defined in table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☐	☐	☒	☐
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?	☐	☐	☐	☒
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☐	☒	☐	☐

Regulatory Setting

Federal

Paleontological Resources Preservation Act

The Paleontological Resources Preservation Act regulates the management, preservation, and protection of paleontological resources located on lands under the jurisdiction of federal agencies like

the Bureau of Land Management (BLM), the Bureau of Reclamation, the National Park Service (NPS), and the United States Fish and Wildlife Service (USFWS). Paleontological resources are considered to be a significant historic resources, and they are a required component of NEPA evaluation.

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act was established in 1971 to regulate development near known active seismic fault lines. Alquist-Priolo maps are distributed to affected cities, counties, and state agencies for their use in planning and controlling new construction. Areas within an Alquist-Priolo Earthquake Fault Zone require special studies to evaluate the potential for surface rupture to ensure that no structures are built over an active fault.

Seismic Hazards Mapping Act

The Seismic Hazards Mapping Act (SHMA) was passed in 1990 to identify and map areas prone to liquefaction, earthquake induced landslides, and amplified ground shaking. The California Geological Survey (CGS) has completed seismic hazard mapping for the regions in California most susceptible to landslides, liquefaction, and ground shaking. The SHMA requires agencies to only approve projects in seismic hazard zones following geotechnical investigations that evaluate seismic hazards and identify measures to reduce earthquake-related hazards.

California Building Standards Code

The California Building Standards Code outlines regulations for constructing safe buildings. This code contains provisions for seismic safety for buildings of all occupancy types and various environmental settings. Site-specific geotechnical investigation reports should be prepared for most development projects to determine seismic risk and geologic conditions, including surface fault ruptures, ground shaking, liquefaction, lateral spreading, expansive soils, and slope stability. The California Building Standards Code was last updated in July 2022 and became effective January 2023.

California Division of Occupational Safety

Construction activities, including excavation, shoring, and trenching, are subject to occupational safety standards for stabilization as defined by the California Department of Industrial Relations, Division of Occupational Safety and Health (Cal/OSHA) under Title 8 of the California Code of Regulations and Excavation Rules. These policies minimize the potential for structure instability or collapse that could injure construction workers on the site.

Public Resources Code Section 5097.5

Paleontological resources, the fossilized remains from prehistoric organisms, are valued for the information they provide about the history of earth. Public Resources Code Section 5097.5 specifies that the unauthorized removal of a paleontological resource is a misdemeanor.

Local

San Rafael General Plan 2040

The City's General Plan contains the following policies related to geology and soils:

Policy S-2.1: Seismic Safety of New Buildings	Design and construct all new buildings to resist stresses produced by earthquakes. The minimum level of seismic design shall be in accordance with the most recently adopted building code as required by state law.
Policy S-2.2: Minimize the Potential Effects of Landslides	Development proposed in areas with existing or potential landslides (as identified by a Certified Engineering Geologist, Registered Geotechnical Engineer, or the LHMP) shall not be endangered by, or contribute to, hazardous conditions on the site or adjoining properties. Landslide mitigation should consider multiple options in order to reduce potential secondary impacts (loss of vegetation, site grading, traffic, visual). The City will only approve new development in areas of identified landslide hazard if the hazard can be appropriately mitigated, including erosion control and replacement of vegetation.
Policy S-2.5: Erosion Control	Require appropriate control measures in areas susceptible to erosion, in conjunction with proposed development. Erosion control measures should incorporate best management practices (BMPs) and should be coordinated with requirements for on-site water retention, water quality improvements, and runoff control.
Program S-1.2B: Use of Hazard Maps in Development Review	Review slope stability, seismic hazard, flood hazard, sea level rise, wildfire, and other environmental hazard maps when development is proposed. Update hazard maps to include data collected during development review and other studies. Measures to adequately mitigate

mapped hazards should be identified prior to project approval.

Existing Conditions

Geology and Soils

The project site is located in the City of San Rafael in an area that is approximately 1 meter above sea level. The vicinity surrounding the project site is relatively flat with San Rafael Hill is to the northwest, San Pedro Mountain to the northeast, and Mount Tamalpais to the west of the project site. The project site is primarily located on soil classified as Urban land-Xerorthents complex, 0 to 9 percent slopes.[32] Groundwater is expected to fluctuate depending on tide, rainfall, and seasonal conditions.

There are no fault lines in the project vicinity. The nearest historic fault line (less than 150 years since most recent surface deformation) is the San Andreas fault zone, approximately 10.4 miles to the west of the project site. The Burdell Mountain fault is an undifferentiated Quaternary fault 13 miles to the north of the project site. Liquefaction is the process by which soils, often saturated with water, transform from a solid state to a liquid state during seismic activity. The project site is not located in a designated Liquefaction Hazard Zone.[33]

Lateral spreading describes the horizontal ground movement of flat soil deposits towards a free face, including an excavation site or open body of water. Lateral spreading is often associated with liquefaction of one or more subsurface layers towards the bottom of an exposed slope. The project site and vicinity are flat, presenting a relatively low risk of lateral spreading. The closest open face San Rafael Creek, 0.6 miles north of the project site, which feeds into the San Pablo Bay to the east. Field surveys should be conducted during the design-level geotechnical investigation to further evaluate the risk of lateral spreading.

The project site previously composed of undeveloped marsh land as early as 1946. By 1958, the property had been purchased, and a small structure was constructed on the west side of the site. By 1968, an automobile dealership was constructed, and it operated until 2005, at which point it was demolished. During demolition, impacted soil from a prior release incident was excavated and removed. In 2015, the property began to be used as an overflow lot for an automobile dealership and has remained undeveloped since.

A Geotechnical Evaluation completed for the previously proposed hotel project on the project site by the Miller Pacific Engineering Group in October 2020 identified several potential concerns including that soil on the project site is highly susceptible to settlement, has potential for expansion, erosion, as well as instability. Nonetheless, the City of San Rafael determined that there would be no significant environmental impacts associated with that project and no mitigation was required, including in the category of Geology and Soils. Previous work completed for the site includes surcharging to help

[32] The Geological Survey. Marin County Soils [ArcGIS Map]. Accessed at: https://www.arcgis.com/apps/mapviewer/index.html?layers=86111c583324456db76924fdeee78cf9.

[33] California Geological Survey. CGS Seismic Hazards Program: Liquefaction Zones [Map]. Accessed at: https://maps-cnra-cadoc.opendata.arcgis.com/datasets/cadoc::cgs-seismic-hazards-program-liquefaction-zones-1/explore?location=37.930985%2C-122.469875%2C10.53.

mitigate settlement. Refer to the project description for additional information regarding the soil surcharge remaining at the project site.

Paleontological Resources

The project is not located in an area where paleontological resources have been previously recorded.

Impact Discussion

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

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

No Impact. The project site is not within an Alquist-Priolo Fault Zone, nor is it located within a Marin County Fault Hazard Zone.[34,35] There are no known active or historic faults beneath or adjacent to the project site. The potential for surface rupture in this area is low, and project implementation would not expose people or structures to known risks of fault rupture. Therefore, there would be no impact related to known earthquake faults.

ii. Strong seismic ground shaking?

Less than Significant Impact. There are no known active faults near the project site; however, earthquakes along nearby faults have the potential to result in ground shaking at the project site. In particular, the San Andreas Fault Zone is located within Marin County, approximately 10.4 miles west of the project site. The San Francisco Bay Area has a relatively high risk of seismic ground shaking, and the magnitude and duration of each earthquake varies. However, the San Andreas Fault is assigned a 22 percent probability of an earthquake with a magnitude greater than 6.7 by 2043, a risk lower than other faults in the San Francisco Bay Area.[36] While it is not anticipated that the project will be significantly affected by strong seismic ground shaking, there is a risk due to its proximity to fault zones. The project would also be required to comply with state and local regulations regarding earthquake-resistant building practices. Compliance with these standards and practices, as well as recommendations from the project's geotechnical report, would reduce the overall risk associated with strong seismic ground shaking. Therefore, impacts related to strong seismic ground shaking would be less than significant.

iii. Seismic-related ground failure, including liquefaction?

Less than Significant Impact. The project is not located in a state or county-designated liquefaction hazard zone.[37,38] A previous subsurface exploration indicated that the site is underlain by Bay Mud,

[34] https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/

[35] https://www.marincounty.org/~/media/files/departments/cd/planning/currentplanning/publications/county-wide-plan/background-reports/geology_background_report.pdf

[36] Miller Pacific Engineering Group. *Geotechnical Evaluation*. 2020.

[37] https://maps.conservation.ca.gov/cgs/informationwarehouse/eqzapp/

[38] https://www.marincounty.org/~/media/files/departments/cd/planning/currentplanning/publications/county-wide-plan/background-reports/geology_background_report.pdf

which is generally resistant to liquefaction.[39] Additionally, project development would comply with the California Building Code standards regarding building practices to prevent seismic related ground failure due to earthquakes and liquefaction hazards. Therefore, potential impacts related to seismic-related impacts or liquefaction would be less than significant.

iv. Landslides?

No Impact. The project site is not located in a state or county-designated landslide hazard zone. Furthermore, the site is flat and would remain flat, excluding a small period of time where soil would be temporarily surcharged. Therefore, there would be no impacts related to landslides.

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

Less than Significant Impact. Project construction would involve ground-disturbing activities that would temporarily expose soil and increase the potential for erosion by wind or runoff. The project would be required to comply with the Construction Erosion and Sediment Control Plan Review Procedure established by Marin County Stormwater Pollution Prevention Program (MCSTOPP).[40] Compliance with county construction standards would reduce overall risks related to erosion. As more than 1 acre of impervious surface would be added during project development, compliance with National Pollutant Discharge Elimination System regulations is required, including the preparation of a Storm Water Pollution Prevention Plan (SWPPP), which will reduce potential impacts to water quality (see **Section 2.10, Hydrology and Water Quality**, for further details regarding the NPDES). With compliance with the relevant permitting and construction best management practices, there would be a less than significant impact related to soil erosion and the loss of topsoil.

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?

Less than Significant Impact. Lateral spreading describes the horizontal ground movement of level ground that slopes down toward a drop-off. Lateral spreading is often associated with liquefaction of one or more subsurface layers towards the bottom of an exposed slope. With the exception of the existing surcharge associated with the previously proposed hotel project, the project site is relatively flat. Additional surcharging will be conducted to facilitate the final project design. The project will be constructed in accordance with California Building Code to ensure that potential impacts related to lateral spreading and liquefaction would be less than significant. As noted above, the City of San Rafael determined there would be no significant impacts associated with the previously proposed hotel development. No landslide impacts would occur as the project site does not contain nor is near any hillsides or landslides.

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

Less than Significant Impact. Expansive soils change volume when their moisture content changes, and these soils swell after absorbing water and shrink when dry. The shifts in volume can cause cracks and

[39] Miller Pacific Engineering Group. *Geotechnical Evaluation*. 2020.

[40] https://mcstoppp.org/wp-content/uploads/2020/09/erosion_sediment_control_plan_-review_procedure.pdf

damage in building foundations over time. Previous geotechnical reports generated for the project site determined that the surface soil within the project site has low expansion potential. As there is low expansion potential for soils located within the project site, risks to life or property would be less than significant impact.

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 Impact. Wastewater generated by the project would be treated by the San Rafael Sanitation District. The project site is currently an undeveloped dirt lot, and it is not currently connected to the City wastewater system. However, there is a pre-existing municipal sewer system in the project area, in which the project would connect to. No additional installations of sewer systems are necessary. Therefore, there would be no impact related to wastewater disposal.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant Impact with Mitigation. The project site is previously-developed land, and excavation and ground-disturbing activities will not exceed 10 feet in depth. While there are no recorded unique paleontological resources or unique geologic features in the project site, there is the potential that they will be discovered during construction. If these resources are encountered, it would be considered a potentially significant impact. Therefore, the project shall be required to implement **Mitigation Measure GEO-1**, described below, a set of mitigation measures and protocols in accordance with the Society of Vertebrate Paleontology standards to reduce the potential impact to these resources to a less than significant level if paleontological resources are discovered.

> **Mitigation Measure GEO-1: Protocol for Paleontological Discoveries.**
>
> In the event that paleontological resources are unearthed during grading, ground disturbance work shall cease until a qualified paleontologist determines whether the resource requires further study. The qualified paleontologist shall temporarily halt and/or divert grading activity to allow recovery of the resources, and prepare a Paleontological Resources Monitoring Program (PRMP). The area of discovery shall be temporarily contained for evaluation by the qualified paleontologist. Upon completion of the paleontological monitoring program, the qualified paleontologist shall prepare a final monitoring report documenting the results of the monitoring program, which shall include a description of the methods used, fossils collected, and significance of recovered fossils.

With adherence to mitigation measure **Mitigation Measure GEO-1**, the potentially significant impact would be reduced to a less than significant level.

2.8 Greenhouse Gas Emissions

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☐	☐	☒	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☐	☐	☒	☐

The following discussion is based in part on a Greenhouse Gas (GHG) Emissions report prepared for the project in May 2025. A copy of this report is included in Appendix A to this Initial Study.

Regulatory Setting

Federal

Federal Clean Air Act

The U.S. Supreme Court determined in Massachusetts et al. v. Environmental Protection Agency et al. ([2007] 549 U.S. 05-1120) that the U.S. EPA has the authority to regulate motor vehicle GHG emissions under the Federal Clean Air Act. The U.S. EPA issued a Final Rule for mandatory reporting of GHG emissions in October 2009. This Final Rule applies to fossil fuel suppliers, industrial gas suppliers, direct GHG emitters, and manufacturers of heavy-duty and off-road vehicles and vehicle engines and requires annual reporting of emissions. In 2012, the U.S. EPA issued a Final Rule that established the GHG permitting thresholds that determine when Clean Air Act permits under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit programs are required for new and existing industrial facilities.

In Utility Air Regulatory Group v. Environmental Protection Agency (134 Supreme Court 2427 [2014]), the U.S. Supreme Court held the U.S. EPA may not treat GHGs as an air pollutant for purposes of determining whether a source can be considered a major source required to obtain a Prevention of Significant Deterioration or Title V permit. The Court also held that Prevention of Significant Deterioration permits otherwise required based on emissions of other pollutants may continue to require limitations on GHG emissions based on the application of Best Available Control Technology.

State

California Air Resources Board

CARB is responsible for the coordination and oversight of State and local air pollution and GHG control programs in California. There are numerous regulations aimed at reducing the State's GHG emissions.

These initiatives are summarized below. For more information on the Senate and Assembly Bills, executive orders, building codes, and reports discussed below, and to view reports and research referenced below, please refer to the following websites: https://www.energy.ca.gov/datareports/reports/californias-fourth-climate-change-assessment, www.arb.ca.gov/cc/cc.htm, and https://www.dgs.ca.gov/BSC/Codes.

California Global Warming Solutions Act of 2006 (Assembly Bill 32 and Senate Bill 32)

The "California Global Warming Solutions Act of 2006," (AB 32), outlines California's major legislative initiative for reducing GHG emissions. AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 and requires CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHG emissions to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to require reporting and verification of statewide GHG emissions. Based on this guidance, CARB approved a 1990 statewide GHG level and 2020 target of 431 million metric tons (MMT of CO2e), which was achieved in 2016. CARB approved the Scoping Plan on December 11, 2008, which included GHG emission reduction strategies related to energy efficiency, water use, and recycling and solid waste, among others. Many of the GHG reduction measures included in the Scoping Plan (e.g., Low Carbon Fuel Standard, Advanced Clean Car standards, and Cap-and-Trade) have been adopted since the Scoping Plan's approval.

The CARB approved the 2013 Scoping Plan update in May 2014. The update defined the CARB's climate change priorities for the next five years, set the groundwork to reach post-2020 statewide goals, and highlighted California's progress toward meeting the "near-term" 2020 GHG emission reduction goals defined in the original Scoping Plan. It also evaluated how to align the State's longer term GHG reduction strategies with other State policy priorities, including those for water, waste, natural resources, clean energy, transportation, and land use.[41]

On September 8, 2016, the governor signed Senate Bill (SB) 32 into law, extending the California Global Warming Solutions Act of 2006 by requiring the State to further reduce GHG emissions to 40 percent below 1990 levels by 2030 (the other provisions of AB 32 remain unchanged). On December 14, 2017, the CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. The 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, and implementation of recently adopted policies and legislation, such as SB 1383 and SB 100. The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally appropriate quantitative thresholds consistent with statewide per capita goals of six metric tons (MT) of CO2e by 2030 and two MT of CO2e by 2050.[42] As stated in the 2017 Scoping Plan, these goals may be appropriate for plan-level

[41] California Air Resources Board. 2014. AB 32 Scoping Plan Website. Available: http://www.arb.ca.gov/cc/scopingplan/scopingplan.htm. Accessed: May 2025.

[42] California Air Resources Board. 2017. California's 2017 Climate Change Scoping Plan. Available: https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf. Accessed: May 2025.

analyses (city, county, sub-regional, or regional level), but not for specific individual projects because they include all emissions sectors in the State.

The California Climate Crisis Act (Assembly Bill 1279)

AB 1279 was passed on September 16, 2022, and declares the State would achieve net zero greenhouse gas emissions as soon as possible, but no later than 2045. In addition, achieve and maintain net negative greenhouse gas emissions and ensure that by 2045, statewide anthropogenic greenhouse gas emissions are reduced to at least 85% below the 1990 levels. The bill would require updates to the scoping plan (once every five years) to implement various policies and strategies that enable carbon dioxide removal solutions and carbon capture, utilization, and storage technologies.

2022 Update to The Climate Change Scoping Plan

In response to the passage of AB 1279 and the identification of the 2045 GHG reduction target, CARB published the Final 2022 Climate Change Scoping Plan in November 2022.[43] The 2022 Update builds upon the framework established by the 2008 Climate Change Scoping Plan and previous updates while identifying new, technologically feasible, cost-effective, and equity-focused path to achieve California's climate target. The 2022 Update includes policies to achieve a significant reduction in fossil fuel combustion, further reductions in short-lived climate pollutants, support for sustainable development, increased action on natural and working lands (NWL) to reduce emissions and sequester carbon, and the capture and storage of carbon.

The 2022 Update assesses the progress California is making toward reducing its GHG emissions by at least 40 percent below 1990 levels by 2030, as called for in SB 32 and laid out in the 2017 Scoping Plan, addresses recent legislation and direction from Governor Newsom, extends and expands upon these earlier plans, and implements a target of reducing anthropogenic emissions to 85 percent below 1990 levels by 2045, as well as taking an additional step of adding carbon neutrality as a science-based guide for California's climate work. As stated in the 2022 Update, "The plan outlines how carbon neutrality can be achieved by taking bold steps to reduce GHGs to meet the anthropogenic emissions target and by expanding actions to capture and store carbon through the State's NWL and using a variety of mechanical approaches."[44] Specifically, the 2022 Update:

- Identifies a path to keep California on track to meet its SB 32 GHG reduction target of at least 40 percent below 1990 emissions by 2030.
- Identifies a technologically feasible, cost-effective path to achieve carbon neutrality by 2045 and a reduction in anthropogenic emissions by 85 percent below 1990 levels.
- Focuses on strategies for reducing California's dependency on petroleum to provide consumers with clean energy options that address climate change, improve air quality, and support economic growth and clean sector jobs.

[43] California Air Resources Board. 2022. 2022 Scoping plan Documents. Available: https://ww2.arb.ca.gov/ourwork/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents. Accessed: May 2025.

[44] California Air Resources Board. 2022. 2022 Scoping Plan Documents. Available: https://ww2.arb.ca.gov/ourwork/programs/ab-32-climate-change-scoping-plan/2022-scoping-plan-documents. Accessed: May 2025.

- Integrates equity and protecting California's most impacted communities as driving principles throughout the document.
- Incorporates the contribution of NWL to the State's GHG emissions, as well as their role in achieving carbon neutrality.
- Relies on the most up-to-date science, including the need to deploy all viable tools to address the existential threat that climate change presents, including carbon capture and sequestration, as well as direct air capture.
- Evaluates the substantial health and economic benefits of taking action.
- Identifies key implementation actions to ensure success.

In addition to reducing emissions from transportation, energy, and industrial sectors, the 2022 Update includes emissions and carbon sequestration in NWL and explores how NWL contribute to long-term climate goals. Under the Scoping Plan Scenario, California's 2030 emissions are anticipated to be 48 percent below 1990 levels, representing an acceleration of the current SB 32 target. Cap-and-Trade regulation continues to play a large factor in the reduction of near-term emissions for meeting the accelerated 2030 reduction target. Every sector of the economy will need to begin to transition in this decade to meet our GHG reduction goals and achieve carbon neutrality no later than 2045. The 2022 Update approaches decarbonization from two perspectives, managing a phasedown of existing energy sources and technologies, as well as increasing, developing, and deploying alternative clean energy sources and technology.

Senate Bill 375

The Sustainable Communities and Climate Protection Act of 2008 (SB 375), signed in August 2008, enhances the State's ability to reach AB 32 goals by directing the CARB to develop regional GHG emission reduction targets to be achieved from passenger vehicles by 2020 and 2035. SB 375 aligns regional transportation planning efforts, regional GHG reduction targets, and affordable housing allocations. Metropolitan Planning Organizations (MPO) are required to adopt a Sustainable Communities Strategy (SCS), which allocates land uses in the MPO's Regional Transportation Plan (RTP). Qualified projects consistent with an approved SCS or Alternative Planning Strategy (categorized as "transit priority projects") can receive incentives to streamline CEQA processing.

On March 22, 2018, CARB adopted updated regional targets for reducing GHG emissions from 2005 levels by 2020 and 2035. The ABAG was assigned targets of a 3 percent reduction in per capita GHG emissions from passenger vehicles by 2020 and a 6 percent reduction in per capita GHG emissions from passenger vehicles by 2035.

Senate Bill 1383

Adopted in September 2016, SB 1383 (Senator Lara, Chapter 395, Statues of 2016) requires the CARB to approve and begin implementing a comprehensive strategy to reduce emissions of short-lived climate pollutants. SB 1383 requires the strategy to achieve the following reduction targets by 2030:

- Methane – 40 percent below 2013 levels
- Hydrofluorocarbons – 40 percent below 2013 levels
- Anthropogenic black carbon – 50 percent below 2013 levels

SB 1383 also requires the California Department of Resources Recycling and Recovery (CalRecycle), in consultation with the CARB, to adopt regulations that achieve specified targets for reducing organic waste in landfills.

Senate Bill 100

Adopted on September 10, 2018, SB 100 supports the reduction of GHG emissions from the electricity sector by accelerating the State's RPS Program, which was last updated by SB 350 in 2015. SB 100 requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

Executive Order B-55-18

On September 10, 2018, the former Governor Brown issued EO B-55-18, which established a new statewide goal of achieving carbon neutrality by 2045 and maintaining net negative emissions thereafter. This goal is in addition to the existing statewide GHG reduction targets established by SB 375, SB 32, SB 1383, and SB 100.

California Building Standards Code

The CCR Title 24 is referred to as the California Building Standards Code. It consists of a compilation of several distinct standards and codes related to building construction including plumbing, electrical, interior acoustics, energy efficiency, and handicap accessibility for persons with physical and sensory disabilities. The current iteration is the 2022 Title 24 standards. The California Building Standards Code's energy-efficiency and green building standards are outlined below.

Part 6 – Building Energy Efficiency Standards/Energy Code. CCR Title 24, Part 6 is the Building Energy Efficiency Standards or California Energy Code. This code, originally enacted in 1978, establishes energy efficiency standards for residential and non-residential buildings in order to reduce California's energy demand. New construction and major renovations must demonstrate their compliance with the current Energy Code through submittal and approval of a Title 24 Compliance Report to the local building permit review authority and the CEC. The 2022 Title 24 standards are the applicable building energy efficiency standards for the proposed project because they became effective on January 1, 2023.

Part 11 – California Green Building Standards. The California Green Building Standards Code, referred to as CALGreen, was added to Title 24 as Part 11, first in 2009 as a voluntary code, which then became mandatory effective January 1, 2011 (as part of the 2010 California Building Standards Code). The 2022 CALGreen includes mandatory minimum environmental performance standards for all ground-up new construction of residential and non-residential structures. It also includes voluntary tiers with stricter environmental performance standards for these same categories of residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory CALGreen standards and may adopt additional amendments for stricter requirements.

California Integrated Waste Management Act (Assembly Bill 341)

The California Integrated Waste Management Act of 1989, as modified by AB 341 in 2011, requires each jurisdiction's source reduction and recycling element to include an implementation schedule that shows:

(1) diversion of 25 percent of all solid waste by January 1, 1995, through source reduction, recycling, and composting activities and (2) diversion of 50 percent of all solid waste on and after January 1, 2000.

Executive Order N-79-20

On September 23, 2020, Governor Newsom issued EO N-79-20, which established the following new statewide goals:

- All new passenger cars and trucks sold in-state to be zero-emission by 2035;
- All medium- and heavy-duty vehicles in the State to be zero-emission by 2045 for all operations where feasible and by 2035 for drayage trucks; and
- All off-road vehicles and equipment to be zero-emission by 2035 where feasible.

EO N-79-20 directs CARB, the Governor's Office of Business and Economic Development, the CEC, the California Department of Transportation, and other State agencies to take steps toward drafting regulations and strategies and leveraging agency resources toward achieving these goals.

Clean Energy, Jobs, and Affordability Act of 2022 (Senate Bill 1020)

Adopted on September 16, 2022, SB 1020 creates clean electricity targets for eligible renewable energy resources and zero-carbon resources to supply 90 percent of retail sale electricity by 2035, 95 percent by 2040, 100 percent by 2045, and 100 percent of electricity procured to serve all State agencies by 2035. This bill states that to achieve this, carbon emissions should not be increased elsewhere in the western grid.

Regional

Bay Area Air District

The BAAD regulates the stationary sources of air pollution in the nine counties of California's San Francisco Bay Area: Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma. The BAAD has established thresholds of significance pertaining to a project's impacts related to greenhouse gases in their 2022 CEQA Guidelines.

The BAAD does not provide an adopted threshold of significance for construction related GHG emissions. The 2022 CEQA Guidelines states that GHG emissions from construction represent a very small portion of a project's lifetime GHG emissions. Therefore, the thresholds for land use projects are designed to address operational GHG emissions, which represent the project's GHG emissions.[45] According to the BAAD 2022 CEQA Guidelines, a proposed land use development project would not have a significant GHG impact if operation of the project would meet one of the following thresholds (must include A or B):

Threshold A: Projects must include, at a minimum, the following project design elements:

- Buildings:

[45] BAAD, 2022 CEQA Guidelines, adopted April 20, 2022. Available online at: https://www.baaqmd.gov/plans-andclimate/california-environmental-quality-act-ceqa/updated-ceqa-guidelines, accessed April 30, 2025.

  - The project will not include natural gas appliances or natural gas plumbing (in both residential and nonresidential development).
  - The project will not result in any wasteful, inefficient, or unnecessary energy usage as determined by the analysis required under CEQA Section 21100(b)(3) and Section 15126.2(b) of the State CEQA Guidelines.
- Transportation:
  - Achieve a reduction in project-generated vehicle miles traveled (VMT) below the regional average consistent with the current version of the California Climate Change Scoping Plan (currently 15 percent) or meet a locally adopted Senate Bill 743 VMT target, reflecting the recommendations provided in the Governor's Office of Planning and Research's Technical Advisory on Evaluating Transportation Impacts in CEQA:
    - Residential projects: 15 percent below the existing VMT per capita
    - Office projects: 15 percent below the existing VMT per employee
    - Retail projects: no net increase in existing VMT
  - Achieve compliance with off-street electric vehicle requirements in the most recently adopted version of CALGreen Tier 2.

Threshold B: Projects must be consistent with a local GHG reduction strategy that meets the criteria under State CEQA Guidelines Section 15183.5(b).

Local

San Rafael General Plan 2040

The City's General Plan contains the following policies related to greenhouse gas emissions:

Policy C-2.1: State and Federal Air Quality Standards	Continue to comply with state and federal air quality standards.
Policy C-2.2: Land Use Compatibility and Buildings Standards	Consider air quality conditions and the potential for adverse health impacts when making land use and development decisions. Buffering, landscaping, setback standards, filters, insulation and sealing, home HVAC measures, and similar measures should be used to minimize future health hazards.
Policy C-2.3: Improving Air Quality Through Land Use and Transportation Choices	Recognize the air quality benefits of reducing dependency on gasoline-powered vehicles. Implement land use and transportation policies, supportable by objective data, to reduce the number and length of car trips, improve alternatives to driving, reduce vehicle idling, and support the shift to electric and cleaner-fuel vehicles.
Policy C-4.1: Renewable Energy	Support increased use of renewable energy and remove obstacles to its use.
Policy C-5.2: Consider Climate Change Impacts	Ensure that decisions regarding future development, capital projects, and resource management are consistent with San Rafael's Climate Change Action Plan (CCAP) and other climate goals, including greenhouse gas reduction and adaptation.
Policy C-5.4: Municipal Programs	Implement and publicize municipal programs to demonstrate the City's commitment to sustainability efforts and reducing greenhouse gases.
Policy CSI-4.4: Sustainable Design	Plan, design, and operate infrastructure to minimize non-renewable energy and resource consumption, improve environmental quality, promote social equity, and reduce greenhouse gas emissions. An evaluation of costs and benefits must be a factor in all improvements. This includes the potential costs of inaction and

	potential for "avoided costs," particularly with respect to climate change.
Policy M-3.5: Alternative Transportation Modes	Support efforts to create convenient, cost-effective alternatives to single passenger auto travel. Ensure that public health, sanitation, and user safety is addressed in the design and operation of alternative travel modes.
Policy M-3.6: Low Carbon Transportation	Encourage electric and other low-carbon emission vehicles, as well as the infrastructure needed to support these vehicles.
Policy M-4.5: Transit and the Environment	Encourage a less carbon-intensive transit system with reduced environmental impacts. This could include electrification of buses and trains, and the use of smaller vehicles in areas of lower demand. Environmental costs and benefits should be a critical factor when evaluating transit service improvements over the long- and short-term.

Existing Conditions

Gases that absorb and re-emit infrared radiation in the atmosphere are called GHGs. The gases that are widely seen as the principal contributors to human-induced climate change include carbon dioxide (CO_2), methane (CH_4), nitrous oxides (N_2O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). Water vapor is excluded from the list of GHGs because it is short-lived in the atmosphere and its atmospheric concentrations are largely determined by natural processes, such as oceanic evaporation.

Different types of GHGs have varying global warming potentials (GWP). The GWP of a GHG is the potential of a gas or aerosol to trap heat in the atmosphere over a specified timescale (generally, 100 years). Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emitted, referred to as "carbon dioxide equivalent" (CO_2e), which is the amount of GHG emitted multiplied by its GWP. Carbon dioxide has a 100-year GWP of one. By contrast, methane has a GWP of 30, meaning its global warming effect is 30 times greater than CO_2 on a molecule per molecule basis.[46,47]

[46] The Intergovernmental Panel on Climate Change's (2021) Sixth Assessment Report determined that methane has a GWP of 30. However, the 2017 Climate Change Scoping Plan published by the California Air Resources Board uses a GWP of 25 for methane, consistent with the Intergovernmental Panel on Climate Change's (2007) Fourth Assessment Report. Therefore, this analysis utilizes a GWP of 25.

[47] Intergovernmental Panel on Climate Change (IPCC).2021. The Physical Science Basis. Contribution of Working Group I to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change. Accessed: https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_Full_Report.pdf. Accessed: May 2025.

Climate change is the observed increase in the average temperature of the Earth's atmosphere and oceans along with other substantial changes in climate (such as wind patterns, precipitation, and storms) over an extended period. The term "climate change" is often used interchangeably with the term "global warming," but climate change is preferred because it conveys that other changes are happening in addition to rising temperatures. The baseline against which these changes are measured originates in historical records that identify temperature changes that occurred in the past, such as during previous ice ages. The global climate is changing continuously, as evidenced in the geologic record which indicates repeated episodes of substantial warming and cooling. The rate of change has typically been incremental, with warming or cooling trends occurring over the course of thousands of years. The past 10,000 years have been marked by a period of incremental warming, as glaciers have steadily retreated across the globe. However, scientists have observed acceleration in the rate of warming over the past 150 years. The IPCC expressed that the rise and continued growth of atmospheric CO_2 concentrations is unequivocally due to human activities in the IPCC's Sixth Assessment Report (2021). Human influence has warmed the atmosphere, ocean, and land, which has led the climate to warm at an unprecedented rate in the last 2,000 years. It is estimated that between the period of 1850 through 2019, that a total of 2,390 gigatonnes of anthropogenic CO_2 was emitted. It is likely that anthropogenic activities have increased the global surface temperature by approximately 1.07 degrees Celsius between the years 2010 through 2019.

Impact Discussion

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

Less than Significant Impact. The project would generate greenhouse gas (GHG) emissions during both the construction and operations phases. However, construction activities would be temporary and short-term. As shown in **Table 7**, the project's total GHG construction emissions would be approximately 244 MT CO_2e for 2027, 309 MT CO_2e for 2028, and 10.7 MT CO_2e for 2029, totaling approximately 544 MT CO_2e over a period of 18 to 24 months. These emissions only represent a small portion of the project's lifetime. When considered over the first 30 years of the project's lifetime, the project is anticipated to emit approximately 18 MT CO_2e per year related to construction.

Table 7 Federal and Ambient Air Quality Standards

Emissions Source	Metric Tons of Carbon Dioxide Equivalent (per year)
Construction Emissions	18.13
Mobile Sources	243
Area Sources	0.19
Energy Sources	53.80
Water Sources	2.42
Waste Sources	15.60
Refrigerants	450
Total GHG Emissions	783.13

Source: Impact Sciences, July 2025.

Note: It is noted that many of the mobile source emissions presently existing in the region and the project would be relocated to a consolidated maintenance facility. Thus, the presentation of mobile source emissions here is conservative, and seen as a worst-case scenario.

However, these emissions would be temporary in nature and would represent a small portion of the project's lifetime GHG emissions. As GHG emissions from construction activities would occur over a relatively short time span, it would contribute a relatively small portion of the lifetime GHG emission impact of the project. The total construction GHG emissions were divided by 30 years to determine an annual construction emission rate to be amortized over the project's first 30 years of operations. Amortized over a 30-year period, the project is anticipated to emit approximately 18 metric tons of carbon dioxide per year.

Project operations would generate GHG emissions from several sources, including mobile, area, energy, water, and waste sources, as well as refrigerants. BAAD recommends a bright-line threshold of 10,000 metric tons of MTCO2e per year for stationary source projects. This threshold is intended to help determine whether a project's GHG emissions would be considered significant under CEQA. The estimated annual GHG emissions for the project would be approximately 783 MTCO2e, which is below the BAAD threshold of 10,000 MTCO2e. Therefore, impacts related to project emissions would be considered less than significant.

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

Less than Significant Impact. BAAD Threshold B (from the BAAD 2022 *CEQA Guidelines*), states that a project would result in a significant impact if the project conflicts with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions, such as a qualified GHG Reduction Strategy consistent with CEQA Guidelines Section 15183.5(b).

The City of San Rafael's Climate Action Plan (CAP) 2030 is the primary GHG reduction strategy considered for consistency. The project would be consistent with all of the relevant policies in the CAP, including Measure LCT-C5: Public Transit, Measure LCT-M1: Zero and Low Emission City Vehicles, Measure RE-C1: Renewable Energy Generation, Measure RE-M1: Solar Energy Systems for Municipal Buildings. The project would also be consistent with the San Rafael General Plan 2040 policies related to greenhouse gases, Assembly Bill (AB) 32, Senate Bill (SB) 32, AB 1279, and the California Air Resources Board (CARB) 2022 Scoping Plan Update. Together, these policies set GHG reduction targets and regulate GHG emissions levels throughout California. As the project would be consistent with the CAP and these additional policies, the project would meet BAAD Threshold B. Therefore, the project would be consistent with applicable GHG plans and policies, and impacts would be less than significant.

2.9 Hazards and Hazardous Materials

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☐	☐	☒	☐
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	☐	☐	☒	☐
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☐	☐	☐	☒
d) Be located on a site which is included on a list of hazardous materials sites complied pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☐	☐	☐	☒
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?	☐	☐	☐	☒
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	☐	☐	☒	☐

Regulatory Setting

Federal

Resource Conservation and Recovery Act (42 U.S.C. §6901 et seq.)[48]

Under the Resource Conservation and Recovery Act (RCRA), the EPA is authorized to control hazardous waste throughout its entire life cycle, from generation to disposal. The EPA is also authorized to address potential environmental consequences that may result from underground tanks storing petroleum and other hazardous substances.

[48] https://www.epa.gov/laws-regulations/summary-resource-conservation-and-recovery-act

State

Hazardous Waste and Substance Sites List (Cortese List)

The Cortese List, established by California Government Code section 65962.5, provides information about the location of hazardous materials release sites in the state. The Cortese List is primarily used as a planning document so that developers can best understand the risk of exposure to hazardous waste in a certain area.

Government Code Section(s) 25280-25299.8 (Underground Storage of Hazardous Substances)

This statute of the California Health and Safety Code provides guidelines for the proper monitoring and maintenance of underground storage of hazardous substances in a manner that negatively impacts human health, animal health, and the environment.

California Code of Regulations Title 23 Section 16 (Underground Tank Regulations)

Under these regulations, underground storage tank systems must include a primary and secondary tank that both meet certain construction and storage requirements. The tanks should be resistant to leakage and corrosion to prevent impacts to water, soil, and human and animal health.

Regional

Marin County Certified Unified Programs Agency (CUPA)

Senate Bill 1082 created Certified Unified Programs Agencies (CUPAs) intended to regulate and inspect buildings to monitor compliance with applicable hazardous waste materials management. The Marin County CUPA is responsible for the inspection of 850 businesses and their hazardous materials.

Local

San Rafael General Plan 2040

The City's General Plan contains the following policies related to hazards wastes and hazardous materials:

Policy S-5.2: Hazardous Materials Storage, Use, and Disposal	Enforce regulations regarding proper storage, labeling, use and disposal of hazardous materials to prevent leakage, potential explosions, fires, or the escape of harmful gases, and to prevent individually innocuous materials from combining to form hazardous substances, especially at the time of disposal.
Policy S-5.3: Protection of Sensitive Uses	Provide safe distances between areas where hazardous materials are handled or stored and sensitive land uses such as schools, public facilities, and residences. When the location of public improvements in such areas cannot

	feasibly be avoided, effective mitigation measures will be implemented.
Policy S-5.4: Development on Formerly Contaminated Sites	Ensure that the necessary steps are taken to clean up residual hazardous materials on any contaminated sites proposed for redevelopment or reuse. Properties that were previously used for auto service, industrial operations, agriculture, or other land uses that may have involved hazardous materials should be evaluated for the presence of toxic or hazardous materials in the event they are proposed for redevelopment with a sensitive land use.

Existing Conditions

The project site is currently an unoccupied, undeveloped dirt lot. According to historical records, the site operated as a 20,300-square foot vehicle dealership from the late 1960s to 2005, at which point the building was demolished.[49] The car dealership included employee offices, a car showroom, a service area, and a car sales lot. The commercial use of this site indicates that hazardous waste associated with automobiles, like motor oil, may be present in soil. As the original dealership was constructed in the 1960s, there is also a chance that hazardous building materials, like asbestos or lead, may be present in soil, especially following building demolition.

In August 2005, some soil excavations of 1075 Francisco Boulevard East were halted due to high concentrations of total petroleum hydrocarbons (TPH).[50] A soil clean-up effort was undertaken, and it was determined that some soils that appeared to be clean also exhibited excessive TPH concentrations. This site was classified as a contaminated site by the City of San Rafael. However, site cleanup efforts were completed on May 12, 2006, and the contaminants of concern were reduced to safe levels.

The project site is in in closer proximity to hazardous waste sites than 80-90% of other locations in the United States. Furthermore, this area has an estimated number of buildings with lead paint than 50-80% of other locations, due in part to the age of buildings in the area. A 550-gallon waste oil underground storage tank (UST) was removed from the southeast corner of the project site in 1987. There are currently no underground storage tanks in proximity to the project site.

An additional review of regulatory records of agencies did not indicate the presence of hazardous substance storage or release. There are no underground storage tanks within the project site, and the closest is affiliated with Peter's Beacon automotive repair shop, approximately 0.1 miles northwest of the project site.

[49] https://epermits.cityofsanrafael.org/etrakit3/viewAttachment.aspx?Group=PROJECT&ActivityNo=ED11-030&key=RBA%3a1203160306428604

[50] https://epermits.cityofsanrafael.org/Pre2000/ViewPdf.aspx

The immediately surrounding properties include multiple automotive repair shops, a tile store, a sports store, and a software company office building. The automotive repair shops have an increased risk of hazardous waste leakage or spills, but records of confirmed spills have not been found. As noted above, the project site has been previously identified as having LUST, RGA LUST, and HIST UST located within the project site, and was noted in the Historical Cortese List, FINDS system, and ECHO database literature search.

Impact Discussion

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

Less than Significant Impact.

Construction

The project would involve the use of potentially hazardous materials during construction such as building materials, paints and solvents. The site was originally classified as contaminated; however, cleanup efforts were completed in 2006 and the site no longer is considered contaminated. Proper construction best management practices would reduce the risk of exposure to hazardous materials. With the implementation of the required regulatory controls and best management practices for hazardous materials, impacts related to the transport, use, or disposal of hazardous materials during construction would be less than significant.

Operation

Although the project would serve to consolidate all of the District's electric fleet into one location for maintenance, up to 50 diesel-electric hybrid buses would be housed at the project site and used in operation. As the project would service diesel-powered buses, the presence of diesel, as well as other materials used for vehicle maintenance, pose a potential risk of leakage or spilling. However, all potentially hazardous materials would be properly contained, stored, and handled in compliance with applicable State and County standards and regulations. Additionally, the diesel-electric hybrid buses would move towards a fully electric fleet over time, reducing the usage and related risks of hazardous materials like diesel or gasoline. Proper best management practices would reduce the risk of exposure to hazardous materials, such as limiting hazardous waste spill potential, and would limit truck idling for diesel engines when applicable. Additionally, the District would be required to conduct hazardous materials training and notify employees who work in the vicinity of such materials. With the implementation of the required regulatory controls and best management practices for hazardous

materials, impacts related to the transport, use, or disposal of hazardous materials would be less than significant during operation of the project.

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

Less than Significant Impact.

Construction

Anticipated construction activities include soil grading and excavation prior to building the project's foundation and the construction of a parking lot. The project site was previously used as a car sales lot, and previously-measured levels of TPH in the site's soil were considered high. However, cleanup operations were conducted and all contaminants were reduced to safe levels. The grading phase may still disturb potentially contaminated soils, increasing the risk of exposure to contaminants. With the implementation of required regulatory controls and best management practices, any impacts related to reasonably foreseeable accidents would be less than significant for the construction phase of the project.

Operation

Project operations would involve the use of potentially hazardous materials related to bus fueling and maintenance. However, proper storage and management of hazardous materials would reduce the risk of releasing hazardous materials into the environment. Additionally, the diesel-electric hybrid buses would eventually be replaced by an all-electric fleet, which further reduces the risk of exposure to hazardous materials. As materials would be managed and stored in compliance with all relevant policies and regulations, the risk of public or environmental exposure to hazardous materials would remain less than significant for the operational phase of the project.

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 Impact. The nearest school to the project site is the Montessori School of Central Marin, approximately 0.42 miles to the west of the project site. Therefore, impacts regarding hazardous emissions and schools would not occur, as the project would not emit hazardous emissions with one-quarter mile of any schools.

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

No Impact. The project site is not included on the list of hazardous materials sites pursuant to Government Code Section 65962.5; therefore, no impact would occur.

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 Impact. The project site is approximately 4.1 miles southeast of the San Rafael Airport. The project is not within an area of an airport land use plan, nor is it within two miles of a public airport. Therefore,

the project would not result in a safety hazard or excessive noise generation for people residing or working in the project area.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The project site is currently served by the San Rafael Fire Department and the San Rafael Police Department. Please refer to **Section 2.15 Public Services** for more detailed information about fire and emergency services. The project would not include any changes to existing roadways that provide emergency access. Additionally, project construction would be limited to the project site itself, and construction activities would not restrict access to roadways providing emergency access. Operation of the project would require employees and transit vehicles to be on-site at various points throughout the day. However, this change is not anticipated to result in a significant increase in demand for emergency services, as the existing maintenance facilities for the bus fleet would be consolidated to the project site. Therefore, the project would not impair or interfere with an adopted emergency response plan or emergency services, and the impact would be less than significant.

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

Less than Significant Impact. The project site is vacant in a highly urbanized area, and there are no wildland or forested areas in the project vicinity. The project area is not within a designated fire hazard severity zone.[51] The 2023 Marin County Strategic Fire Plan designates the project area as a Category 1 fire threat region, representing the lowest risk of fire hazard for the County.[52] Therefore, the risk of the project site being impacted by wildland fires is less than significant.

[51] Marin County Open GIS. *Fire Hazard Severity Zones*. Updated May 14, 2024. Available at: https://gisopendata.marincounty.gov/datasets/marincounty::fire-hazard-severity-zones/explore?location=37.849357%2C-122.074419%2C9.87. Accessed April 7, 2025.

[52] Marin County. *2023 Marin County Unit Strategic Fire Plan & Community Wildfire Protection Plan (CWPP).* 2023. Available at: https://www.marincounty.gov/sites/g/files/fdkgoe241/files/2024-10/2023-marin-county-fire-plan.pdf. Accessed April 7, 2024.

2.10 Hydrology and Water Quality

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	☐	☐	☒	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☐	☐	☒	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) result in substantial erosion or siltation on- or off-site;	☐	☐	☒	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	☐	☐	☒	☐
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?	☐	☐	☒	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☐	☐	☒	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☐	☐	☒	☐

Regulatory Setting

Federal

Federal Clean Water Act

The Federal Clean Water Act was established to govern water quality laws across the county. In

California, the U.S. EPA works with the State Water Resources Control Board (SWRCB) to monitor water quality. The National Pollutant Discharge Elimination System (NPDES) as a component of these regulations, and NPDES monitors source pollutant discharge from point sources into waters governed by the federal government. Regional Water Quality Control Boards enforce these policies at a regional level. The project site is within the jurisdiction of the San Francisco Bay RWQCB.

National Flood Insurance Program

Established by the Federal Emergency Management Agency (FEMA), the National Flood Insurance Program aims to reduce harmful impacts of flooding by providing subsidized flood insurance to regions that comply with floodplain protection regulations as established by FEMA. FEMA publishes Flood Insurance Rate Maps (FIRMs) that identify Special Flood Hazard Areas (SFHAs), areas that may be inundated by the one percent annual chance flood, that may be likelier to experience flood-related damages over time.

State

Statewide Construction General Permit

The SWRCB implements an NPDES General Construction Permit for the State of California (Construction General Permit). A Notice of Intent (NOI) and Storm Water Pollution Prevention Plan (SWPPP) must be prepared by a qualified professional prior to commencement of construction for projects that disturb more than 1 acre of soil. The purpose of the General Construction Permit is to minimize the discharge of pollutants and to protect receiving waters from the adverse effects of construction-related storm water discharges.

Sustainable Groundwater Act of 2014

The Sustainable Groundwater Act provides a framework for sustainable management of groundwater supplies by local authorities to protect the groundwater in the state. Local groundwater sustainability agencies must assess conditions in their local water basins and adopt locally based management plans. The Department of Water Resources (DWR) is currently the organization leading the development and implementation of the act's regulations.

California Statewide Groundwater Elevation Monitoring (CASGEM)

California Statewide Groundwater Elevation Monitoring (CASGEM) was established by the Department of Water Resources in 2009 to require the monitoring of groundwater levels, typically by local agencies, to better understand long-term trends in groundwater elevation. Under CASGEM, regions with high and medium priority groundwater basins are required to prepare Groundwater Sustainability Plans.

Regional

Marin County Groundwater Elevation Monitoring Plan

The Marin County Groundwater Elevation Monitoring Plan (MCGEMP) was established to meet the requirements established by CASGEM. MCGEMP describes Marin County's approach to monitor groundwater levels and quality and limit adverse impacts to groundwater. Activities regarding well mapping and monitoring are also described in this plan.

Marin Water Urban Water Management Plan

Marin Water's Urban Water Management Plan (UWMP) describes Marin Water's water system, water supply, water usage, and a comparison of water demands throughout the years and seasons. This plan is updated every five years to be submitted to the Department of Water Resources. A 2025 update of the plan will soon be prepared and adopted.

Marin County Watershed Management Plan

Updated in 2004, the Marin County Watershed Management Plan (WMP) was implemented in 2004 to standardize watershed monitoring guidelines and measures for protecting existing watersheds.

Marin County Stormwater Pollution Prevention Program

Marin County Stormwater Pollution Prevention Program (MCSTOPPP) aims to prevent stormwater pollution, protect the quality of creeks and wetlands, and encourage beneficial uses of local waterways. MCSTOPPP tracks applicable stormwater regulations and documents internal compliance efforts. Discharge elimination activities, drain cleaning, creek maintenance, and public outreach efforts are described in annual reports issued under MCSTOPP.

Local

San Rafael General Plan 2040

The City's General Plan contains the following policies related to hydrology and water quality:

Policy S-3.3: Awareness and Disclosure	Maximize awareness and disclosure by providing information to property owners and the public on areas subject to increased flooding and sea level rise vulnerability.
Policy S-3.4: Mitigating Flooding and Sea Level Rise Impacts	Consider and address increased flooding and sea level rise impacts in vulnerable in development and capital projects, including resiliency planning for transportation and infrastructure systems
Policy S-3.5: Minimum Elevations	For properties in vulnerable areas, ensure that new development, redevelopment, and substantial additions to existing development meets a minimum required construction elevation. Minimum elevations and other architectural design strategies should provide protection from the potential impacts of a 100-year flood (a flood with a one percent chance of occurring in any given year), the potential for increased flooding due to sea level rise, and the ultimate settlement of the site due to

	consolidation of bay mud from existing and new loads and other causes.
Policy S-3.8: Storm Drainage Improvements	Require new development to mitigate potential increases in runoff through a combination of measures, including improvement of local storm drainage facilities. Other measures, such as the use of porous pavement, bioswales, and "green infrastructure" should be encouraged.
Policy S-3.9: Flood Control Improvements Funding	Pursue financing and funding opportunities to fund short-term and long-term flood control and adaptation projects. Funding tools and opportunities would include, among others tax or bond measures, assessment districts, geologic hazard abatement districts and grants. The City will also support legislation that provides regional, state, and federal funding for these projects, and will pursue such funding as it becomes available.

Existing Conditions

Water Supply

Water is provided to the project area by Marin Municipal Water District (Marin Water). Approximately 75 percent of Marin Water's water supply originates from rainfall on the Mount Tamalpais watershed and in the hills of west Marin. Marin Water manages seven reservoirs, which have a collective capacity of 80,000 acre-feet of water. The remaining 25 percent of the water supply is comprised of water from the Russian River system provided by the Sonoma County Water Agency, as well as recycled water provided by Las Galinas Valley Sanitary District. Marin Water's total potable and raw water demand within their district was 25,319 acre-feet per year on average between 2016 and 2020. Taking into account historical water use, expected population increase and other growth, climatic variability, and other assumptions, total potable and raw water (excluding environmental releases) demand within the service area is projected to increase to 29,316 acre-feet per year by 2045, a change of 13.6% compared to the 2016-2020 average. Based on analysis in Marin Water's 2020 Urban Water Management Plan, Marin Water is expected to have adequate water supplies during normal years, single dry years, and multiple dry years to meet projected demands through 2045.[53]

Marin Water is responsible for drafting, updating, and implementing the Urban Water Management Plan, which describes water use demands and targets, water distribution systems, and planning measures for possible drought events.

[53] Marin Water, 2024. *Updated 2020 Urban Water Management Plan for Marin Municipal Water District*.

Stormwater

The project area is governed by the San Francisco Bay RWQCB (Water Board). In 2009, a final Municipal Regional Stormwater NPDES Permit (MRP) was adopted by the Water Board (Permit Number CA0038628). This permit applies to several water facilities in the north Bay Area, including the San Rafael Sanitation District. Under the MRP, the San Rafael Sanitation District will repair and replace 1.5 miles of sewer lines each year, establish a lateral inspection ordinance, and submit annual progress reports regarding water quality and regulatory standards.

Groundwater

The project site is within the San Rafael Valley Groundwater Basin area, which has an average well depth of 159 feet.[54] Previous geotechnical reports indicate that groundwater was detected at depths of six to eight feet below the surface. Fluctuations in groundwater levels are common due to seasonal changes, underground drainage, regional changes, and other factors.

Tsunamis and Seiches

Shifts in the sea floor, called submarine earthquakes, may result in large ocean waves called tsunamis. Seiches are waves produced in a contained body of water, like lakes or reservoirs, by seismic ground shaking or landslides. The project site is in proximity to the San Rafael Bay, and it is within a California tsunami hazard area. The project site is within a California tsunami hazard area, indicating that this area is at an elevated risk of tsunamis.[55]

Impact Discussion

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

Less than Significant Impact. The project site is comprised solely of pervious surface with impervious sidewalks surrounding the site. Implementation of the project would require the off-haul of approximately 17,000 cubic yards of soil and covering the site with approximately 150,850 square feet of impervious surfaces, a surface parking lot and a bus operations and maintenance facility. Construction of the project shall comply with the applicable BMPs outlined in the regional MRP. As the project construction would disturb more than 1 acre of land, the project would be subject to the regulations outlined in the state NPDES General Construction Permit. The state NPDES General Construction Permit requires that a Notice of Intent (NOI) must be submitted to the State Water Resources Control Board (SWRCB).

The project would consolidate multiple existing bus maintenance facilities into a single, modernized facility. As part of routine operations project would require daily bus maintenance that would include daily bus washing activities requiring potential use of detergents, water runoff, and pollutant discharge

[54] Marin County. Marin County Groundwater Elevation Monitoring Program. Updated May 2019. Accessed at: https://www.marincounty.org/-/media/files/departments/cd/ehs/water/groundwater-resources/marincasgemplan062019.pdf?la=en#:~:text=Basin%202%2D029%20San%20Rafael,the%20basin%20averages%2033%20inches.

[55] California Governor's Office of Emergency Services. MyHazards. Updated 2015. Accessed February 10, 2025. Accessible at: https://myhazards.caloes.ca.gov/

(e.g., oils, brake dust). These activities would not introduce a new type of operation, but rather continue existing practices in a centralized location. Vehicle washing would occur in designated wash bays equipped with pretreatment filtration to ensure compliance with applicable water quality regulations. Wash water would be directed to the sanitary sewer system and managed in accordance with local wastewater discharge requirements and the Clean Water Act.

As the project consolidates existing operations and includes design features and operational controls to prevent water quality impacts; the project would not violate any water quality standards or waste discharge requirements, nor substantially degrade surface water or groundwater quality.

Compliance with the standard control measures outlined in the NPDES permit would ensure that impacts to water quality or waste discharge are less than significant during project construction and operation. By complying with the regulations of this permit, any potential impacts to surface or groundwater quality would be less than significant.

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

Less than Significant Impact. Potable water services would be provided to the project site by Marin Municipal Water District (Marin Water). The project would not involve groundwater extraction or construction of new wells. Therefore, the project would not directly reduce groundwater supplies.

While excavation for prior projects at this site has been conducted at depths as shallow as 6 feet below ground surface (BGS) in the region, project excavation is anticipated to extend to a maximum depth of approximately 10 feet. If groundwater is encountered during construction, temporary dewatering may be required; however, this would be limited in duration and scope, and would not result in long-term changed in the groundwater levels or supply therefore, potential effects (i.e., impediment on groundwater recharge) on groundwater levels are limited in nature.

The project would result in impervious surfaces, which could reduce the amount of surface water that would otherwise percolate into the ground and recharge into the groundwater basin. However, due to the size of the project, any reduction in groundwater recharge would be minimal in the context of the regional basin. Additionally, the project will comply with applicable stormwater management regulations, including the use of Low Impact Development (LID) features or other Best Management Practices (BMPs), which are designed to promote infiltration and minimize impacts on groundwater recharge. Given the limited potential for groundwater extraction, the minimal change in recharge capacity, and the scale of any potential dewatering during construction, the project would not substantially decrease groundwater supplies or interfere with sustainable groundwater management. Therefore, the impacts would be less than significant.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site;

Less than Significant Impact. The project site is located within the San Rafael Creek Watershed. This watershed includes the Mahon Creek, Irwin Creek, Lincoln Creek, and Black Canyon, and it drains into

the San Rafael Bay. The project site is approximately 0.5 mile away from the nearest segment of San Rafael Creek, and project development would not result in the alteration of the creek, nor would any construction occur near the creek.

The project would convert the site from pervious to impervious surface which has the potential to impact groundwater recharge. However, the amount of new impervious surface is relatively small compared to the overall floodplain, and it is not anticipated to increase the risk of flooding and subsequent erosion. As part of the construction of the project, on-site erosion measures (i.e., stormwater treatment) would be implemented to reduce alteration and/or erosion on- or off-site. Additionally, the project would be required to comply with NPDES General Permit measures that would reduce further impacts to the existing stormwater conveyance system. Therefore, the project is anticipated to have a less than significant impact on erosion.

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

AND

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;

AND

iv. Impede or redirect flood flows?

Less than Significant Impact. The project would alter the drainage of the site, as it would become developed land, and impervious surface will be added. A drainage plan would be prepared and implemented as a component of the project. The project applicant would be required to develop a site-specific stormwater management plan as well. Compliance with this plan would ensure that stormwater volumes within the project site would not be significantly altered. The project site is also subject to the requirements of the MRP issued for the San Francisco Bay RWQCB.

As stated above, the project would be subject to the requirements of the state's NPDES permit. The permit would require that post-construction runoff be treated using low impact development (LID) treatment controls and biotreatment facilities. Site drainage would convey stormwater to onsite retention areas and treatment facilities as well as the City's stormwater system.

The anticipated amount of stormwater runoff would not be significantly more than existing conditions, as the project site is in a developed area. Therefore, the project would not contribute to stormwater runoff which would exceed the capacity of the existing or planned stormwater drainage system, and impacts would be less than significant.

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

Less than Significant Impact. The project site is within a state-designated area of tsunami risk, in part due to its proximity to the San Rafael Bay.[56] The project site is 0.53 miles away from the nearest

[56] State of California, 2021. *Tsunami Hazard Area Map, Marin County.* Produced by California Geological Survey and California's Governor's Office of Emergency Services. Available: https://chatgpt.com/c/6870155a-1ed8-8003-84c4-dfac549075f9. Accessed: July 2025.

segment of San Rafael Creek, and it is 0.67 mile from the San Rafael Bay. The project site is also within the FEMA-designated 100-year floodplain, indicating that there is a 1 percent annual risk of flooding. The project site's proximity to bodies of water, as well as its location within tsunami and flood hazard zones, indicate that there would be a higher potential for adverse climate events in this area. However, the project site would be consistent with the flood-related policies described in the San Rafael General Plan 2040. Comprehensive drainage systems and compliance with applicable flood mitigation programs would reduce the risk of release of pollutants due to flood-related damages in addition to on-site storm water treatment and control of the quantity of runoff built into the design of the project. Therefore, impacts related to the release of pollutants due to project inundation would be less than significant with mitigation.

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

Less than Significant Impact. Project construction would be consistent with the regulations set forth by MCSTOPPP and the Marin County Groundwater Elevation Monitoring Plan to prevent adverse impacts to groundwater and water quality. As project construction would comply with these regulations, impacts related to water quality control plans and groundwater management plans would be less than significant.

2.11 Land Use and Planning

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Physically divide an established community?	☐	☐	☐	☒
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?	☐	☐	☒	☐

Regulatory Setting

Local

San Rafael Municipal Code of Ordinances Section 14.05.020-14.05.020

Section 14.05.020 outlines acceptable land uses for each zoning designation within San Rafael. Minimum lot areas, maximum building heights, and parking requirements are outlined in these sections. Public, quasi-public, and community uses are permissible under the General Commercial zoning if a conditional use permit is submitted and approved.

San Rafael General Plan 2040

The City's General Plan contains the following policies related to land use and planning:

Policy C-2.1: State and Federal Air Quality Standards	Continue to comply with state and federal air quality standards.
Policy C-2.2: Land Use Compatibility and Buildings Standards	Consider air quality conditions and the potential for adverse health impacts when making land use and development decisions. Buffering, landscaping, setback standards, filters, insulation and sealing, home HVAC measures, and similar measures should be used to minimize future health hazards.
Policy C-2.3: Improving Air Quality Through Land Use and Transportation Choices	Recognize the air quality benefits of reducing dependency on gasoline-powered vehicles. Implement land use and transportation policies, supportable by objective data, to reduce the number and length of car trips, improve alternatives to driving, reduce vehicle idling, and

	support the shift to electric and cleaner-fuel vehicles.
Policy C-2.4: Particulate Matter Pollution Reduction	Promote the reduction of particulate matter from roads, parking lots, construction sites, agricultural lands, wildfires, and other sources.
Policy C-2.5: Indoor Air Pollutants	Reduce exposure to indoor air pollutants such as mold, lead, and asbestos through the application of state building standards, code enforcement activities, education, and remediation measures.
Policy C-4.1: Renewable Energy	Support increased use of renewable energy and remove obstacles to its use.
Policy C-5.4: Municipal Programs	Implement and publicize municipal programs to demonstrate the City's commitment to sustainability efforts and reducing greenhouse gases.
Policy M-1.4: Transportation Innovation	Take a leadership role in delivering innovative transportation services and improvements.
Policy M-3.1: VMT Reduction	Achieve State-mandated reductions in Vehicle Miles Traveled [VMT] by requiring development and transportation projects to meet specific VMT metrics and implement VMT reduction measures.
Policy M-3.3: Transportation Demand Management	Encourage, and where appropriate require, transportation demand measures that reduce VMT and peak period travel demand. These measures include, but are not limited to, transit passes and flextime, flexible work schedules, pedestrian and bicycle improvements, ridesharing, and changes to project design to reduce trip lengths and encourage cleaner modes of travel.
Policy M-3.5: Alternative Transportation Modes	Support efforts to create convenient, cost-effective alternatives to single passenger auto travel. Ensure that public health, sanitation, and user safety is addressed in the design and operation of alternative travel modes.

Policy M-3.6: Low Carbon Transportation	Encourage electric and other low-carbon emission vehicles, as well as the infrastructure needed to support these vehicles.
Policy M-3.8: Land Use and VMT	Encourage higher-density employment and residential uses near major transit hubs such as Downtown San Rafael, recognizing the potential for VMT reduction in areas where there are attractive alternatives to driving, concentrations of complementary activities, and opportunities for shorter trips between different uses.
Policy M-4.1: Sustaining Public Transportation	Support a level of transit service frequency and routing that promotes transit usage, avoids overcrowding, and makes transit an attractive alternative to driving.
Policy M-4.4: Local Transit Options	Encourage local transit systems that connect San Rafael neighborhoods, employment centers, and other destinations.
Policy M-4.4: Local Transit Options	Encourage local transit systems that connect San Rafael neighborhoods, employment centers, and other destinations.
Policy M-4.5: Transit and the Environment	Encourage a less carbon-intensive transit system with reduced environmental impacts. This could include electrification of buses and trains, and the use of smaller vehicles in areas of lower demand. Environmental costs and benefits should be a critical factor when evaluating transit service improvements over the long- and short-term.
Policy LU-2.1: Land Use Map and Categories	Use the General Plan Map as the framework for future land use decisions. The Map displays the distribution of different land use categories in the San Rafael Planning Area. Each category is associated with a particular set of uses and densities/ intensity standards. All proposed projects must meet these standards, as well as other applicable standards established by the City's zoning regulations. Some uses in each category are "conditional," meaning they are

	allowed only in limited areas or may be subject to specific conditions
Policy N-1.6C: Paving and Transit Improvements	Noise reduction should be considered an important benefit as the City and its transit service providers transition to electric vehicles

Existing Conditions

The project site is designated as Community Commercial Mixed Use by the San Rafael General Plan. The General Plan explains: "This category corresponds to general retail and service uses, restaurants, automobile sales and service uses, hotels/ motels, and other commercial activities. Offices are also permitted, except where specifically precluded by General Plan policies. Mixed use projects that combine housing and commercial uses are encouraged. Projects that are entirely residential are permitted, although limitations may apply in certain zoning districts to ensure that adequate land is provided for activities generating sales tax, jobs, and local service opportunities."

The project site is a 3.5-acre vacant lot that previously operated as a car sales lot. The site is bound by Francisco Boulevard East to the west, Kerner Boulevard to the east, and commercial and automotive businesses to the north and south.

The San Rafael Municipal Code of Ordinances zones the project site for General Commercial uses. The Zoning designation is described as a district that "promotes a full range of retail and service used in major shopping centers and certain areas of the city which have freeway or major street access and visibility. Residential use is allowed with a use permit. Offices are conditional secondary uses, for example, on portions of sites with poor retail visibility. Floor Area Ration (FAR), trip allocation and design criteria vary throughout the district in response to specialized conditions recognized in the general plan." Building height may not exceed 36 feet.

As outlined in San Rafael Municipal Code Section 14.05.020, General Commercial use may allow for public, quasi-public, and community uses, such as maintenance or storage yards, are permissible as a conditional use.

On August 6, 2024, the District requested the City provide a Report on Conformity with the General Plan. On September 13, 2024, the City Community & Economic Development Director issued the City's responsive report (**Appendix F**). The report concludes that Marin Transit's acquisition of the project site and use for an electric vehicle bus operations and maintenance facility would not be consistent with the City's General Plan -- Community Commercial Mixed Use land designation. On October 24, 2024, the District considered and acted on the City's report. As the District noted, the General Plan contemplates "automobile services" uses in the Community Commercial Mixed Use category, and the zoning ordinance permits, with a conditional use permit approved by the Zoning Administrator:

- Parking facilities, commercial or municipal
- Repairs, major (engine work, painting, and body work)
- Repairs, minor (tune-ups, brakes, batteries, tires, mufflers and upholstery)

These permitted uses are similar to the proposed project and, thus, are a basis to conclude that the project is consistent with the General Plan Land Use element and zoning ordinance.

San Rafael's General Plan includes 13 elements. As the General Plan explains, each element carries the same legal weight and "[n]o one element supersedes another" (General Plan, page 1-2). The City's September 13 report discusses only the Land Use and Neighborhood elements of the General Plan; the City's report does not discuss how the proposed project aligns with other elements of the City's General Plan, such as the Conservation and Climate Change and Mobility elements. Marin Transit's October 24, 2024 report highlights some of the provisions of the San Rafael General Plan that were not addressed in the City's report but which appear to have direct bearing on whether the proposed project conforms with the City's General Plan. The excerpts illuminate two themes in the City's General Plan:

(1) reducing car trips, improving alternatives to driving, and supporting shifts to zero emission vehicles as strategies the General Plan embraces to achieve San Rafael's climate policies, and

(2) supporting accessible, reliable, and cost-effective transit services, particularly for the benefit of San Rafael's seniors, youth, low-income households, and persons with disabilities, are General Plan goals to advance equity in the community.

The proposed project could directly advance express policies, goals, and programs in the City's General Plan around climate, mobility, and equity. Based on this more complete look at the General Plan, there appears to be ample basis for the City to conclude the proposed project conforms with the General Plan.

The proposed project is harmonious with surrounding land uses. Many parcels in the vicinity of the project site are designated Light Industrial/Office under the General Plan. San Rafael has stated that electric vehicle charging and maintenance would be consistent with the City's Light Industrial/Office designation and, thus, consistent with many of the properties surrounding the project site.

The proposed project is also harmonious with the actual current uses of properties adjacent to the site. Those uses include auto repair shops, tire shops, tile store and warehouse, car wash, health and beauty products warehouse, a sofa store, a ski shop and freeway use.

Impact Discussion

a) Physically divide an established community?

No Impact. The physical division of an established community typically results from the construction of a physical barrier or a removal of a means of access that would impair mobility within or between existing communities. The project would not physically divide an established community, as the project is located within a developed area. Therefore, there would be no impacts regarding the physical division of a community.

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?

Less than Significant Impact. As described above, notwithstanding the City's September 13, 2024 report, there appears to be a basis to conclude that the proposed project is consistent with the General Plan, which contemplates automobile services" and which contains numerous policies that would be directly

and indirectly supported by the proposed project. There also appears to be a basis to conclude that the proposed project is consistent with the City's zoning ordinance, which permits: parking facilities, commercial or municipal; repairs, major (engine work, painting, and body work); and repairs, minor (tune-ups, brakes, batteries, mufflers and upholstery).

While the District is exempt from the City of San Rafael local ordinances with the exception of an encroachment permit, the project would not conflict with any land use designation, plan, policy, or regulation adopted for the purpose of avoiding or mitigation an environmental effect. Construction of the project would not conflict with existing land use plans, policies, or regulations adopted by the City, and there is no evidence that such a conflict (if it existed) would cause a significant environmental impact. Additionally, the project would be compatible with all adjacent land uses and, as documented throughout this Initial Study, would not result in significant environmental impacts. Therefore, the project would not result in a significant land use impact due to incompatibility with surrounding land uses, and the impact is less than significant.

2.12 Mineral Resources

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
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?	☐	☐	☐	☒
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?	☐	☐	☐	☒

Regulatory Setting

State

Surface Mining and Reclamation Act (Public Resources Code § 2710-2796)

The Surface Mining and Reclamation Act (SMARA) was established in 1975 by California Legislature. SMARA regulates surface mining activities to minimize adverse environmental impacts and reclaim mined lands to a usable condition. SMARA also encourages the conservation and protection of the state's mineral resources. Public Resources Code § 2207 outlines annual reporting requirements for mines in the state, which are managed under the State Mining and Geology Board (SMGB). SMARA also allowed the SMGB, after receiving classification information from the State Geologist, to designate lands containing mineral deposits of regional or statewide significance.

California Geologic Survey

The California Geologic Survey (CGS) is a state-level agency that is responsible for identifying and mapping mineral resource locations in California. CGS classifies lands into Aggregate and Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board as mandated by SMARA.

Local

San Rafael General Plan 2040

The City's General Plan contains the following policies related to mineral resources, specifically the San Rafael Rock Quarry (2350 Kerner Boulevard):

Policy C-1.18: Mineral Resource Management	Work with the County of Marin to permit the continued use of property in the San Rafael sphere of influence for mineral resource extraction, subject to permitting procedures and mitigation requirements that reduce potential adverse impacts on the natural environment and surrounding uses.

Existing Conditions

The City of San Rafael's Sphere of Influence encompasses unincorporated areas that may receive certain services from the City. The City's Planning Area includes the City of San Rafael, its Sphere of Influence, and land beyond the Sphere of Influence that is associated with San Rafael; the Planning Area includes Lucas Valley, Marinwood, and ranchland to the northwest and northeast of the City. There are 0 acres of Mineral Resources land within the City. However, according to the City's General Plan, there are 246 acres of Mineral Resources land at the San Rafael Rock Quarry. The quarry is outside of City limits but is still within the San Rafael Planning Area. As the quarry is outside of the City limits and not in proximity of the project site, the project would not have an impact on any known mineral resources.

Impact Discussion

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?

AND

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 Impact. As noted above, no mineral resources are located within the City. Additionally, the project would not result in the loss of availability of locally important mineral resource recovery sites. Therefore, the project would not have an impact on any known mineral resources that would be of value to the region and residents of the state. Therefore, no impact would occur.

2.13 Noise and Vibration

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project result in:				
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?	☐	☒	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☐	☒	☐	☐
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?	☐	☐	☐	☒

The following discussion is based in part on a Noise and Vibration Technical Report prepared for the project in May 2025. A copy of this report is included in Appendix D to this Initial Study.

Regulatory Setting

Federal

Federal Transit Administration (FTA) Transit and Noise Vibration Impact Assessment Manuel

The FTA provides reasonable criteria for assessing construction noise impacts based on the potential for adverse community reaction in their *Transit and Noise Vibration Impact Assessment Manual*.[57] For residential uses, the daytime noise threshold is 80 decibels (dBA) equivalent continuous sound level (L_{eq}).

Construction activity can result in varying degrees of ground vibration, depending on the equipment and methods employed. The operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Buildings founded on the soil near the construction site respond to these vibrations with varying results, ranging from no perceptible effects at the lowest levels, low rumbling sounds and perceptible vibrations at moderate levels, and slight damage at the highest levels.

[57] Federal Transit Administration. 2018. Transit Noise and Vibration Impact Assessment. Available: https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/research-innovation/118131/transit-noise-and-vibration-impactassessment- manual-fta-report-no-0123_0.pdf. Accessed: May 2025.

While ground vibrations from construction activities do not often reach the levels that can damage structures, fragile buildings must receive special consideration. The construction vibration criteria include consideration of the building condition.

The key elements of the Construction Vibration Assessment procedures and recommended workflow are presented in the manual in detail with the following steps:

- Step 1: Determine level of construction vibration assessment
- Step 2: Use a qualitative construction vibration assessment
- Step 3: Use a quantitative construction vibration assessment
- Step 4: Assess construction vibration impact
- Step 5: Determine construction vibration mitigation measures

Occupational Health and Safety Administration

The Federal Government regulates occupational noise exposure common in the workplace through the OSHA under the EPA. Noise limitations would apply to the operation of construction equipment and could also apply to operational equipment proposed as part of the project. Noise exposure of this type is dependent on work conditions and is addressed through a facility's Health and Safety Plan, as required under OSHA.

State

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards, and provides guidance for local land use compatibility. State law requires each county and city to adopt a General Plan that includes a Noise Element prepared per guidelines adopted by the Governor's Office of Planning and Research. The purpose of the Noise Element is to limit the exposure of the community to excessive noise levels. The California Environmental Quality Act requires all known environmental effects of a project to be analyzed, including environmental noise impacts.

Local

San Rafael 2040 General Plan

The City's General Plan contains the following policies to noise and vibration:

Policy N-1.3: Reducing Noise Through Planning and Design	Use a range of design, construction, site planning, and operational measures to reduce potential noise impacts.
Policy N-1.2: Maintaining Acceptable Noise Levels	Use the following performance standards to maintain an acceptable noise environment in San Rafael: (a) New development shall not increase noise levels by more than 3 dB Ldn in a residential area, or by more than 5 dB Ldn in a non-residential area. (b) New development shall not cause noise levels to increase above the "normally acceptable" levels shown in Table 9-2 of the noise Element. (c) For larger projects, the noise levels in (a) and (b) should include any

	noise that would be generated by additional traffic associated with the new development. (d) Projects that exceed the thresholds above may be permitted if an acoustical study determines that there are mitigating circumstances (such as higher existing noise levels) and nearby uses will not be adversely affected.
Policy N-1.6: Traffic Noise	Minimize traffic noise through land use policies, law enforcement, street design and improvements, and site planning and landscaping.
Policy N-1.6C: Paving and Transit Improvements	Noise reduction should be considered an important benefit as the City and its transit service providers transition to electric vehicles
Policy N-1.9: Maintaining Peace and Quiet	Minimize noise conflicts resulting from everyday activities such as construction, sirens, yard equipment, business operations, night-time sporting events, and domestic activities.
Policy N-1.11: Vibration	Ensure that the potential for vibration is addressed when transportation, construction, and non-residential projects are proposed, and that measures are taken to mitigate potential impacts.

Existing Conditions

The most prominent source of noise in the project site vicinity is traffic noise from Francisco Boulevard East and Castro Avenue, and from Interstate 580. Other noise sources are similar to commercial and industrial uses surrounding the site. The City of San Rafael Municipal Code, Chapter 8.13, specifies noise regulations within the City. Specifically, Section 8.13.040 presents general nose limits for various land uses.

Land Use	Daytime Noise Limits	Nighttime Noise Limits
Residential	60 dBA Intermittent	50 dBA Intermittent
	50 dBA Constant	50 dBA Constant
Mixed Use	65 dBA Intermittent	55 dBA Intermittent
	55 dBA Constant	45 dBA Constant
	40 dBA Intermittent	35 dBA Intermittent

Multifamily residential (interior sound source)	35 dBA Constant	30 dBA Constant
Commercial	65 dBA Intermittent	65 dBA Intermittent
	55 dBA Constant	55 dBA Constant
Industrial	70 dBA Intermittent	70 dBA Intermittent
	60 dBA Constant	60 dBA Constant
Public Property	Most restrictive noise limit applicable to adjoining private property	Most restrictive noise limit applicable to adjoining private property

Noise Sensitive Receptors

Noise-sensitive land uses are generally considered to include those uses where noise exposure could result in health-related risks to individuals, as well as places where quiet is an essential element of their intended purpose. Residential dwellings are of primary concern because of the potential for increased and prolonged exposure of individuals to both interior and exterior noise levels. Recording studios and concert halls are also included in this category. Additional land uses such as parks, historic sites, cemeteries, and recreation areas are considered sensitive to increases in exterior noise levels. Schools, churches, hotels, libraries, and other places where low interior noise levels are essential are also considered noise-sensitive land uses. The closest noise-sensitive receptors to the project sites are: 1) Commercial recording studio to the south (31 feet), and 2) Marin Health and Wellness Campus to the east along Kerner Boulevard (461 feet). Additionally, the nearest residential uses are the single-family residences to the east, located 1,482 feet from the project site (see **Figure 6**).

Impact Discussion

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?

Less than Significant Impact with Mitigation.

Construction

Construction activities (expected to last 18 to 24 months) associated with the project would result in temporary, intermittent noise level increases which may expose nearby sensitive receptors to increased noise levels. The City of San Rafael Code of Ordinances Section 8.13.050 has a maximum noise threshold of 90 dBa L_{max}, and construction activity is anticipated to generate noise levels up to 71.0 dBA L_{max} at the nearest sensitive receptor, specifically the commercial buildings south of the project site (see **Table 8**).

Table 8 Noise Sensitive Land Uses

Noise Sensitive Land Uses	Distance to Project Site (feet)	Estimated Construction Noise Levels [dBA Lmax]	Exceed Threshold of 90 dBA Lmax?
Commercial Buildings south of the Project Site	31	71.0	No
Marin Health and Wellness Facility	461	62.4	No

Source: Impact Sciences, July 2025.

The increase in noise at off-site sensitive receptors during each phase of construction of the project would be temporary in nature and would not generate continuously high noise levels, although occasional single-event disturbances from construction could occur. Construction noise would typically be higher during the heavier periods of initial construction (i.e., site preparation and grading work) and reduced in the later construction phases (i.e., interior building construction) because the physical structure of the building would break line-of-sight noise transmission from the construction area to the nearby sensitive receivers.

Noise levels would fluctuate depending on the construction phase, equipment type and duration of use, distance between the noise source and receivers, and presence or absence of intervening structures, terrain, or other noise attenuation barriers.

As noted above, construction activity would generate noise levels of up to 71.0 dBA L_{max} at the nearest sensitive receptor, that would not exceed the City's construction noise thresholds (see **Figure 6**).

With respect to potential interior noise levels for Sensitive Receptor No. 1 (recording studio) during project construction, the FTA has established an interior noise impact criteria of 25 dBA for recording studios.[58] The City of San Rafael Code of Ordinances does not have a specific interior noise criteria for recording studios. The recording studio operates at 1101 Francisco Boulevard East within a one-story concrete building with no windows on the northern façade fronting the project site. Based on these characteristics, the building shell alone would provide an exterior-to-interior attenuation of at least 35 dBA,[59] resulting in an approximate interior noise level of 36 dBA L_{max} (71.0 dBA minus 35 dBA). These noise levels would be even further attenuated by insulation associated with recording studio uses. Nevertheless, as the studio specific noise attenuation is unknown, project construction has the potential to exceed the FTA's interior noise impact criteria of 25 dBA for recording studios, which would be a potentially significant impact. Implementation of **Mitigation Measure NOI-1** reduces the potential impact to a less than significant with mitigation.

> **Mitigation Measure NOI-1**: Barriers, such as plywood structures or flexible sound control curtains shall be erected along the southern perimeter of the construction site, and around stationary equipment as feasible (i.e., generators, air compressors, etc.) to minimize the amount of noise during construction on Sensitive Receptor No. 1.

[58] Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual, Table 6-4 (Indoor Ground- Borne Vibration and Noise Impact Criteria for Special Buildings), September 2018.

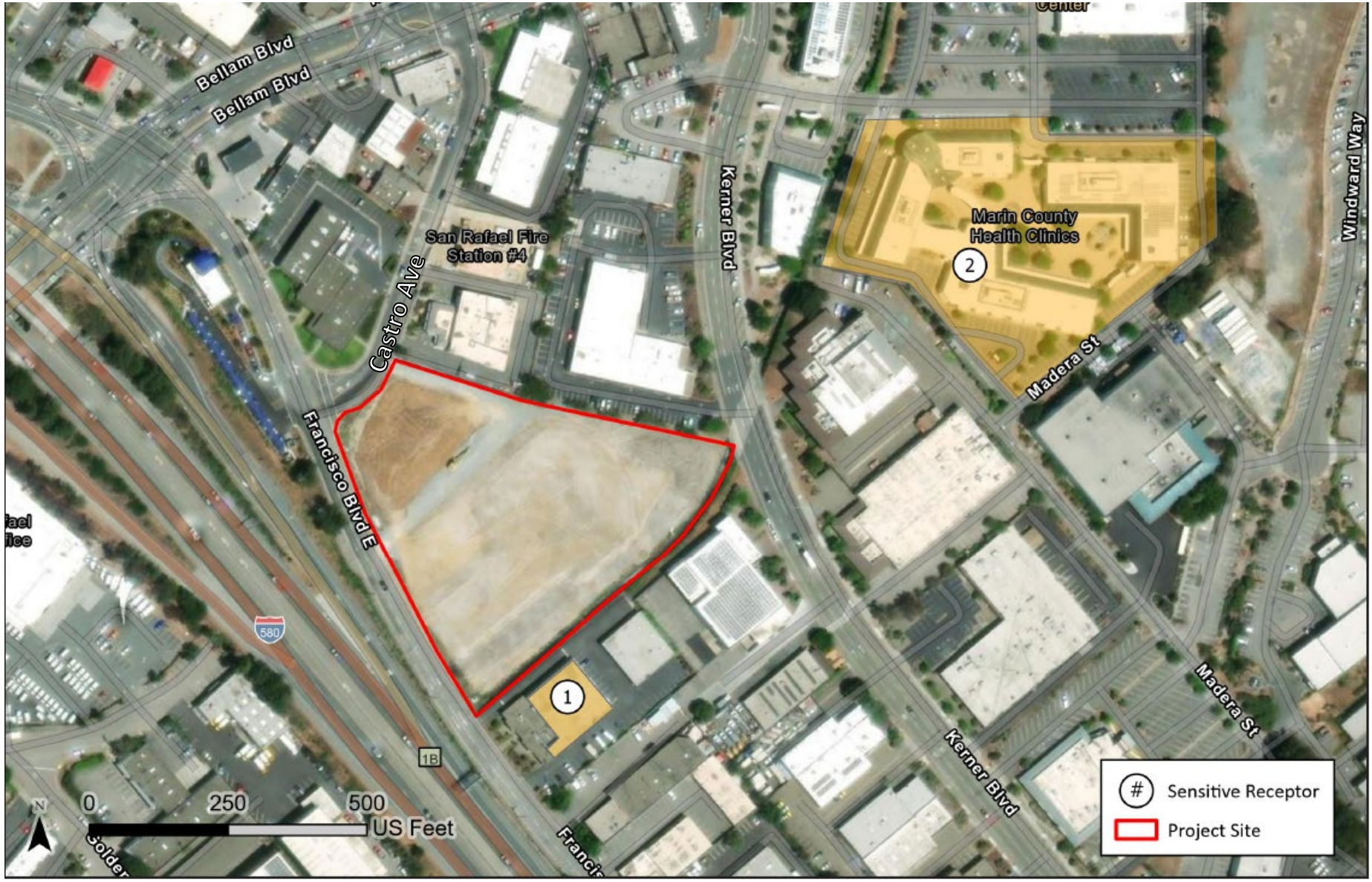
[59] See Table 2, Building Noise Reduction Factors, based on Federal Highway Administration, Highway Traffic Noise: Analysis and Abatement Guidance. December 2011.

> Perimeter barriers shall be at least eight (8) feet in height and constructed of materials achieving a Transmission Loss (TL) value of at least 15 dB(A), such as ½ inch plywood.[60]

Mitigation Measure NOI-1 would reduce construction noise levels by at least 15 dBA, which would reduce exterior construction noise levels to 56.0 dBA L_{max} (71.0 dBA minus 15 dBA) at Sensitive Receptor No. 1 (recording studio). As stated above, the building shell alone would provide an exterior-to-interior attenuation of at least 35 dBA, resulting in an approximate interior noise level of 21 dBA L_{max} (56.0 dBA minus 35 dBA).

Furthermore, Marin Transit is planning for project construction to occur only during times consistent with the approved times outlined in Section 8.13.050 of the San Rafael Code of Ordinances, and construction activities would be short-term and intermittent. Therefore, project impacts regarding increases in ambient noise levels related to construction would be less than significant with adherence to Mitigation Measure NOI-1.

[60] Based on the FHWA Noise Barrier Design Handbook, Table 3, Approximate sound transmission loss values for common materials, February 2000, updated August 24, 2017.



Sensitive Noise Receptors Map **Figure 6**

Source: Impact Sciences, 2025

Operation

On-site noise sources during operation of the project would include parking/vehicular circulation, mechanical equipment (such as HVAC equipment), and facility operations such as bus maintenance and washing. Each of these noise sources is discussed below.

Parking/Vehicle Circulation. Vehicular noise is generated by the project site's surrounding uses, as the project is in an urbanized environment. While the project would increase the number of vehicles parking in the area, the type and level of noise would be similar to those already occurring in the project vicinity. Additionally, the operation of municipal vehicles is exempt from the general noise limits established in Chapter 8.12 of the San Rafael Municipal Code.

Mechanical Equipment. Mechanical equipment associated with project operations, particularly HVAC units, would generate on-site stationary noise. The nearest sensitive receptor to the project site is more than 150 feet away. HVAC-related noise would not exceed 52 dBA L_{eq} at the nearest sensitive receptor, which is below the 55 dBA standard for commercial uses as designated in the San Rafael Municipal Code. HVAC units would be shielded from surrounding land uses due to the location of the building from the sensitive receptors, further blocking line-of-sight noise transmission.

Bus Maintenance and Washing. Nearby noise measurements of an automotive repair shop were measured at approximately 62.1 dBA L_{eq} at a distance of 60 feet away. The nearest sensitive receptor to bus maintenance bays and washing stations is more than 250 feet away, and noise associated with project activities would not exceed 50 dBA L_{eq}, which is below the 55 dBA L_{eq} threshold established in the San Rafael Municipal Code.

Furthermore, the project would generate new vehicle trips per day, which would increase local roadway noise levels by a maximum of 0.1 dBA L_{dn}, which would not exceed the 1.5 dBA L_{dn} threshold established by the San Rafael Municipal Code. As none of the noise thresholds identified in the San Rafael Municipal Codes, impacts related to construction-related and operational noise would be less than significant.

b) Generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant Impact with Mitigation.

Construction

FTA provides ground-born vibration impact criteria with respect to building damage during construction activities. PPV, expressed in inches per second, is used to measure building vibration damage. Construction vibration damage criteria are assessed based on structural category (e.g., reinforced-concrete, steel, or timber). It should be noted there are no known off-site historic buildings or buildings that are extremely susceptible to vibration damage within proximity to the project site.

Equipment used throughout the project's construction process would generally include scrapers, blades, bulldozers, excavators, skid steers, loaders, concrete trucks, dump trucks, and a small crane. The maximum vibration velocities expected to be produced by project construction equipment would be 0.064 inch/second PPV, which is below the FTA receptor significance threshold of 0.3 inch/second PPV. As a best management practice, heavy construction equipment would operate at a minimum distance of 140 feet from off-site structures. Additionally, if heavy construction equipment is required to be used within 140 feet of off-site structures, operation of this equipment would be scheduled, noticed, and

coordinated. These features would reduce the groundborne vibrations felt at off-site structures and would ensure that vibration levels remain below FTA's 65 VdB impact threshold.

Vibration levels at off-site structure No. 1 (recording studio) could reach 84 VdB when heavy equipment, such as large bulldozer, operators along the southern property line (i.e., within 31 feet of the receptor). Based on FTA guidance, recording studios are considered a Category I land use and have a groundborne vibration impact criteria of 65 VdB. As such, the FTA's 65 VdB impact criteria could be exceeded at off-site structure No. 1 (recording studio), which would be a potentially significant impact. Implementation of **Mitigation Measure NOI-2** and **Mitigation Measure NOI-3** reduces the potential impact to a less than significant level. All other uses operating within the adjacent commercial buildings do not have vibration-sensitive interior operations, and construction-related vibration impacts associated with human annoyance on those uses would be less than significant.

> **Mitigation Measure NOI-2**: The construction contractor shall prohibit the use of heavy construction equipment (such as a large bulldozer or any piece of equipment capable of generating vibration levels of 0.089 PPV and 87 VdB or greater at a distance of 25 feet) to areas at a minimum distance of 140 feet from off-site structure No. 1 (recording studio), or approximately 109 feet from the project site's southern property line. Smaller equipment, such as a small bulldozer, can be used up to the project site's southern property line.
>
> **Mitigation Measure NOI-3**: If heavy construction equipment (such as a large bulldozer or any piece of equipment capable of generating vibration levels of 0.089 PPV and 87 VdB or greater at a distance of 25 feet) is required to be used within 140 feet of off-site structure No. 1 (recording studio), or approximately 109 feet from the project site's southern property line, the construction contractor shall provide written notice to the recording studio 60 days in advance of such activity. The written notice shall identify the dates of activity, the hours of activity, types of equipment to be used, and the vibration levels anticipated at off-site structure No. 1 (recording studio).

With respect to construction-related vibration impacts at off-site structure No. 1 (recording studio), Mitigation Measure NOI-2 would prohibit the use of heavy construction equipment, such as a large bulldozer, to areas at a minimum distance of 140 feet from off-site structure No. 1 (recording studio), or approximately 109 feet from the project site's southern property line. Smaller equipment, such as a small bulldozer, can be used up to the project site's southern property line without exceeding the FTA's 65 VdB impact criteria at offsite structure No. 1 (recording studio).

In the event that heavy construction equipment, such as a large bulldozer or any piece of equipment capable of generating vibration levels of 0.089 PPV and 87 VdB or greater at a distance of 25 feet, is required to be used within 140 feet from off-site structure No. 1 (recording studio), or approximately 109 feet from the project site's southern property line, implementation of Mitigation Measure NOI-3 is required. Implementation of Mitigation Measure NOI-3 would ensure that the use of any heavy construction equipment within 140 feet of off-site structure No. 1 (recording studio) would be appropriately coordinated and scheduled so as not to conflict with planned operations within the recording studio. As such, with the implementation of Mitigation Measure NOI-2 and Mitigation

Measure NOI-3, construction-related vibration impacts at off-site structure No. 1 (recording studio) would be less than significant with mitigation.

Operation

Project operations would not involve activities that result in substantial vibration levels. Groundborne vibration would be primarily associated with vehicular travel, but rubber tires and vehicle suspension systems dampen vibration levels to a level that is often imperceptible. Therefore, impacts related to operational vibration would be less than significant.

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 Impact. The project site is not in the vicinity of a private airstrip or airport land use plan, nor is the project site within two miles of a public airport or public use airport. The nearest airport, the San Rafael Airport, is approximately 6.3 miles from the project site. Therefore, the project would not expose people residing or working in the project vicinity to excessive airport-related noise levels, and no impact would occur.

2.14 Population and Housing

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
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)?	☐	☐	☐	☒
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☐	☐	☐	☒

Regulatory Setting

Regional

Plan Bay Area 2050

Plan Bay Area 2050 is a long-term regional plan that aims to support the growing economy and population of the San Francisco Bay Area. Housing and transportation are two primary foci of the plan, which promotes compact, mixed-use residential neighborhoods close to public transit options. The Association of Bay Area Governments (ABAG) forecasts population and economic growth in the area, and they allocate regional housing needs to each city and county as appropriate.

Local

San Rafael General Plan 2040

The San Rafael General Plan 2040 includes several policies regarding housing stability as projected population growth occurs. Additionally, there are several City-level goals that aim to support residents of all backgrounds to promote diversity among San Rafael.

Existing Conditions

According to the 2023 American Communities Survey, San Rafael has a population of 60,604 residents in 23,250 households.[61] 53.8% of San Rafael residents are employed.[62] There are approximately 30,716

[61] https://data.census.gov/table/ACSDP5Y2023.DP05?g=160XX00US0668364

[62] https://data.census.gov/table?q=san%20rafael%20ca%20employment&g=160XX00US0668364

jobs in the City. By 2050, it is estimated that the City will have 75,757 residents,[63] 34,875 households, and 23,651 jobs.[64]

The jobs/housing relationship is quantified by the jobs/employed resident ratio. In 2023, San Rafael had approximately 0.94 jobs per employed resident. This ratio is anticipated to decrease by 2050, as is outlined by the Plan Bay Area 2050 projections. The San Rafael General Plan aims to focus on increased housing availability, as well as increased proximity of housing near places of employment. The current jobs to housing ratio is 1.32 jobs per household. By 2050, the jobs to housing ratio is expected to decrease to 0.68 jobs per household. Some employees in the City of San Rafael are expected to seek housing outside of the community.

The project site is currently zoned for General Commercial land use. There are no residential units on site, and therefore no residents will be displaced as a result of the project.

Impact Discussion

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 Impact. A project can induce substantial population growth by: 1) proposing new housing beyond projected or planned development levels, 2) generating demand for housing as a result of new businesses, 3) extending roads or other infrastructure to previously undeveloped areas, or 4) removing obstacles to population growth. No residential units are within or adjacent to the project site, nor are any residential units anticipated to be built as a part of this project. The project would consolidate certain existing maintenance and related functions for the District and its fleet; thus, employment associated with this project is generally consistent with existing and is not expected to generate any new demand for housing. The project does not extend infrastructure or service to undeveloped areas. Unplanned population growth will not be induced in the project site or surrounding area. Therefore, no impact would occur.

b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

No Impact. There are no existing residential units on the project site. The project would not displace any residential units or residents, and no replacement housing would be constructed. Therefore, no impact would occur.

[63] The San Rafael General Plan projects a population growth rate of approximately 0.83% per year.

[64] The Plan Bay Area 2050 household growth rate estimate for Central Marin County is approximately 1.14% per year. The Plan Bay Area 2050 job growth rate estimate for Central Marin County is approximately -1.76% per year.

2.15 Public Services

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) 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?	☐	☐	☒	☐
ii) Police protection?	☐	☐	☒	☐
iii) Schools?	☐	☐	☐	☒
iv) Parks?	☐	☐	☐	☒
v) Other public facilities?	☐	☐	☒	☐

Regulatory Setting

Local

Marin Countywide Plan

The Marin Countywide Plan is a long-term general plan that aims to guide future planning and development throughout the county. The Built Environment Element of the plan includes a Community Services and Infrastructure Element, which aims to address services including schools, libraries, police, fire, water and sewer providers, and telecommunications. The Countywide Plan also outlines actionable programs that will help the county to bolster its infrastructure such that it can support a growing population. Various policies in the San Rafael General Plan 2040 have been adopted relative to public services within the City, including the following:

San Rafael General Plan 2040

The City's General Plan contains the following policies related to public services:

Policy CSI-3.1: Investment in Public Safety Services	Maintain cost-effective police, fire protection, and paramedic facilities, equipment, and services. Manage increases in costs through effective preventative measures, such as fire prevention and community policing.
Policy CSI-3.2: Mitigating Development Impacts	Engage the Police and Fire Departments in the review of proposed development and building applications to ensure that public health and safety, fire prevention, and emergency access and response times meet current industry standards.
Policy CSI-3.5: Traffic Safety	Maintain traffic enforcement programs to ensure the safety of pedestrians, bicycles, and motorists on San Rafael streets, sidewalks, paths, and bikeways. Evaluate and mitigate potential traffic hazards as changes to the circulation system are proposed, and as new modes of travel are introduced.
Policy LU-3.10: Relationships with Local Institutions	Support collaborations and partnerships among neighborhoods, schools, religious uses, and other institutions to enhance mutual understanding and resolve operational issues such as parking, noise, traffic, and privacy.
Policy NH-3.18: Education	Support efforts of the School District to provide all Canal children with access to quality education, including access to safe, modern school facilities. Work with San Rafael City Schools to address the transportation needs of students traveling to and from school.
Policy S-5.3: Protection of Sensitive Uses	Provide safe distances between areas where hazardous materials are handled or stored and sensitive land uses such as schools, public facilities, and residences. When the location of public improvements in such areas cannot feasibly be avoided, effective mitigation measures will be implemented.

Policy M-5.5: School-Related Traffic	Actively encourage public and private schools to reduce congestion caused by commuting students and staff through improved provisions for pick-up and drop-off, parking management, staggered start and end times, and trip reduction.

Existing Conditions

Fire Protection

The San Rafael Fire Department (SRFD) consists of seven fire stations located around the City to provide fire protection services. The nearest fire station is San Rafael Fire Station No. 54 located at 46 Castro Avenue, 0.1 mile away from the project site.

SRFD firefighters are trained to ensure rapid, effective responses to disasters and fire-related emergencies. The fire department also provides fire prevention and disaster preparedness education to community members so that they are better prepared for future emergencies. All fire stations are fully operational 24/7.

The SRFD is a participant in the Marin County Fire Service Mutual Aid Agreement, a coalition that aims to provide optimized response times and efficiency for fire departments throughout the county. Annual trainings and equipment inventories will also be conducted among members of this agreement. Each local fire department lacks the resources necessary to deal with a large-scale emergency. This agreement lays the foundation for a better-connected disaster response system that benefits all parties.

Police Protection

Police protection is provided by the San Rafael Police Department (SRPD). There are approximately 98 police officers, 68 of which are sworn personnel. The police station is headquartered within City Hall at 1400 Fifth Avenue, approximately 2.2 miles to the northwest of the project site.

Schools and Parks

The San Rafael Department of Public Works operates and maintains the City of San Rafael parks and recreational services. There are 16 parks affiliated with the Department of Public Works, the nearest of which is Pickleweed Park, approximately 0.7 mile northwest of the project site.

According to the General Plan, San Rafael City Schools and the Miller Creek School District are the two educational districts that operate in San Rafael. San Rafael City Schools encompasses six elementary schools, one middle school, three high schools, and the Venetia Valley TK-8 School. The Miller Creek School District includes three elementary schools and one middle school. The school nearest to the project site is Bahia Vista Elementary School, one of the schools under San Rafael City Schools, which is 0.54 miles to the northeast of the project site.

Libraries

San Rafael libraries are management by the Library and Recreation Department. The goal of this department is to provide learning and discovery opportunities to community members. The San Rafael Library has three branches: Downtown, Pickleweed, and Northgate. The branch closest to the project site is the Pickleweed Library, approximately 0.7 miles to the northeast of the site.

Impact Discussion

a) 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?

Less Than Significant. Fire protection is currently provided by the San Rafael Fire Department. Specific to fire risk, the project includes an on-site fuel tank and EV bus infrastructure. These components will be reviewed for code compliance as part of the project's fire safety review. Additionally, the project would incorporate fire suppression and safety features in accordance with code requirements. Furthermore, the project would be constructed in accordance with applicable federal, state-level, and regional fire codes.

With adherence to the various federal, state-level, and regional fire codes, the impact would be less than significant.

ii. Police Protection?

Less than Significant Impact. Police protection is provided by the San Rafael Police Department. The project is not expected to affect police response times, and the project would not result in any substantial adverse impacts related to police protection services. Impacts related to police protection would be less than significant.

iii. Schools?

No Impact. The project would not include any residential uses, and there would not be a projected increase in residential population. Additionally, the employment opportunities generated by the project would not increase the demand for schools. Therefore, there would be no impact related to schools.

iv. Parks?

No Impact. The project would not include any residential uses, and there would not be a projected increase in residential population. The employment opportunities generated by the project would not increase the demand for parks. Therefore, there would be no impact related to parks.

v. Other public facilities?

Less than Significant Impact. The project has no residential component, and there would not be a projected increase in residential population related to the project. Project implementation would not increase the demand for public facilities like libraries or open spaces. Therefore, impacts would be less than significant.

2.16 Recreation

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) 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?	☐	☐	☐	☒
b) 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?	☐	☐	☐	☒

Regulatory Setting

Local

San Rafael 2040 General Plan

The San Rafael 2040 General Plan identifies types of parks and applicable policies for each type. Region-serving parks attract visitors from around Marin County and surrounding areas, community parks serve residents from San Rafael, neighborhood parks serve specific communities and smaller areas, pocket parks are smaller open spaces with minimal playground equipment, and special use parks are those that serve a unique purpose or activity.

The City's General Plan contains the following policies related to recreational facilities:

PROS-1.1A: Parks and Recreation Master Plan	Prepare a Parks and Recreation Master Plan, including citywide recommendations for park management, operations, facility development, potential acquisition, and recreation service delivery, as well as recommendations for each City-owned park.
PROS-1.1B: Capital Improvement Program	Use the Capital Improvement Program to identify funding sources and timing of parks and recreation capital projects.
PROS-3.3A: Open Space Management Plan	Work collaboratively with residents, environmental organizations, fire departments, and land management agencies such as Marin Municipal Water District, Marin County Parks and Open Space District, and California State Parks to develop an Open Space Management Plan. The Plan should address appropriate uses of open space in the Planning Area, along with provisions for ongoing maintenance and improvement. It should include six areas of focus: a) Recreation, including appropriate access points, parking and staging areas, wayfinding and interpretive signage, existing and

future trail alignments, and guidelines for the location of amenities such as picnic tables and benches.

b) Habitat Protection, including enhancing natural habitats, mitigating the impacts of human activities and climate change on plant and animal life, and preserving natural ecological functions.
c) Hazard reduction, in accordance with ecologically sound practices and wildfire science, including removal of highly flammable invasive species, emergency access, and erosion control. This should be closely coordinated with ongoing efforts by the San Rafael and Marin County Fire Departments, Marin Wildfire Prevention Authority, CAL FIRE, and non-profit organizations such as Fire Safe Marin.
d) Green infrastructure, including the capacity of open space areas to sequester carbon, absorb runoff, maintain water quality, mitigate climate change impacts, protect and enhance native biodiversity, and improve resilience.
e) Public education, including interpretive facilities
f) Funding, including operating costs and capital projects, and options for covering those costs such as assessment districts, interagency agreements, volunteer programs, and private funding, in addition to City funds.

Existing Conditions

As discussed under **Section 2.15, Public Services**, the San Rafael Department of Public Works is responsible for the maintenance and operation of public parks in the City. Programs related to the parks, including picnic rentals and organized events, are managed by the Department of Public Works. Effects to park and recreation resources are typically related to increases in population due to added residential units. San Rafael has 19 city parks and one state park, China Camp State Park.

Impact Discussion

a) 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 Impact. The project does not include any residential uses that may increase the demand for parks and recreational facilities within the City. The project would not introduce new residential population or generate new public demand for parks or recreational facilities. Growth is not expected to significantly increase demand for parks or recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. Therefore, the project would have no impact on recreational facilities.

b) 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 Impact. The project does not include recreational facilities, nor will it require the construction or expansion of recreational facilities. The project would not require the construction of additional or expanded recreational facilities which might have an adverse physical effect on the environment, and no impact would occur.

2.17 Transportation

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	☐	☐	☒	☐
b) Conflict or be consistent with CEQA Guidelines section 15064.3, subdivision (b)?	☐	☐	☒	☐
c) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	☐	☐	☒	☐
d) Result in inadequate emergency access?	☐	☐	☒	☐

The following discussion is based in part on a Traffic Memorandum prepared for the project in April 2025 by Fehr & Peers. A copy of this report is included in **Appendix E** to this Initial Study.

Regulatory Setting

State

Senate Bill 743

Passed in 2013, Senate Bill 743 changed the criteria used to determine the significance of transportation impacts. Level of service (LOS) was previously used for measuring vehicular capacity or congestion, and SB 743 replaced LOS with vehicle miles traveled (VMT) as a new metric. VMT is measured to better understand how transportation systems are used, and reductions in VMT are often connected to reduced GHG emissions and improved multimodal transportation networks.

Regional

Metropolitan Transportation Commission Regional Transportation Plan

The Metropolitan Transportation Commission (MTC) plans and finances the transportation systems within the Bay Area, including those in San Rafael. The MTC updates the regional transportation plan at regular intervals, and the plan outlines mass transit, highway networks, railroads, and bicycle and pedestrian facilities in the Bay Area. Plan Bay Area 2040 was adopted by MTC and the Association of Bay Area Governments (ABAG), which includes San Rafael, and it provides a blueprint for regional transportation investments through 2040.

Local

San Rafael General Plan 2040

The City's General Plan contains the following policies related to transportation:

Policy C-2.3: Improving Air Quality Through Land Use and Transportation Choices	Recognize the air quality benefits of reducing dependency on gasoline-powered vehicles. Implement land use and transportation policies, supportable by objective data, to reduce the number and length of car trips, improve alternatives to driving, reduce vehicle idling, and support the shift to electric and cleaner-fuel vehicles.
Policy CDP-4.9: Parking and Driveways	Encourage parking and circulation design that supports pedestrian movement and ensures the safety of all travelers, including locating parking to the side or rear of buildings, limiting driveway cuts and widths, and minimizing large expanses of pavement. Parking should be screened from the street by landscaping and should provide easy access to building entrances.
Policy LU-1.2: Development Timing	For health, safety, and general welfare reasons, new development should only occur when adequate infrastructure is available, consistent with the following findings: a) The project is consistent with adopted Vehicle Miles Traveled (VMT) standards, as well as the requirements for Level of Service (LOS) specified in the Mobility Element. b) Planned circulation improvements necessary to meet City standards for the project have funding commitments and completed environmental review. c) Water, sanitary sewer, storm sewer, and other infrastructure improvements needed to serve the proposed development have been evaluated and confirmed to be in place or to be available to serve the development by the time it is constructed.

	d) The project has incorporated design and construction measures to adequately mitigate exposure to hazards, including flooding, sea level rise, and wildfire.
Policy M-1.1: Regional Transportation Planning	Actively coordinate with other jurisdictions, agencies, and service providers to improve the local and regional transportation system and advocate for the City's interests. Work cooperatively to improve transit and paratransit services, achieve needed highway improvements, and improve the regional bicycle and pedestrian networks.
Policy M-1.3: Regional Transportation Improvements	Actively participate in regional transportation improvements that facilitate mobility in San Rafael.
Policy M-1.4: Transportation Innovation	Take a leadership role in delivering innovative transportation services and improvements.
Policy M-2.2: Safety	Design a transportation system that is safe and serves people using all modes of travel. Higher levels of congestion may be accepted at particular intersections if necessary to ensure the safety of all travelers, including pedestrians, bicycles, motorists, and transit users.
Policy M-2.8: Emergency Access	Identify alternate ingress and egress routes (and modes of travel) for areas with the potential to be cut off during a flood, earthquake, wildfire, or similar disaster.
Policy M-2.11: Environmental Benefits	Look for opportunities to create environmental benefits such as stormwater capture and treatment when reconstructing or improving roads and other transportation facilities.
Policy M-3.3: Transportation Demand Management	Encourage, and where appropriate require, transportation demand measures that reduce VMT and peak period travel demand. These measures include, but are not limited to, transit passes and flextime, flexible work schedules, pedestrian and bicycle improvements, ridesharing, and changes to project design to

	reduce trip lengths and encourage cleaner modes of travel.
Policy M-3.5: Alternative Transportation Modes	Support efforts to create convenient, cost-effective alternatives to single passenger auto travel. Ensure that public health, sanitation, and user safety is addressed in the design and operation of alternative travel modes.
Policy M-3.6: Low-Carbon Transportation	Encourage electric and other low-carbon emission vehicles, as well as the infrastructure needed to support these vehicles.
Policy M-4.1: Sustaining Public Transportation	Support a level of transit service frequency and routing that promotes transit usage, avoids overcrowding, and makes transit an attractive alternative to driving.
Policy M-4.4: Local Transit Options	Encourage local transit systems that connect San Rafael neighborhoods, employment centers, and other destinations.
Policy M-4.5: Transit and the Environment	Encourage a less carbon-intensive transit system with reduced environmental impacts. This could include electrification of buses and trains, and the use of smaller vehicles in areas of lower demand. Environmental costs and benefits should be a critical factor when evaluating transit service improvements over the long- and short-term.
Policy N-1.6C: Paving and Transit Improvements	Noise reduction should be considered an important benefit as the City and its transit service providers transition to electric vehicles

Existing Conditions

Regional Access

Regional access to the project site is provided primarily by US 101 and Interstate 580 (I-580). US 101 runs southwest-northeast to the west of the project site, and it eventually curves up to run north-south through the state. Primary access to US 101 is provided via Francisco Boulevard East and Bellam Boulevard. I-580 splits off from US 101 from the northwest of the project site and runs adjacent to the project's western border. I-580 runs east-west across the San Francisco Bay, connecting Marin County with the East Bay. The western terminus adjacent of I-580 to the project site and eastern terminus is in

San Leandro. Primary access to I-580 is provided by Francisco Boulevard East.

Local Access

The project site is primarily accessed by Francisco Boulevard East on the project's western boundary. A small offshoot from Castro Avenue, a two-lane highway that runs east-west to the north of the project site. The unmarked side street provides access to the project site on its northern boundary, and the eastern and southern boundaries are inaccessible, as they are bordered by a stormwater drainage channel and fencing.

Currently, 13 regular service Marin Transit routes and four supplemental school service bus routes operate near the project. The bus stop nearest to the project site is on Bellam Boulevard, 0.13 mile northwest of the project site. The nearest bus stop to the project site is served by Marin Transit's Route 35 southbound, Route 36 northbound, and Route 23 eastbound services.

In February 2022, the City of San Rafael established their Transportation Analysis Guidelines. The guidelines provide a consistent approach for projects that may induce any changes to transportation systems. A Local Traffic Analysis (LTA) was conducted in compliance with the City's Transportation Guidelines (**Appendix E**). Additionally, the San Rafael General Plan 2040 included a Mobility Element that aimed to improve multimodal access to key destinations in the City. Compliance with these guidelines, as well as the regulations outlined in the Mobility Element, would encourage reduced VMT, promote multimodal transportation access, and reduce the reliance on individual transportation.

A pneumatic tube count taken January 15th and 16th, found that, on average, 8,330 vehicles utilized Francisco Boulevard East in a southbound direction on weekdays. Of these trips, 6,765 occurred between 5 a.m. and 5 p.m.

Additionally, intersection turning movement counts were collected during 7-9 a.m. and between 4-6 p.m. for peak period intersection turning movement counts at all six intersections in the vicinity of the project site. Level of service (LOS) analysis is conducted at the following three study intersections, selected based on their usage by the project's bus and employee trips:

- US-101 Off-Ramp/I-580 Eastbound Ramps & Bellam Boulevard
- US-101 Northbound/I-580 Westbound Ramps &Bellam Boulevard
- Francisco Boulevard East & Bellam Road

All counts were collected on January 16th, and are available in **Appendix E**.

Impact Discussion

a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Less than Significant Impact. Francisco Boulevard East is designated as a Minor Arterial Roadway in the 2050 San Rafael General Plan, and this roadway is able to accommodate transit vehicles. Surrounding roadways, including Castro Avenue, Irene Street, and Kerner Boulevard are also wide enough to accommodate transit vehicles. The City of San Rafael Bicycle and Pedestrian Master Plan does not include any existing or planned pedestrian or bicycle improvements on Francisco Boulevard East or any surrounding roadways. Additionally, the project would not make changes to public right-of-way. The addition of vehicles associated with the project would not conflict with any existing City programs,

plans, ordinances, or policies related to circulation. Therefore, impacts related to conflicts with circulation-focused plans and policies would be less than significant.

b) Conflict or be consistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less than Significant Impact. The City of San Rafael adopted the Mobility Element of the San Rafael 2040 General Plan, which includes procedures for evaluating VMT consistent with CEQA Guidelines Section 15064.3. The Mobility Element sets forth procedures for determining project VMT impacts based on the project description, characteristics, and location, developed in accordance with technical guidance from the California Office of Planning and Research (OPR), now referred to as the California Governor's Office of Land Use and Climate Innovation (LCI).

The VMT methodology also includes screening criteria that are used to identify types, characteristics, and locations of projects that would not exceed the VMT thresholds of significance. If a project meets the screening criteria, it is then presumed that the project would result in a less than significant impact on VMT, and a detailed VMT analysis is not required.

Based on the characteristics of the project, including the project size, and infill nature, the project meets the City's adopted screening criteria for projects presumed to have a less-than-significant impact on VMT. The Mobility Element echoes CEQA Guidelines Section 15064.3(b)(1) in setting criteria to exempt projects from a quantitative VMT analysis. These criteria are supported by substantial evidence included in the City's VMT policy, which demonstrates that similar projects in comparable locations generate VMT below the thresholds of significance.

Based on Guidelines Section 15064.3(b)(1) Land Use projects that are consistent with VMT compared to existing conditions or are located within a half mile of a major transit stop and/or high-quality transit corridor should be presumed to cause a less than significant transportation impact. As the project site is located within the Fairfax-San Rafael Transit corridor, the project would be consistent with Guidelines Section 15064.3(b)(1).

Therefore, based on the project's consistency with the City's evidence-based screening criteria and the supporting technical report (**Appendix E**), the project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3(b), and impacts related to VMT would be less than significant.

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

Less than Significant Impact. The project would not include major changes to local streets or intersections, nor would the project involve incompatible uses with the surrounding area. However, the site ingress and egress would vary slightly from existing conditions, as buses would be entering and exiting from the project site. Francisco Boulevard East would be impacted by these potential changes. Access to the site from Castro Avenue will be provided at the project site, but the alterations would not be significant. Therefore, some design features may be slightly altered, but the risk of hazards would not

be increased. Therefore, there would be less than significant impacts related to design features or incompatible uses.

d) Result in inadequate emergency access?

Less than Significant Impact. Emergency access to the project site would continue to be provided by existing roadways. Even with slight alterations to ingress or egress, the project site would continue to be easily accessible to emergency services. The San Rafael Municipal Ordinances and Emergency Operations Plan (EOP) establish emergency access standards. With compliance to appropriate safety standards, the project would not result in inadequate emergency access, and impacts would be less than significant.

2.18 Tribal Cultural Resources

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
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	☐	☒	☐	☐
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.	☐	☒	☐	☐

Regulatory Setting

State

Assembly Bill 52

AB 52, effective July 2015, established a new category of resources for consideration by public agencies called Tribal Cultural Resources (TCRs). AB 52 requires lead agencies to provide notice of projects to tribes that are traditionally and culturally affiliated with the geographic area if they have requested to be notified. Where a project may have a significant impact on a tribal cultural resource, consultation is required until the parties agree to measures to mitigate or avoid a significant effect on a tribal cultural resource or until it is concluded that mutual agreement cannot be reached.

Under AB 52, TCRs are defined as follows:

- Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are also either:
    - Included or determined to be eligible for inclusion in the California Register of Historic Resources, or
    - Included in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in PRC, §5024.1(c). In applying the aforesaid criteria, the lead agency shall consider the significance of the resource to a California Native American tribe (PRC, §21074[a]). Public Resources Code Sections 5097 and 5097.98

AB 52 mandates a process for lead agencies to consult with California Native American tribes regarding projects that may impact tribal cultural resources. During AB 52 consultation, one response was received from the Federated Indians of Graton Rancheria (FIGR).

CEQA Guidelines Section 15064.5

Section 15064.5 of the CEQA Guidelines specifies procedures to be used in the event of an unexpected discovery of Native American human remains on Non-Federal land. These procedures are outlined in Public Resources Code Sections 5097 and 5097.98. These codes protect such remains from disturbance, vandalism, and inadvertent destruction, establish procedures to be implemented if Native American skeletal remains are discovered during construction of a project, and establish the NAHC as the authority to resolve disputes regarding disposition of such remains.

Public Resources Code Section 5097.98

Pursuant to Public Resources Code Section 5097.98, in the event of human remains discovery, no further disturbance is allowed until the county coroner has made the necessary findings regarding the origin and disposition of the remains. If the remains are of a Native American, the county coroner must notify the NAHC. The NAHC then notifies those persons most likely to be related to the Native American remains. The code section also stipulates the procedures that the descendants may follow for treating or disposing of the remains and associated grave goods.

California Native American Historical, Cultural, and Sacred Sites Act

Section 5097.9 – 5097.991 of the Public Resource Code (the California Native American Historical, Cultural, and Sacred Sites Act) applies to both State and private lands, providing protection to Native American historical and cultural resources, and sacred sites, and identifies the powers and duties of the NAHC. The act requires that upon discovery of human remains, construction or excavation activity must cease and the county coroner be notified.

Local

San Rafael 2040 General Plan

The City's General Plan contains the following policy related to tribal cultural resources:

Policy CDP-5.14: Tribal Cultural Resources	Coordinate with representatives of the Native American community to protect historic Native American resources and raise awareness of San Rafael's Native American heritage.

Existing Conditions

Information in this section was incorporated from a Sacred Lands File search, which was completed in September 2024. Refer to **Section 2.5, Cultural Resources**, for additional existing conditions information related to cultural resources.

Impact Discussion

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

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

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.

Less than Significant with Mitigation. On June 26, 2025, the Federated Indians of Graton Rancheria submitted a formal request for tribal consultation to the District under the AB 52 consultation process. The tribal consultation log is provided in Appendix G, showing all correspondence and consultation meetings through October 24, 2025. Based on the above consultation and analysis, there is a reasonable potential for previously undocumented tribal cultural resources to be present in the project site within the imported surcharge soil – damage to these resources would be considered a potentially significant impact. The project shall therefore require a tribal monitor to be present during ground-disturbing activities within the surcharge fill soil, per the requirements outlined in Mitigation Measure TCR-1, Tribal Cultural Resource Monitoring, which was developed in consultation with the Federated Indians of Graton Rancheria. The project will otherwise implement Mitigation Measures CUL-1 and CUL-2 for unanticipated discoveries associated with ground disturbance that occurs in sediments below the imported surcharge soil.

As described in **Section 2.5, Cultural Resources**, construction could result in the exposure or destruction of previously unrecorded human remains or archaeological resources. Exposure or destruction of these resources would be considered a potentially significant impact. As such, the project shall be required to

implement **Mitigation Measure CUL-1** and **Mitigation Measure CUL-2**, which would ensure that previously unidentified Native American human remains and associated archaeological resources encountered during construction are handled appropriately. Additionally, the Federated Indians of Graton Rancheria are concerned that previously undocumented human remains and associated funerary objects (which constitute tribal cultural resources) could be present in the imported surcharge soil, which totals approximately 15,900 cubic yards.

If the exposure or destruction of these tribal cultural resources were to occur, it would be considered a potentially significant impact. Therefore, the project shall be required to implement **Mitigation Measure TCR-1**, described below, to reduce the potential of disturbance to tribal cultural resources to a less than significant level.

> **Mitigation Measure TCR-1**: **Tribal Cultural Monitoring during Ground Disturbing Activities**. Tribal monitoring shall occur by the Federated Indians of Graton Rancheria during ground-disturbing construction activities. Ground-disturbing activities include blading, grading, and trenching, which have a moderate to high potential to expose or impact tribal cultural resources.
>
> The Federated Indians of Graton Rancheria tribal monitor(s) shall observe ground-disturbing activities as described above to look for indications of tribal cultural resources that may be exposed by construction equipment. For safety purposes, the Federated Indians of Graton Rancheria tribal monitor(s) shall generally inspect spoils at a safe distance, in accordance with project health and safety protocols, including the option to enter trenches before they get past five feet deep. The backhoe operator shall shake the spoils from the bucket slowly and spread them out for inspection before adding to the spoils pile. It is the responsibility of the Federated Indians of Graton Rancheria tribal monitor(s) to report tribal cultural resources found within the project boundaries, whether on the surface or subsurface, to the Federated Indians of Graton Rancheria's Tribal Historic Preservation Officer, who will notify Marin Transit to stop work. Once notified, Marin Transit shall issue a stop-work order in the immediate area of the discovery. Tribal monitor(s) shall not direct construction personnel or equipment. Prior to initiation of ground-disturbing construction activities, a Tribal Cultural Resources Treatment Plan shall be prepared in consultation with the Federated Indians of Graton Rancheria and an archaeologist approved by the Federated Indians of Graton Rancheria to direct monitoring and provide guidance for the treatment of any discoveries.

If human remains are encountered, Mitigation Measure CUL-2 shall be implemented, and the policy outlined in California Health and Safety Code Section 7050.5 shall be followed. With the implementation of Mitigation Measure TCR-1, Mitigation Measure CUL-1, and Mitigation Measure CUL-2, the project would not cause a disturbance of tribal cultural resources, and the potential of significant impacts would be reduced to a less than significant level.

2.19 Utilities and Service Systems

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	☐	☐	☒	☐
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	☐	☐	☒	☐
c) Result in a determination by the waste water 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?	☐	☐	☒	☐
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?	☐	☐	☒	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☐	☐	☒	☐

Regulatory Setting

State

Senate Bill 610

Senate Bill 610 requires that any development project involving 500 or more housing units, or any project that would demand a similar amount of water use, must prepare a "water supply assessment." This assessment is a required section in any CEQA documents prepared for such a project. An Urban Watershed Management Plan may fulfill the requirements of a water supply assessment.

Senate Bill 221

A development project or land use plan involving 500 or more housing units, or equivalent water usage, cannot be approved without written approval from the applicable water agency, which must confirm that adequate water supply exists or will exist.

Assembly Bill 939 – Integrated Waste Management Act

Assembly Bill 939 established the Integrated Waste Management Board, which requires the implementation of integrated waste management plans and requires local jurisdictions to divert at least 50 percent of solid waste generated. By 2010, local jurisdictions were mandated to divert at least 75 percent of produced solid waste by 2010. Projects that would have an adverse effect on waste diversion goals are required to include appropriate waste diversion mitigation measures.

Assembly Bill 341

Assembly Bill 341 established the requirements of the statewide mandatory commercial recycling program. AB 341 is applicable to businesses that generate four or more cubic yards of solid waste and to multi-family dwelling with five or more units in California; these establishments are required to utilize recycling services.

Senate Bill 1383

Senate Bill 1383 sets a statewide target of 50 percent reduction in organic waste by 2020 and a 75 percent reduction by 2025. CalRecycle is given the regulatory authority necessary to meet organic waste disposal reduction targets. Furthermore, CalRecycle set an additional target that at least 20 percent of disposed edible food is recovered for human consumption by 2025.

Local

San Rafael General Plan 2040

While Marin Transit is exempt from the City of San Rafael local ordinances with the exception of an encroachment permit, the City's General Plan contains the following relevant policies related to utilities and service systems:

Policy S-1.3: Location of Public Improvements	Avoid locating public improvements and utilities in areas with high hazard levels. When there are no feasible alternatives, require effective mitigation measures to reduce the potential for damage.
Policy S-3.3: Awareness and Disclosure	Maximize awareness and disclosure by providing information to property owners and the public on areas subject to increased flooding and sea level rise vulnerability.

Policy S-3.4: Mitigating Flooding and Sea Level Rise Impacts	Consider and address increased flooding and sea level rise impacts in vulnerable in development and capital projects, including resiliency planning for transportation and infrastructure systems
Policy S-3.5: Minimum Elevations	For properties in vulnerable areas, ensure that new development, redevelopment, and substantial additions to existing development meets a minimum required construction elevation. Minimum elevations and other architectural design strategies should provide protection from the potential impacts of a 100-year flood (a flood with a one percent chance of occurring in any given year), the potential for increased flooding due to sea level rise, and the ultimate settlement of the site due to consolidation of bay mud from existing and new loads and other causes.
Policy S-3.8: Storm Drainage Improvements	Require new development to mitigate potential increases in runoff through a combination of measures, including improvement of local storm drainage facilities. Other measures, such as the use of porous pavement, bioswales, and “green infrastructure” should be encouraged.
Policy S-3.9: Flood Control Improvements Funding	Pursue financing and funding opportunities to fund short-term and long-term flood control and adaptation projects. Funding tools and opportunities would include, among others tax or bond measures, assessment districts, geologic hazard abatement districts and grants. The City will also support legislation that provides regional, state, and federal funding for these projects, and will pursue such funding as it becomes available.
Policy CSI-4.12: Recycled Water	Encourage additional wastewater recycling by the Las Gallinas Valley Sanitary District, initiation of wastewater recycling by the Central Marin Sanitation Agency, additional recycled water distribution by Marin Water, and additional use

	of reclaimed water where supply ("purple pipe") is available.
Program C-4.1: Renewable Energy	Support increased use of renewable energy and remove obstacles to its use.
Program C-4.2: Energy Conservation	Support construction methods, building materials, and home improvements that improve energy efficiency in existing and new construction.
Policy C-4.5: Resource Efficiency in Site Development	Encourage site planning and development practices that reduce energy demand and incorporate resource- and energy-efficient infrastructure.
Policy C-5.2: Consider Climate Change Impacts	Ensure that decisions regarding future development, capital projects, and resource management are consistent with San Rafael's CCAP and other climate goals, including greenhouse gas reduction and adaptation.
Policy C-5.4: Municipal Programs	Implement and publicize municipal programs, including shifts to zero emissions vehicles, to demonstrate the City's commitment to sustainability efforts and reducing greenhouse gases.
Policy CSI-4.4: Sustainable Design	Plan, design, and operate infrastructure to minimize non-renewable energy and resource consumption, improve environmental quality, promote social equity, and reduce greenhouse gas emissions. An evaluation of costs and benefits must be a factor in all improvements. This includes the potential costs of inaction and potential for "avoided costs," particularly with respect to climate change.

Existing Conditions

Solid Waste and Recycling

Solid waste, recycling, and composting services are primarily provided by Marin Sanitary Service.[65] Marin Sanitary Service serves all of Marin County, including the City of San Rafael. The Marin Recycling Center

[65] Marin Sanitary Service. 2025. Home. Accessed May 19, 2025. Available at: https://marinsanitaryservice.com/

and the Marin Resource Recovery Center, both of which are operated by Marin Sanitary Service, processes curbside recyclables, dismantles automobiles, and provides document shredding. The Marin Household Hazardous Waste Facility accepts hazardous waste and batteries, and the City coordinates monthly days where residents can drop off bulky waste items, like furniture. Additionally, solid waste generated by the site would be hauled to the Redwood Landfill and Recycling Center. Currently the Redwood Landfill and Recycling Center has the permitted capacity of 19.1 million cubic yards, and accepts 2,310 tons of material daily.[66] The current projected closure date for the Redwood Landfill and Recycling Center is 2034.[67]

The Marin Resource Recovery Center processes approximately 3,000 tons of recyclables every month.[68] Zero Waste Marin is a waste reduction program that provides education about waste-related processes and hosts several recycling and composting programs.[69] They provide educational operations and small-scale interventions to reduce community-wide waste and prevent adverse environmental impacts. The City and county also provide several programs to promote safe disposal of bulky or toxic items.[70]

Energy

The default energy provider in San Rafael, Marin Clean Energy (MCE), is a local clean energy provider that operates in Marin, Contra Costa, Napa, and Solano Counties.[71] MCE sources and purchases renewable energy, and it is delivered by Pacific Gas and Electric (PG&E) lines. MCE serves a 1,400 MW peak load. PG&E also operates in San Rafael.[72] PG&E provides electricity and natural gas to northern and central California, and their energy is sourced from a combination of renewable and non-renewable resources.

Water and Wastewater

For areas south of Puerto Suello Hill, the San Rafael Sanitation District (SRSD) maintains and operates the City's sewer systems.[73] The SRSD includes eight employees who maintain 32 pump stations, 13 miles of force main, and 132 miles of sewer pipelines. Wastewater is collected and transferred to the Central Marin Sanitation Agency for treatment. Areas north of Puerto Suello Hill are served by Las Gallinas Valley Sanitary District (LGVSD).[74] The Las Gallinas Valley Wastewater Treatment and Recycling includes

[66] Waste Management, 2025. *Redwood Landfill and Recycling Center*. Accessed: May 2025. Available: https://www.wm.com/us/en/facilities/redwood-landfill-and-recycling-center/about-us

[67] County of Marin, Redwood Landfill Final Environmental Impact Report. Accessed May 2025. Available: https://www.marincounty.gov/sites/g/files/fdkgoe241/files/2024-06/e-09-08-redwood-landfill-permit-revision-final-eir-amendment-3-2008.pdf

[69] Zero Waste Marin. 2025. Home. Accessed May 19, 2025. Available at: https://zerowastemarin.org/

[70] City of San Rafael. 2025. Junk. Accessed May 19, 2025. Available at: https://www.cityofsanrafael.org/junk

[71] Marin Clean Energy. 2025. How MCE Works. Accessed May 19, 2025. Available at: https://mcecleanenergy.org/how-mce-works/

[72] Pacific Gas & Electric. 2025. Home. Accessed May 19, 2025. Available at: https://www.pge.com/

[73] City of San Rafael. 2025. Sanitation District. Accessed May 19, 2025. Available at: https://www.cityofsanrafael.org/departments/sanitation-district/

[74] Las Gallinas Valley Sanitary District. 2025. Home. Accessed May 19, 2025. Available at: https://www.lgvsd.org/

five different process areas that remove debris and treat wastewater for over 30,000 people. As of 2021, the Las Gallinas recycled water production facility was expanded in 2021, allowing the facility to produce over 5 million gallons of recycled water each day.[75] LGVSD also provides public education programs and tours of treatment facilities.[76]

The Marin Municipal Water District (Marin Water) provides potable water to the project site. 75 percent of Marin Water's supply originates from rainfall on the Mount Tamalpais Watershed.[77] Marin Water has seven reservoirs which can hold up to 80,000 acre-feet of water. Water supplies are supplemented with recycled water from the Las Galinas Valley Sanitary District.

Telecommunications

Internet services are provided by Sonic, Xfinity (Comcast), and AT&T.[78] Telecommunications service is provided by AT&T, Verizon, and T-Mobile.

Impact Discussion

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

Less than Significant Impact. The project would not require new or expanded water facilities. The project site is served by Marin Water, and connections to existing water systems would be required to provide water service to the project site. Any water service improvements and connections must comply with the standards established by the Marin Municipal Water District. Any impacts to water services would be less than significant.

As mentioned in **Section 2.10, Hydrology and Water Quality**, compliance with the standard control measures outlined in the NPDES permit would be required and would ensure that impacts to water quality or waste discharge are less than significant during project construction. The project would not require new or expanded stormwater facilities, and impacts to stormwater would be less than significant.

As discussed in **Section 2.6, Energy**, the project would be served by MCE or PG&E using PG&E's power delivery lines, which has adequate capacity to support project operations. No new or expanded PG&E facilities would be required to serve the project. No changes to gas or telecommunications would be required, and this impact would be less than significant.

[75] Las Gallinas Valley Sanitary District. 2025. Recycled Water Facility. Accessed May 19, 2025. Available at: https://www.lgvsd.org/recycled-water-facility

[76] Las Gallinas Valley Sanitary District. 2025. Facilities. Accessed May 19, 2025. Available at: https://www.lgvsd.org/facilities

[77] Marin Water. 2025. Water Supply & Planning. Accessed May 19, 2025. Available at: https://www.marinwater.org/WaterSupplyPlanning

[78] City of San Rafael. 2025. Trash & Utilities. Accessed May 19, 2025. Available at: https://www.cityofsanrafael.org/trash-utilities/

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

Less than Significant Impact. The project site is served by Marin Water's supplies. The project would require potable water for restrooms and the break area. Marin Water's supply is primarily sourced by local surface water and purchased water from the Sonoma County Water Agency. MMWD's water supply is anticipated to be sufficient to support the projected water demand through 2045 in all hydrologic conditions, including a five-year drought period and a changing climate. Therefore, Marin Water would have sufficient water to serve the project area, even during inclement climate conditions. Therefore, impacts related to water supply would be less than significant.

c) Result in a determination by the waste water 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?

Less than Significant Impact. Wastewater is managed by the San Rafael Sanitation District. The San Rafael Sanitation District has the capacity to collect and treat wastewater and serve the project on the whole. Therefore, the project would not require the construction of new wastewater treatment facilities, and any impacts would be less than significant.

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?

Less than Significant Impact. Construction activities such as utility trenching and foundation excavation would generate construction debris and excavated materials on site. Where feasible, such material would be used on site or recycled to reduce impacts on local and regional landfills. Material that cannot be feasibly used or recycled would be hauled offsite by trucks to the Redwood Landfill and Recycling Center, approximately 14.5 mile north of the project site.[79] The project would comply with the waste diversion regulations established by the City and the County. If the Redwood Landfill and Recycling Center were unable to provide disposal capacity, the District would prepare a contract with another landfill that has the appropriate waste capacity.

As the project would be served by a landfill with sufficient disposal capacity, impacts related to solid waste reduction would be less than significant.

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

Less than Significant Impact. Assembly Bill 939 relates to solid waste diversion requirements for the State of California. In 1995, all jurisdictions in California were required by Assembly Bill 939 to divert 25 percent of waste generation from landfills. By the year 2000, all California jurisdictions were required to divert 50 percent of waste generation from landfills. The Solid Waste Disposal Measurement System Act, (Senate Bill 1016), was passed in 2008 and required the Assembly Bill 939 50 percent diversion requirement to be calculated in a per capita disposal rate equivalent.

The project would comply with relevant requirements and policies related to waste disposal and recycling, as solid waste will be hauled to the Redwood Landfill and Recycling Center as required by

[79] Waste Management. 2025. Accessed June, 2025. Available at: https://wmnorcalnev.com/facilities/redwood-landfill/

Assembly Bill 939 to divert at least 50 percent of waste generation. Therefore, the project would not result in a new increase of solid waste in the City that would jeopardize the City's consistency with Assembly Bill 939 or SB 1016. Therefore, the project would have a less than significant impact and no mitigation is required.

2.20 Wildfire

	Significant Impact	Less than Significant with Mitigation	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☐	☐	☒	☐
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?	☐	☐	☐	☒
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?	☐	☐	☒	☐
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 change?	☐	☐	☐	☒

Regulatory Setting

State

Fire Hazard Severity Zones (FHSZ)

The California Department of Forestry and Fire Protection (CAL FIRE) maps areas of significant fire hazards around the state. The level of hazard is determined by terrain, weather, fuels, and land use. FHSZ maps may guide development patterns to reduce the risks associated with wildfires. State responsibility areas (SRAs) are regions where the state has financial responsibility for wildfire mitigation measures, and local responsibility areas (LRAs) are regions where local governments are responsible for the financial costs of wildfire protection. LRAs only identify lands in very high fire hazard zones.

California Fire Code Chapter 47

Under Chapter 47, buildings in wildland-urban interface areas must meet a set of requirements that reduce the overall risk of fire hazard.

California Public Resources Code § 4442 – 4431 (Fire Regulations)

These sections of the PRC outline fire safety regulations for construction equipment and tools that may produce a spark, flame, or fire. These sections also require that specific fire suppression equipment must

be available onsite for work in fire-prone areas.

California Code of Regulations Title 14 (SRA Fire Safe Regulations)

The SRA Fire Safe Regulations apply basic wildfire protection standards for building, construction, and development in an SRA.

Regional

CAL FIRE Administrative Unit – Marin County

CAL FIRE outlines 27 administrative units which outline a strategic fire management plan that matches local fire hazards and safety needs. The strategic fire management plan for Marin County outlines safety for citizens and the fire department, water resources, wildlife and habitat, unique areas, open space, and air quality.[80]

Local

San Rafael Wildfire Prevention and Protection Action Plan

The San Rafael Wildfire Prevention and Protection Action Plan (Wildfire Action Plan) was passed in August 2020.[81] The plan outlines the growing risks related to wildfire and outlines several goals to address these problems in the coming years. Additional resources were allocated to address hazards, and new outreach and preparedness efforts were established under this plan.

Under this plan, a more rigid set of fire mitigation standards, including those that apply to defensible space and vegetation management, will be established to reduce the citywide risk of wildfire damage. Additionally, the City aims to adopt Public Resources Code (PRC) sections 4290 and 4291, which will also serve as guidelines for defensible space and fuel management.

San Rafael General Plan 2040

The City's General Plan contains the following policies related to wildfire:

Policy S-4.1: Wildfire Hazards	Continue vegetation management and maintenance programs to reduce the destructive potential of wildfires.
Program S-4.1A: Wildfire Prevention and Protection Action Plan	Implement the Wildfire Prevention and Protection Action Plan (August 2020) in a manner consistent with the direction provided by the San Rafael City Council.

[80] Marin County Fire Department. 2023 Marin County Unit Strategic Fire Plan. Published May 1, 2023. Accessed January 13, 2025. https://www.marincounty.gov/sites/g/files/fdkgoe241/files/2024-10/2023-marin-county-fire-plan.pdf.

[81] The City of San Rafael. 2020. Wildfire Prevention and Protection Action Plan Wildfire Prevention and Protection Action Plan. Accessed January 13, 2025. https://storage.googleapis.com/proudcity/sanrafaelca/uploads/2020/07/5.a-Wildfire-Prevention-in-San-Rafael-1.pdf.

Existing Conditions

The project site is located in an urbanized region of San Rafael. The project site is not within a State Responsibility Area (SRA) for FHSZ analysis. Per the Marin County Fire Hazard Severity Zone viewer, the overall risk of fire around the project site is considered low.[82] The project site is not located within a very high FHSZ as designated by CAL FIRE.[83] The nearest Very High Fire Hazard Severity Zone (VHFHSZ) is the area surrounding Mount Tamalpais, approximately 3.5 miles southwest of the project site near Mill Valley.

Impact Discussion

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. There are no evacuation routes or active emergency response plans that apply to the project site.[84] The project has a low potential to impact, either directly or indirectly, emergency response or evacuation plans. However, the bus facility would increase circulation and bus movement in the project vicinity; however, the project design has added an additional ingress/egress to the project site that would minimize increase in circulation to the local fire station. Therefore, the project would have a less than significant impact on emergency response or evacuation plans.

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 Impact. The project site and its surroundings are highly urbanized and do not have any slopes or hillsides that are susceptible to landslides. Therefore, the project would have no impact on exposure to pollutant concentrations or the uncontrolled spread of wildfire.

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?

Less than Significant Impact. As the project site will be developed with newly installed infrastructure, there is an elevated fire risk compared to existing site conditions. However, all development will comply with state, regional, and local fire codes and plans. Therefore, the project would have a less than significant impact related to fire risk.

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 change?

No Impact. The risk of wildfire at or near the project site is low. The project site and its surroundings are highly urbanized and do not have any slopes or hillsides that are susceptible to landslides. Therefore, the

[82] County of Marin. MarinMap Map Viewer. Accessed January 13, 2025. https://www.marinmap.org/Html5Viewer/Index.html?viewer=smmdataviewer.

[83] CAL FIRE. Fire Hazard Severity Zones. Updated April 2024. Accessed January 13, 2025. https://osfm.fire.ca.gov/what-we-do/community-wildfire-preparedness-and-mitigation/fire-hazard-severity-zones.

[84] County of Marin. Public Emergency Portal. Updated 2025. Accessed January 13, 2025. https://emergency.marincounty.gov.

project would have no impact on risks such as downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage change.

2.21 Mandatory Findings of Significance

	Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Does the project:				
a) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	☐	☒	☐	☐
b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	☐	☒	☐	☐
c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☐	☒	☐	☐

Impact Discussion

a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

Less than Significant Impact with Mitigation. As described in **Section 2.5**, **Cultural Resources**, **Section 2.7, Geology and Soils**, and **Section 2.18**, **Tribal Cultural Resources**, the project includes mitigation measures to reduce potential impacts to cultural and paleontological resources. Implementation of mitigation measures described in this Initial Study would reduce all potentially significant impacts of the project to a less than significant level.

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

Less than Significant Impact with Mitigation. Cumulative impact analysis determines whether an individual project in combination with other approved or foreseeable projects would result in significant impacts. If cumulative impacts could occur, cumulative analysis asks whether the project's contribution to the significant cumulative impact would be cumulatively considerable.

The analysis of cumulative impacts for each environmental factor can employ one of two methods to establish the effects of other past, current, and probable future projects. A lead agency may select a list of projects, including those outside the control of the agency, or, alternatively, a summary of projections. These projections may be from an adopted general plan or related planning document, or from a prior environmental document that has been adopted or certified, and these documents may describe or evaluate the regional or area-wide conditions contributing to the cumulative impact.

Projects were reviewed at the City and County level for applicability to result in cumulative impacts in the surrounding area. Within 0.5 miles of the project site, there is one development in consideration with the County of Marin, the Pierce Company Properties (Auburn Grove). The two residential lots would have a net lot area of 2.66 acres, contain no more than 79 condominium units total, resulting in a net density of 30 dwelling units per acre, and have an average lot slope of 4.5 percent.

As described herein, all potentially significant impacts associated with the Marin Transit project can be reduced to a less than significant level with feasible mitigation measures. Cumulative impacts associated with implementation of the project and other past, present, or reasonably foreseeable projects in the project area would be less than significant, and the project's contribution to any cumulative impacts would not be cumulatively considerable.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

Less than Significant Impact with Mitigation. As previously discussed throughout this Initial Study, the project would not result in significant environmental impacts on human beings with implementation of mitigation measures. Mitigation measures are identified in this Initial Study to reduce potential significant impacts related to air quality (**Section 2.3**) and noise (**Section 2.13**) which could otherwise affect humans. Implementation of these mitigation measures would ensure that the project would not result in impacts that would cause significant impacts on human beings, either directly or indirectly.

Attachment A

Response to Public Comments

Zero Emissions Bus Operations and Maintenance Facility Project

Final Initial Study/Mitigated Negative Declaration
Response to Comments
State Clearinghouse No. 2025110114

December 2025

Table of Contents

1 Introduction

1.1 Purpose

As defined by Section 15050 of the California Environmental Quality Act (CEQA) Guidelines, the Marin County Transit District (Marin Transit or District) is serving as "Lead Agency" for the preparation of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Zero Emissions Bus Operations and Maintenance Facility Project (project or proposed project). The IS/MND presents the environmental information and analyses that have been prepared for the proposed project, including comments received during the public review period addressing the adequacy of the Draft IS/MND, and responses to those comments.

1.2 Environmental Review Process

The Draft IS/MND for the proposed project was circulated for a public review period beginning on November 3, 2025, through December 3, 2025. The Draft IS/MND was made available to the public and 18 regulatory agencies; the Draft IS/MND was posted on the District's website; and the document was published on the State Clearinghouse website. A Notice of Intent (NOI) to adopt the IS/MND, which noticed the availability of the Draft IS/MND for review as well as where the Draft IS/MND is available at the District's website, was published in the Marin Independent Journal and posted at the project site prior to the start of the public review period. The District also circulated postcards to project site neighbors and sent an email notification to stakeholders regarding the availability of the Draft IS/MND.

Two (2) comment letters were received on the Draft IS/MND during the public review period and one (1) comment letter was received afterward. The comment letter submitted after the public review period has been included in the record.

Although not required by CEQA, on December 1, 2025, the Marin Transit Board of Directors held a public meeting during which the public had another opportunity to provide comments; however, no comments were received at the meeting regarding the adequacy of the Draft IS/MND. The date, time, and location of the Board of Directors meeting was also included in the NOI.

1.3 Response to Comments

Section 15074(b) of the CEQA Guidelines requires that the CEQA lead agency consider the proposed negative declaration or mitigated negative declaration together with any comments received during the public review process. The response to public comments received by the lead agency is contained in this document.

The following section identifies the agencies and organizations that submitted comment letters on the Draft IS/MND. No other individuals, organizations, or federal, state, or other public agencies submitted comments on the Draft IS/MND. An alpha- numeric response to the comment letters received is provided below. A copy of the bracketed comment letters and numbered corresponding responses are outlined below.

Agencies:

Comment Letter A-1: Micah Hinkle, Community and Economic Development Director, City of San Rafael (December 1, 2025)

Comment Letter A-2: Kate Colin, Mayor, City of San Rafael (December 1, 2025)

Organizations:

Comment Letter B-1: Omar Carrera, Chief Executive Officer, Canal Alliance (December 10, 2025)

Comment Letter A-1: Micah Hinkle, Community and Economic Developer Director, City of San Rafael (December 1, 2025)

December 1, 2025

Paul Haifley
Facility Development Project Manager
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Re: Marin County Transit District - Zero Emissions Bus Operations and Maintenance Facility Project CEQA Review

Dear Mr. Haifley,

Thank you for the opportunity to provide comments on the Draft Initial Study (IS) /Mitigated Negative Declaration (MND) for the Marin County Transit District's Zero Emissions Bus Operations and Maintenance Facility Project.

A-1.1

Project Location: The project site is at 1075 East Francisco (APNs 009-191-37 and 009-191-38) in the City of San Rafael, eastern Marin County. The site consists of two parcels totaling about 3.5 acres, generally bordered by Castro Avenue to the north, Francisco Boulevard East to the west, commercial and industrial private parcels to the south, and Kerner Boulevard to the east. Interstate 580 (I-580) runs in a northwest-southeast orientation, located adjacent to the west of Francisco Boulevard East. The project site is designated Community Commercial Mixed Use (GC) by the City of San Rafael General Plan and zoned General Commercial (GC).

Proposed Project: The Marin County Transit District (Marin Transit) proposes to construct a Zero Emissions Bus Operations and Maintenance Facility on a 3.5-acre site located at 1075 Francisco Boulevard East in the City of San Rafael. Marin Transit acquired the undeveloped site from Marin Hospitality in a voluntary sale in November 2024. Marin Transit proposes to construct a zero-emissions bus facility to maintain a fleet of 68 fixed-route buses, install bus charging infrastructure, and park approximately two-thirds of the fleet. These services support the fixed-route fleet, providing local transit service primarily to low-income and minority riders. Currently, Marin Transit operates and maintains this fleet across several yards and facilities, creating inefficiencies and additional costs.

A-1.2

Comments on the Draft Initial Study (IS)/Mitigated Negative Declaration (MND)

The City of San Rafael has reviewed the Draft IS/MND and has the following comments:

1. Project Description

Existing Zoning

A-1.2 Cont.

This section correctly identifies the proposed use pursuant to San Rafael Municipal Code (SRMC) Section 14.05.020 as a "Public and utility facilities (corporation, maintenance or storage yards, utility distribution facilities, etc.)". However, this section incorrectly states that this use is allowed in the General Commercial zoning district. See Table 14.05.020:

Public facilities			
	Administrative offices	C	
	Day services center	C	C
	Job center	C	
	Libraries, museums and other cultural facilities	C	C
	Public and utility facilities (corporation, maintenance or storage yards, utility distribution facilities, etc.)		
	Public facilities, other (police, fire, paramedic, post office, etc.)	C	C

The following notations apply to Table 14.05.020

- P: Permitted by right
- C: Conditional use permit
- CZ: Conditional use permit/zoning administrator
- A: Administrative use permit
- **Blank: Not allowed**

As the column for the General Commercial zoning district is blank for this land use category, the proposed use is not allowed. As such, the proposed use is not allowed per SRMC Section 14.05.020, and the proposed project would require a zoning amendment in addition to a General Plan amendment. This section should be updated.

2. Air Quality

A-1.3

The project site is located within 500 feet of the Marin Health and Wellness campus, which is a sensitive receptor. The Air Quality section should be amended to evaluate potential impacts to this sensitive receptor.

3. Hydrology

A-1.4

Per Section 2.10 Hydrology and Water Quality of the IS narrative, the project will add 150,850 s.f. of impervious surface. This section goes on to state that "stormwater volumes within the project

site would not be significantly altered" and "The anticipated amount of stormwater runoff would not be significantly more than existing conditions, as the project site is in a developed area. Therefore, the project would not contribute to stormwater runoff that would exceed the capacity of the existing or planned stormwater drainage system, and impacts would be less than significant."

A-1.4 Cont.

Section 2.19 Utilities and Service Systems states that "The project would not require new or expanded stormwater facilities."

However, a hydrology and hydraulics study showing peak flows (pre/post) and modeling of the storm drain system was not provided, so we are unable to verify the IS finding that the existing storm drain capacity is sufficient. The conclusions in the IS regarding stormwater impacts lack supporting documentation.

4. Land Use and Planning

A-1.5

Information provided in the Land Use and Planning section regarding the City of San Rafael General Plan and Zoning Code is incorrect and should be updated.

General Plan Land Use Designation: As noted above, the project site is designated Community Commercial Mixed Use (21.8-43.6 units/net acre; maximum FAR 0.3) by the General Plan. This category corresponds to general retail and service uses, restaurants, automobile sales and service uses, hotels/ motels, and other commercial activities.

Offices are also permitted, except where specifically precluded by General Plan policies. Mixed-use projects that combine housing and commercial uses are encouraged. Projects that are entirely residential are permitted, although limitations may apply in certain zoning districts to ensure that adequate land is provided for activities generating sales tax, jobs, and local service opportunities. Residential development is subject to a maximum net density of 43.6 units per acre.

The potential use of an electric vehicle bus charging and maintenance facility is inconsistent with the applicable San Rafael General Plan 2040 Community Commercial Mixed Use land designation. Allowed uses include general retail and service uses, restaurants, automobile sales and service uses, hotels/ motels, and other commercial activities. The proposed use of the site for a public transit facility does not fall within these allowed uses, as it proposes a public transit facility. The proposed use of the property would be consistent with the General Industrial land use designation, which allows activities such as motor vehicle service and repair, solid waste management and recycling facilities, and trucking yards or terminals. Uses that are incidental or ancillary to these activities also may occur, including offices related to the primary use and employee-oriented retail uses. The project does not comply with the General Plan land use designation.

A-1.6

Zoning Code: Allowed uses in the General Commercial zoning district are governed by SRMC Section 14.05.020 - Land use regulations (GC, NC, O, C/O, R/O, FBWC), Table 14.05.020. The project proposes a bus maintenance and operations facility, which is categorized as a "Public and utility facilities (corporation, maintenance or storage yards, utility distribution facilities, etc.)". This use is not allowed in the GG zoning district.

A-1.6 Cont.

Public facilities			
	Administrative offices	C	
	Day services center	C	C
	Job center	C	
	Libraries, museums and other cultural facilities	C	C
	Public and utility facilities (corporation, maintenance or storage yards, utility distribution facilities, etc.)		
	Public facilities, other (police, fire, paramedic, post office, etc.)	C	C

The IS/MND claims the proposed use is consistent with the zoning district and aligns with the "Motor vehicle service and sales" land use; however, the project includes the following components, as described in the Project Description:

- District operations; visitor, employee, and bus parking; maintenance, charging, potential solar panel infrastructure; and fencing.
- The project will support both diesel-electric hybrid buses and electric buses and includes a diesel refueling station to service diesel-electric hybrid buses until the transition to an all-electric fleet.
- Building uses include office space, employee showers, restrooms, a breakroom, a manager's office, a driver's check-in, and employee lockers.
- Utility rooms such as the main electricity room, mechanical room, janitorial closet, copy room, and a Main Distribution Frame (MDF) room.
- Five (5) bus bays and maintenance support areas such as parts and tire storage,
- Storage for parts and tires
- Tool/battery room, and maintenance equipment storage.
- Mobile lifts for easier access to the underside of fleet vehicles.
- A bus wash station.

External uses include:

- Fare exchange
- Vacuum island
- Transformers
- Backup generator
- Above-ground 10,000-gallon diesel tank
- Bus charging equipment
- Solar canopies

The proposed use of the project site overall is for a public agency transit facility, not for Motor vehicle sales and service. The project does not propose selling or serving automobiles, motorcycles, trailers, trucks, or recreational vehicles. The proposed use is clearly described under

the "Operation" section on page 13 of the IS/MND, and no part of that description reflects a motor vehicle sales and service use:

A-1.6 Cont.

> *Upon the completion of construction,* ***the zero emissions operations and maintenance facility*** *would be used to* ***charge*** *and* ***conduct routine maintenance and storage of the vehicle fleet****. This routine maintenance would include, but is not limited to, general repairs, tire repairs, part replacements, refueling diesel-electric hybrid buses until they are phased out, and cleaning of the interior and exterior of the buses. …. The facility would be used by three primary groups of users with varied hours of use. The highest number of users would be* ***transit drivers*** *and they would typically use the facility over a 23 hour period from 4:00 a.m. to 3:00 a.m. The second largest group would be maintenance workers (two shifts) who would typically occupy the facility from 5:00 a.m. until 9:00 p.m. and would return for service during the p.m. peak hours (4 p.m. to 10 p.m.).* ***Administrative staff,*** *the smallest group of users, would typically use the facility from 7:00 a.m. until 5:00 p.m. The mid- to late-morning hours (8:00 a.m. – 12:00 p.m.) and late-night hours (after 11:00 p.m.) will experience the lowest volume of trips. A typical day would see two periods of increased activity around the times when drivers would report and pull out for service and the times when drivers would pull in and exit the facility.* ***Drivers would enter the facility and park their personal car in the employee lot before reporting for work. After entering the building and checking-in, drivers would be assigned a transit vehicle in yard, conduct their inspection, and depart the yard to start service****. In total, 58 buses will be stored in the yard for driver assignment. Additional trips to/from the facility made by users outside these primary user groups would occur during the administrative hours and consist of* ***visitor traffic****, deliveries to the facility (primarily for maintenance parts), and* ***fuel trucks****.*

As such, the proposed use is not allowed per SRMC Section 14.05.020, and this section should be updated accordingly.

5. Transportation

The following comments pertain to Appendix E, "Traffic and CEQA and NEPA Assessment Marin Transit Facility at 1075 Francisco Boulevard East, San Rafael," memorandum prepared by Fehr & Peers dated August 4, 2025.

A-1.7

a. Site Plan/Circulation: Access to Employee Parking is only provided from Francisco Blvd East (FBE). Currently, FBE is one-way- eastbound only. Exit from the Employee Parking will be allowed only to turn left onto FBE and go east. Marin Transit employees must be made aware of this restriction, and the existing driveway should have a STOP control, Left Turn Only signs, and striping. All driveways on FBE shall have stop signs and Left Turn Only signs.

A-1.8

b. Intersections LOS Analysis: Since the project is adding trips to the signalized intersections of FBE/Irene and Kerner/Bellam, please add LOS analysis of these two intersections to the study.

A-1.9

c. Table 2: Bus Yard Trip Generation:

   i. The City prefers the use of a standard method of trip generation, such as ITE. That is how the City calculates the Transportation Mitigation Fee (TMF) on any project.

ii. There must be more historical data from other Bus Yards operations in Marin County or nearby bus yards to justify the numbers in Table 2. For example, out of the total of 56 employees, Table 2 shows only one arriving at the AM Peak hour and only 8 (in and out) at the PM Peak hour. And out of 50 buses, 4 leave at AM and a total of 6 arrive during PM Peak hour.

A-1.10

d. Table 3: Project Peak Hour Trip Generation with Relocated Bus Trip:

A-1.11

i. Since this location has no development and the relocated bus yard is not at this location, there is no justification to subtract any trip from new trips and get credit for relocated bus trips.

e. Table 4: Planned Transit

A-1.12

i. What is the guarantee that this schedule will remain and will not change in the future?

f. Intersection LOS Analysis:

A-1.13

i. As mentioned above, please add the intersections of FBE/Irene and Kerner/Bellam to the LOS analysis.

Sea Level Rise

A-1.14

This site is within the existing floodplain, on a site where continued subsidence is expected to increase those flood risks. This area is not protected by formal flood control defenses (like a levee), but it is in an area that has subsided below current water levels in the Bay. With the foot of sea level rise expected in the next 20-40 years and the continued subsidence of this site, flood risks would be expected to significantly increase unless measures are taken on site to mitigate the flood risks. For infrastructure with a high sensitivity to flooding, like electrical equipment, these flood risks could cause meaningful damage and disruptions in service unless the infrastructure is designed to be resilient to known flood risks.

Community Engagement Process

A-1.15

In regard to the engagement process conducted to date, the City appreciates the opportunity to provide input on the engagement plan for the facility design in 2026, including the investment in local leadership capacity-building and the commitment to providing materials in Spanish.

A-1.16

The City wanted to see more community engagement in 2025 that could have influenced the CEQA process, specifically focused on identifying possible community benefit options. Having the bulk of community engagement planned for 2026, which is limited to facility design elements, misses the opportunity for a more robust engagement on proposed potential uses.

Only one engagement session, conducted in the Canal on July 23, 2025, solicited input on potential community benefits. Neither the September 24 virtual event nor the October 3 Canal Alliance Fair tabling invited this feedback. The related online survey was challenging to find on the website and was not promoted actively.

A-1.17

Engagement on childcare and workforce development programs is not integrated into the larger engagement efforts or planning, and it is not clear who is being engaged on these topics.

A-1.18 The potential proposed uses under consideration presented at the September 8 Board Meeting were very limited. The City recommends that Marin Transit explore collaboration on additional grant opportunities to help expand possible uses.

Conclusion

A-1.19 The City appreciates the opportunity to provide comments on the Draft IS/MND and looks forward to working collaboratively with the Marin Transit District.

Sincerely,

Micah Hinkle

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Response to Comment Letter A-1: Micah Hinkle, City of San Rafael (December 1, 2025)

A-1.1: The commenter acknowledges receipt of the Draft IS/MND and summarizes the proposed project's location and scope.

The District acknowledges the comment. This comment does not raise any issues with the adequacy of the Draft IS/MND; therefore, no revisions to the IS/MND are necessary and no further response is necessary.

A-1.2: The commenter notes that the Draft IS/MND correctly identifies the proposed use pursuant to the San Rafael Municipal Code (SRMC) Section 14.05.020 as a "Public and utility facilities" use, but incorrectly states that the use is allowed in the General Commercial district. The commenter indicates that a zoning amendment and General Plan amendment would be required.

The Draft IS/MND does not identify the proposed project as "Public and utility facilities." Instead, the Draft IS/MND at **Section 1.1, Project Location and Setting**, and **Section 2.11, Land Use and Planning**, explains the proposed project site is zoned General Commercial under the SRMC Section 14.05.020 (see page 4, 93, **Appendix F**). The District acknowledges the commenter previously advised the District as follows: "Understanding that Marin Transit is seeking a location for a bus charging and maintenance facility, I would categorize that proposed use resembling the listed use, "Public and utility facilities (corporation, maintenance or storage yards, utility distribution facilities, etc.)" (see **Appendix F**). The District acknowledges that the "Public and utility facilities" is a subcategory of General Commercial under the SRMC.

The Draft IS/MND does not say that the proposed project is allowed as of right. Instead, the Draft IS/MND quotes from the SRMC, which says that General Commercial use may allow for public, quasi-public, and community uses, such as maintenance or storage yards, as a permissible conditional use (see page 4, 93, **Appendix F**). The Draft IS/MND clarifies that the specific uses proposed for the site, which include parking facilities (commercial or municipal), major repairs (engine work, painting, and body work), and minor repairs (tune-ups, brakes, batteries, tires, mufflers, and upholstery) are permissible in the General Commercial zoning district with a conditional use permit or zoning administrator approval (see pages 4, 93-94, **Appendix F**).

The Draft IS/MND also explains that Marin Transit is exempt from the City of San Rafael (City) local ordinances under State law (Government Code section 53090), except for an encroachment permit (see page 14, 95). Government Code section 53091(a) explains "[e]ach local agency shall comply with all applicable building ordinances and zoning ordinances of the county or city in which the territory of the local agency is situated." But Government Code section 53090 excludes from the definition of local agency "the state, a city, a county, a rapid transit district, or a rail transit district whose board of directors is appointed by public bodies or officers or elected from election districts within the area comprising the district…." Accordingly, the proposed project is exempt from San Rafael's building ordinances and zoning ordinances. This state law authority responds to the commenter's suggestion that the proposed project would require a zoning amendment.

Finally, the Draft IS/MND describes the District's satisfaction of the requirements under State law Government Code 65402(c), including the District's request for the City's report on conformity with the City's General Plan, the City's response, and the District's consideration and action on the report, which exercised the District's authority under state law to overrule the City's disapproval (see page 93, **Appendix F**). Accordingly, the proposed project is not subject to San Rafael's General Plan. This state law authority responds to the commenter's suggestion that the proposed project would require a General Plan amendment.

For all of the foregoing reasons, no revisions to the IS/MND are necessary in response to comment A-1.2.

A-1.3: The commenter requests that the Air Quality analysis include an evaluation of potential impacts to the Marin Health and Wellness campus, identified as a sensitive receptor located within 500 feet of the project site.

The Draft IS/MND identifies Marin Health and Wellness Campus as a sensitive receptor and evaluates the potential impacts to this sensitive receptor (see pages 32 and 36 of **Section 2.3, Air Quality** and in **Appendix A**). Accordingly, no revisions to the IS/MND are necessary in response to comment A-1.3.

A-1.4: The commenter notes discussion in the Draft IS/MND related to new impervious surfaces, stormwater volumes, and the capacity of the existing or planned stormwater drainage system. The commenter requests pre- and post-project peak flows and storm drain system modeling to substantiate the findings in Draft IS/MND **Section 2.10, Hydrology and Water Quality**, and **Section 2.19, Utilities and Service Systems**, that the existing storm drain capacity is sufficient.

As discussed in **Section 2.10, Hydrology and Water Quality**, pages 82–90, the proposed project would increase impervious surfaces by approximately 150,850 square feet; however, the site is located within a fully developed urban area with existing stormwater infrastructure designed to accommodate current runoff volumes. The proposed project includes implementation of a site-specific stormwater management plan consistent with the San Francisco Bay Regional Water Quality Control Board's Municipal Regional Stormwater Permit (MRP) and the State's NPDES General Construction Permit, which requires preparation of a Notice of Intent (NOI) and a Storm Water Pollution Prevention Plan (SWPPP) (**Section 2.10, Hydrology and Water Quality**, pages 82–90 of the IS/MND).

The stormwater management plan will incorporate Low Impact Development (LID) features such as bioswales to capture, treat, and infiltrate stormwater runoff, thereby minimizing changes to runoff volume and peak flow rates. The IS/MND concludes that the anticipated stormwater runoff post-project would not significantly exceed existing conditions, and the proposed project would not contribute runoff volumes that exceed the capacity of existing or planned stormwater drainage systems.

Section 2.19, Utilities and Service Systems, pages 133-134 of the IS/MND, confirms that the proposed project would not require new or expanded stormwater facilities. While a detailed hydrology and hydraulics study with peak flow modeling was not included in the IS/MND, the proposed project's compliance with applicable stormwater regulations, incorporation of best

management practices, and the developed nature of the area provide substantial support for the conclusion in **Section 2.10, Hydrology and Water Quality**, that stormwater impacts would be less than significant.

The IS/MND's findings regarding stormwater impacts and storm drain capacity are supported by the proposed project's design features, regulatory compliance, and the existing urban context, and impacts are appropriately concluded to be less than significant.

Accordingly, no revisions to the IS/MND are necessary in response to comment A-1.4.

A-1.5: The commenter states that the Land Use and Planning section contains incorrect information about the City of San Rafael General Plan and Zoning Code and should be updated.

The commenter does not identify, however, any errors in the Draft IS/MND. In particular, the commenter states that the site is designated Community Commercial Mixed Use by the General Plan. The Draft IS/MND provides this same information (see page 1, 3, 4, 17, 18, 93, and **Appendix F**).

The commenter explains uses that correspond with this designation, including retail, service, restaurant, automobile sales and service uses, hotels/motels and other commercial activities, as well office, mixed-use, and certain residential projects. The Draft IS/MND also provides this same information (see page 3-4, 93, **Appendix F**).

The commenter indicates that the proposed electric bus charging and maintenance facility is inconsistent with the General Plan Community Commercial Mixed Use land use designation. The Draft IS/MND does not state otherwise. Instead, the Draft IS/MND: (1) identifies certain automobile services under the General Plan Community Commercial Mixed Use category that may be approved by the Zoning Administrator with a conditional use permit; (2) explains that there are other elements of the General Plan that are consistent with the proposed project, including the Conversation and Climate Change and Mobility elements; and (3) describes the state law authority that allows the proposed project to proceed (see page 3-5, 93-95, **Appendix F**).

Accordingly, no revisions to the IS/MND are necessary in response to comment A-1.5.

A-1.6: The commenter notes that allowed uses in the General Commercial zoning district are governed by San Rafael Municipal Code Section 14.05.020 and Table 14.05.020. The Draft IS/MND provides this same information (see page 4, 93, **Appendix F**).

The commenter states that the proposed bus maintenance and operations facility is categorized as "Public and utility facilities.". The Draft IS/MND does not reach a conclusion about any specific use type within Section 14.05.020. But, as noted in response to comment A-1.2, the District acknowledges that the commenter previously advised the District about the City's conclusion in this regard (see **Appendix F**).

The commenter states that the Draft IS/MND says the proposed use is consistent with the zoning district. As noted in response to comment A-1.2, the Draft IS/MND does not say that the proposed project is allowed as of right. Instead, the Draft IS/MND identifies uses that the SRMC

says may be allowed as permissible conditional use or with zoning administrator approval (see page 4, 93-94, **Appendix F**).

The comment notes that the Draft IS/MND says the proposed project aligns with the "Motor vehicle service and sales." But instead, the Draft IS/MND quotes from the San Rafael General Plan about the kinds of uses that aligned with the Community Commercial Mised Use designation; explains that the site was previously used as a car sales lot; and points to conditional uses that may be approved by the Zoning Administrator and which are similar to the proposed project, including parking facilities, major repair facilities, and minor repair facilities (see page 4, 93-95).

The commenter explains that the proposed project is not "overall" for motor vehicle sales and service and explains that the proposed use is not allowed under SRMC 14.05.020. The Draft IS/MND does not rely on a conclusion to the contrary. As explained in response to comment A-1.2, as a result of state law process, the proposed project is not subject to San Rafael's General Plan. As explained in **Section 2.11, Land Use and Planning**, of the Draft IS/MND, the proposed project would not result in a significant land use impact due to incompatibility with surrounding land uses, and the impact is less than significant. The commenter has not provided any evidence that this conclusion is incorrect and no changes to the IS/MND are necessary in response to comment A-1.6.

A-1.7: The commenter addresses **Appendix E** to the IS/MND regarding traffic and circulation. The commenter notes that employee parking access is only from Francisco Boulevard East, which is one-way eastbound, limiting exits to left turns. The commenter recommends installing stop signs, "Left Turn Only" signage, and striping at the driveway, and applying similar signage at all driveways along Francisco Boulevard East.

The proposed project's traffic study considered this flow of one-way traffic on Francisco Boulevard East and how project buses and employee vehicles will enter and exit the site. All employee vehicles and most buses will exit the site by making a left turn from one of the proposed project's three driveways on Francisco Boulevard East. These driveways will include applicable California Manual on Uniform Traffic Control Devices (MUTCD) signage and lane markings, such as stop signs, stop bars, no right turn signs, and relevant striping to make this one-way traffic flow clear to drivers leaving the site. No revisions to the IS/MND are necessary in response to comment A-1.7.

A-1.8: The commenter requests that the traffic study (**Appendix E**) include Level of Service (LOS) analysis for the signalized intersections at Francisco Boulevard East/Irene and Kerner/Bellam.

The City of San Rafael Transportation Analysis Guidelines (TA Guidelines) lists the technical analysis requirements for traffic studies completed within the City of San Rafael. For projects with higher estimated trip generation levels, the TA Guidelines provide guidance on how to evaluate a project's potential to cause significant impacts for CEQA and how to separately analyze a project's consistency with the City of San Rafael General Plan, which includes LOS, a measure of automobile delay.

Section 15064.3 of the CEQA Guidelines prohibits the use of automobile delay as a CEQA significance criteria for transportation impacts. Although LOS can no longer be used for the purposes of CEQA, the City of San Rafael continues to maintain LOS standards in its General Plan, and the City's TA Guidelines place LOS analysis requirements on projects based on their trip generation estimates. As stated in **Appendix E**, the proposed project falls within Tier 2A of the City's TA Guidelines, which asks for a Local Traffic Analysis (LTA), where the study evaluates LOS for two to four nearby intersections at or adjacent to a project's access points for a vehicle LOS analysis. The three study intersections that are evaluated in the LTA were selected in consultation with the City and were shared with the City in a video call on February 20, 2025. The preparation of LOS analysis for additional study intersections is not a CEQA issue; no revisions to the IS/MND are necessary in response to comment A-1.8.

A-1.9: The commenter states that the City prefers using a standard trip generation method, such as the Institute of Transportation Engineers (ITE) methodology, rather than the approach shown in **Appendix E**, Table 2.

The City's TA Guidelines provide guidance on how to estimate the number of trips generated by a project. The TA Guidelines recommend the use of locally obtained data as the City's preferred methodology for estimating trip generation methodology (see, e.g., TA Guidelines page 17). Consistent with the City's TA Guidelines, the trip generation estimates used in the proposed project's **Appendix E** relies on local data; they are from existing Marin Transit bus yards and they are based on current travel characteristics by the same buses that will be relocated from those sites to the proposed project.

The TA Guidelines explain that using ITE trip generations rates is the City's preferred trip methodology if locally obtained data is not available (see, e.g., TA Guidelines page 17). The ITE's Trip Generation Manual provides vehicle trip generation rates for a variety of land uses. The ITE manual does not appear to provide trip generation rates for this type of project. Therefore, locally obtained data remains the best way to estimate the proposed project's vehicle travel, which is consistent with the City's TA Guidelines. Accordingly, no revisions to the IS/MND are necessary in response to comment A-1.9.

A-1.10: The commenter suggests that additional historical data from other bus yard operations in Marin County or nearby bus yard facilities is needed to justify the trip generation numbers in **Appendix E**, Table 2. Specifically, the commenter questions the employee and bus activity shown for a.m. and p.m. peak hours in Table 2 compared to the total number of employees and buses.

Table 2 in the traffic study shows that the proposed project will generate a relatively low number of new trips during the a.m. and p.m. peak hours. But this outcome is based on the operational patterns of a public transit facility and does not indicate a flaw in the data. The trips made by the buses and their operators occur prior to the morning commute period and after the evening commute period, so the buses are on the streets and providing service prior to and after the peak hours for transit ridership in a transit system because of commute and school travel. So, almost all of the buses in the proposed project will leave the yard to enter service before the start of the a.m. peak period at 7 a.m., and they will return to the yard after the conclusion of the p.m. peak period at 6 p.m. Therefore, the proposed project contributes very

few new vehicle trips during the a.m. and p.m. peak hours. The data is credible and reliable; accordingly, no revisions to the IS/MND are necessary in response to comment A-1.10.

A-1.11: The commenter states that **Appendix E**, Table 3 should not subtract trips for a relocated bus yard because the proposed project site is currently undeveloped and does not have an existing bus yard, making such credits unjustified.

Table 3 of the traffic study shows the number of trips generated by the proposed project's bus and employee vehicle trips. Rather than just apply a credit to the proposed project trip generation assessment for existing trips, the travel forecasts prepared for the LOS analysis adjusted base intersection turn movement volumes to reassign existing bus trips to the new bus facility. The proposed project will relocate bus storage from existing facilities to the proposed project. But the current bus routes already pass through the traffic study's study intersections. The traffic study's analysis reassigns those trips from the existing storage sites to the project site and removes the movements they would have made to reach the existing storage site. This assignment is necessary to avoid double counting buses for the traffic study's non-CEQA LOS analysis, and it is not an existing use credit. Accordingly, no revisions to the IS/MND are necessary in response to comment A-1.11.

A-1.12: The commenter questions the reliability of the planned transit schedule shown in **Appendix E**, Table 4 and asks what assurance exists that the schedule will remain unchanged in the future.

Table 4 of the traffic study shows the activity of the buses that are currently in operation and are planned to be reassigned to the proposed project site. Based on District's planning documents this schedule is unlikely to substantially change in the future, especially the number of buses entering and exiting the site during the a.m. peak period (7-9 a.m.) and the evening peak period (4-6 p.m.). Marin Transit service on the routes that will use the project site starts between 5 a.m. and 7 a.m., depending on the route. The buses on these routes will leave the yard in advance of these scheduled start times, so that buses can be prepositioned into service. Marin Transit has maintained this start time, also known as a span of service, since 2006, and the agency does not have plans to change this span of service in the future. No revisions to the IS/MND are necessary in response to comment A-1.12.

A-1.13: The commenter reiterates the request to include LOS analysis for the intersections at Francisco Boulevard East/Irene and Kerner/Bellam in the traffic study (**Appendix E**).

The comment is the same as comment A-1.8. See response to comment A-1.8.

A-1.14: The commenter notes that the project site is within an existing floodplain, subject to continued subsidence, lacks formal flood control measures, and is subject to significantly increased flooding risk. The commenter notes that flood risk could cause damage and disruption to service, unless designed for resiliency.

Consistent with the commenter's notes, the Draft IS/MND, acknowledges that the project site is located within the FEMA-designated 100-year floodplain and is subject to existing flood risks associated with its proximity to San Rafael Bay and San Rafael Creek. The Draft IS/MND acknowledges that the site is low-lying and that sea level rise and subsidence are important considerations for flood risk management (see pages 88-89).

As to CEQA requirements relative to flood risk, the Draft IS/MND explains and supports the conclusion that there is no significant risk of release of pollutants due to project inundation from flood hazard, tsunami, or seiche zones; No revisions to the IS/MND are necessary in response to comment A-1.14.

A-1.15: The commenter acknowledges the community engagement process and expresses appreciation for the opportunity to provide input on the facility design engagement plan for 2026, including efforts to build local leadership capacity and materials in Spanish.

The District acknowledges the comment. This comment does not raise any issues with the adequacy of the Draft IS/MND; therefore, no revisions to the IS/MND are necessary and no further response is necessary.

A-1.16: The commenter states that more community engagement should have occurred in 2025 to influence the CEQA process and identify potential community benefits options. The commenter critiques certain specific outreach performed by the District as not specific, challenging to locate, and not adequately promoted.

Marin Transit conducted outreach efforts for the proposed project starting in the fall of 2024. During project scoping and the CEQA process, Marin Transit solicited community feedback on proposed potential uses, the initial site design, project constraints and impacts, and environmental documents. Marin Transit staff used a variety of techniques to engage neighbors, transit riders and other stakeholders. These included online meetings with multiple platforms, direct stakeholder meetings, attending existing community events, mailing postcards, emailing stakeholders, developing a project contact list, and using online surveying.

Community feedback at events through dot voting and conversations, online surveying, and discussions with community groups, consistently found general support for the proposed project, and more support for transit service and bus stop improvements than investment in ancillary site uses. The proposed project has received the support of local community group, the Canal Alliance, stating that the "Canal Alliance strongly supports the proposed Zero Emission Bus Operations and Maintenance Facility in San Rafael as an important step toward sustainable transportation and reducing emissions in Marin County." Marin Transit has made a concerted effort to engage the community and to design a project that meets both the needs of the District as well as ensuring that community voices were part of the process.

No revisions to the IS/MND are necessary to respond to comment A-1.16.

A-1.17: The commenter notes that engagement on childcare and workforce development programs is not integrated into the broader engagement efforts or planning and states that it is unclear who is being engaged on these topics.

This comment does not raise any issues with the adequacy of the Draft IS/MND; therefore, no revisions to the IS/MND are necessary to respond to comment A-1.17. The District will follow up with the City to ensure they are engaged and informed on the status of the District's efforts relative to childcare and workforce development.

A-1.18: The commenter notes that the potential uses presented at the September 8 Board Meeting were very limited and recommends that Marin Transit pursue additional grant opportunities to expand possible uses.

This comment does not raise any issues with the adequacy of the Draft IS/MND; therefore, no revisions to the IS/MND are necessary to respond to comment A-1.18. Marin Transit received requests from the City to consider potential additional uses on the site beyond the bus charging and maintenance facility. A feasibility and priority determination was made for each of the proposed uses based on community feedback at outreach events, and financial and physical feasibility. Community feedback at events through dot voting and conversations, online surveying, and discussions with community groups, consistently found general support for the proposed project as planned, and more support for transit service and bus stop improvements than investment in ancillary on-site uses.

A-1.19: The commenter expresses appreciation for the opportunity to provide comments on the Draft Initial Study/Mitigated Negative Declaration and looks forward to continued collaboration with the District.

The District acknowledges the comment. This comment does not raise any issues with the adequacy of the Draft IS/MND; therefore, no revisions to the IS/MND are necessary and no further response is necessary.

December 1, 2025

Marin Transit
Attn: Nancy Whelan, General Manager
711 Grand Ave, #110
San Rafael, CA 94901

Subject: Comments on the Proposed Zero-Emission Bus Operations and Maintenance Facility

A-2.1 The City of San Rafael appreciates Marin Transit's ongoing commitment to reducing emissions and modernizing regional transit operations. However, the City must reiterate its formal opposition to the proposed Zero-Emission Bus Operations and Maintenance Facility at 1075 East Francisco Boulevard. As outlined in the City's prior correspondence on September 13, 2024 (attached), the proposed facility is not consistent with the approved San Rafael General Plan 2040, including its Community Commercial Mixed Use land use designation, applicable zoning standards, and the established vision for the Canal neighborhood.

A-2.2 As previously stated, the General Plan encourages retail, service, office, and mixed-use residential activities at this location. It does not allow industrial uses, such as a bus charging and maintenance yard. The Zoning Ordinance similarly does not permit this use category within the General Commercial zoning district, and no provision classifies such a facility as allowable or conditionally allowable. This determination has not changed.

A-2.3 In addition to the land use inconsistencies, the City has significant concerns that the project, as currently described, does not provide a clear or tangible direct benefit to the surrounding community. The Canal neighborhood includes some of the most historically underserved residents in San Rafael, and the General Plan calls for engagement strategies that ensure new development advances community needs, enhances neighborhood character, and strengthens pedestrian and transit connections. To date, neither the project proposal nor Marin Transit's outreach efforts have aligned with these expectations, and the City has not seen sufficient robust, meaningful engagement with residents, businesses, or community-based organizations to identify or incorporate community benefits.

A-2.4 In light of these unresolved issues, the City must reaffirm that the proposed project is not in conformance with the approved City of San Rafael General Plan 2040 and does not meet the threshold for compatibility with the Canal neighborhood's long-term vision. Until substantive community engagement occurs that influences more than just facility design elements and a project is presented that delivers clear, locally driven benefits while complying with adopted land use policies, the City cannot support the proposal in its current form.

A-2.5 The City remains open to continued dialogue and collaboration with Marin Transit on alternative site options or revised concepts that may achieve both Marin Transit's operational goals and the City's adopted land use, environmental, and equity priorities.

Sincerely,

Kate Colin

Kate Colin, Mayor

Attachment: Request for report on conformity with General Plan, September 13, 2024

cc: Cristine Alilovich, City Manager
Rob Epstein, City Attorney
Angela Robinson Piñon, Assistant City Manager
April Miller, Director, Public Works
Micah Hinkle, Director, Community & Economic Development

September 13, 2024

Marin Transit
Nancy Whelan, General Manager
711 Grand Ave, #110
San Rafael, CA 94901

Subject: Request for report on conformity with General Plan pursuant to Government Code Section 65402(c); 1075 East Francisco Boulevard

The City of San Rafael is in receipt of your August 6, 2024 request for conformity with the General Plan pursuant to Government Code Section 65402(c) for the property located at 1075 East Francisco Boulevard. The request from Marin Transit requested that the City only consider the fact that Marin Transit was acquiring the property, and not consider any possible future use. However, Govt Code Section 65402(c) states in part that, "*A local agency shall not acquire real property for any of the purposes .. or construct or authorize a public building or structure, in any county or city, if such county or city has adopted a general plan or part thereof and such general plan or part thereof is applicable thereto, until the location, purpose and extent of such acquisition, disposition, or such public building or structure have been submitted to and reported upon by the planning agency having jurisdiction, as to conformity with said adopted general plan or part thereof.*"

Therefore, staff is responding to this request in two parts:

1. The acquisition of the property, and
2. The potential future use of an electric vehicle bus charging and maintenance facility or some other use to support Marin Transit's public transit purposes. This is the potential use referenced in the request.

It is possible that the acquisition of this property by Marin Transit could result in a use that is in conformance with the vision and intent of the San Rafael General Plan 2040 for this parcel. However, the use of an electric vehicle bus charging and maintenance facility would not be consistent with the adopted General Plan 2040 for the subject property.

Adopted San Rafael General Plan 2040 Land Designation

This parcel is found in one of the city's Mixed-Use Land Use categories. There are five mixed use categories in the city limits. The General Plan notes *that each category allows both residential and non-residential uses. It further notes that other compatible uses, such as schools, childcare centers, parks, and religious facilities, may locate in each designation, subject to specific requirements codified through zoning.* It does not note that an industrial use would be allowed in these designations.

This parcel is designated as **Community Commercial Mixed Use** (21.8-43.6 units/net acre; maximum FAR 0.3) This designation is described as follows in the Land Use Element: *This category corresponds to general retail and service uses, restaurants, automobile sales and service uses, hotels/ motels, and other commercial activities. Offices are also permitted, except where specifically precluded by General Plan policies. Mixed use projects that combine housing and commercial uses are encouraged. Projects that are entirely residential are permitted, although limitations may apply in certain zoning districts to ensure that adequate land is provided for activities generating sales tax, jobs, and local service opportunities. Areas with this designation include the Northgate Town Center, Merrydale Road area, and portions of Francisco Boulevard East and West. Town Center, Merrydale Road area, and portions of Francisco Boulevard East and West.*

The Neighborhood Element provides further guidance to what sorts of uses would be considered compliant with the vision of this parcel. It notes that it is part of the Canal District. On Page 4.4-4, it states, "*The southern part of the Canal District includes a grid of streets facing Francisco Boulevard East. The area along Medway Road and Vivian Street is the commercial heart of the neighborhood, but it lacks cohesion, landscaping, lighting, and other amenities that create the sense of a neighborhood center. Many of the structures are inexpensive post-war metal buildings. The area could be reimagined with gathering places, pedestrian spaces, and safer connections to nearby residential areas. New models for community engagement will be needed to design and create a place that truly meets community needs. Care must be taken to keep rents affordable and not displace cost-sensitive service uses and small businesses."* It specifically notes that, *"Francisco Boulevard East should be improved as a neighborhood gateway, with better sidewalks, signage, landscaping, and lighting. The Canal neighborhood is somewhat isolated from Downtown and the rest of the city and should be better connected by transit, sidewalks, and bicycle lanes."*

San Rafael Zoning Ordinance

Zoning ordinances of charter cities must be consistent with the city's general plan (Gov. Code 65860(d)). Therefore, staff is referencing the City's zoning code to determine what were the intended uses identified in the Community Commercial Mixed Use designation. The site has a zoning designation of **General Commercial** and is described as a district that *promotes a full range of retail and service uses in major shopping centers and certain areas of the city which have*

freeway or major street access and visibility. Residential use is allowed with a use permit. Offices are a conditional secondary use, for example, on portions of sites with poor retail visibility. Floor area ratio (FAR), trip allocation and design criteria vary throughout the district in response to specialized conditions recognized in the general plan.

San Rafael Municipal Code Table 14.05.020 (Table of Allowed Uses in Commercial Districts) does not list an electric vehicle bus charging and maintenance facility at all. Any use not listed in this table is considered prohibited. However, under San Rafael Municipal Code Section 14.02.040 C - Zoning Regulations notes that *where uncertainty exists regarding the interpretation of any provision of this title or its application to a specific site, the planning director shall determine the intent of the provision.* Understanding that Marin Transit is seeking a location for a bus charging and maintenance facility, I would categorize that proposed use resembling the listed use, "Public and utility facilities (corporation, maintenance or storage yards, utility distribution facilities, etc.)". This use is also not allowed in General Commercial district, but is allowed in the City's Industrial Land Use designations with permit review.

In summary, staff has determined that the potential use of an electric vehicle bus charging and maintenance facility inconsistent with the applicable San Rafael General Plan 2040 Community Commercial Mixed Use land designation.

It is staff's understanding that Marin Transit is still in early phases of due diligence for potential acquisition of this property and determining what the use of the property would be. City staff are available to meet and discuss potential uses that would be compliant with the site's General Plan and zoning designations.

Should there be follow up questions, please do not hesitate to contact me and we can schedule a meeting.

Sincerely,

Micah Hinkle

Micah Hinkle
Community & Economic Development Director
City of San Rafael
415-485-3460
micah.hinkle@cityofsanrafael.org

C. Cristine Alilovich, City Manager

Response to Comment Letter A-2: Kate Colin, City of San Rafael (December 1, 2025)

A-2.1: The commenter expresses appreciation for the District's efforts at emissions reduction and transportation modernization. The commenter expresses the City's opposition to the proposed project because it is not consistent with the City's General Plan and zoning standards, or the vision for the Canal neighborhood.

The comment about the City's General Plan and zoning standards is similar to the City's comment A-1.2 and A-1.6. As explained in those responses to comments, the Draft IS/MND explains that state law exempts the District from San Rafael's building ordinances and zoning ordinances, and General Plan.

As to the comment about the vision for the Canal neighborhood, at least one community group wrote a letter in support of the proposed project (see comment B-1.1); the District received no comments opposing the proposed project from any commercial or residential member of the Canal neighborhood (or any individual or organization, other than the City); the District has solicited community feedback at events, online surveys, and discussions with community groups, and consistently found general support for the proposed project and no opposition based on the vision for the Canal neighborhood or otherwise.

No revisions to the IS/MND are necessary in response to comment A-2.1.

A-2.2: The commenter explains the uses encouraged by the City's General Plan, including retail, service, office, and mixed use residential activities, and prohibited by the General Plan, including industrial uses. The commenter explains that the City's Zoning Ordinance does not permit the proposed project's use, as allowable or conditionally allowable, and confirms that the City's determination has not changed.

The comment is similar to the City's comment A-1.2 and A-1.6, and this commenter's comment A-2.1. See responses to those comments. No revisions to the IS/MND are necessary in response to comment A-2.2.

A-2.3: The commenter expresses concern that the proposed project does not provide a clear or tangible direct benefit to the surrounding community. The commenter describes the Canal neighborhood as the most historically underserved in the City, and describes the engagement strategies under the City's General Plan. The commenter expresses the City's view that the proposed project and the District's outreach efforts have not met the City's expectations.

The comment is similar to the City's comment A-1.16, A-1.17, and A-1.18, and this commenter's comment A-2.1. See responses to those comments. At least one community group wrote a letter appreciating the District's efforts to engage Canal residents and ensure equitable distribution of project benefits (see comment B-1.1). No revisions to the IS/MND are necessary in response to comment A-2.3.

A-2.4: The commenter reiterates the comment that the proposed project does not conform with the City's General Plan, and does not meet the vision for the Canal neighborhood. The comment reiterates the City's view that substantive community engagement has not occurred. The

comment reiterates the City's view that the proposed project does not provide clear, locally driven benefits. The comment reiterates the City's opposition to the proposed project.

The comment is similar to the City's comment A-1.2, A-1.6, A-1.16, A-1.17, and A-1.18, and a summation of this commenter's comment A-2.1, A-2.2, and A-2.3. See responses to those comments. No revisions to the IS/MND are necessary in response to comment A-2.4.

A-2.5: The commenter expresses the City's willingness to continued dialogue with the District about alterative site options and revised concepts for the proposed project.

The District acknowledges the comment. This comment does not raise any issues with the adequacy of the Draft IS/MND; therefore, no revisions to the IS/MND are necessary and no further response is necessary.

Comment Letter B-1: Omar Carrera, Chief Executive Officer, Canal Alliance (December 10, 2025)

From: 'Omar Carrera' via Facility <facility@marintransit.org>
Sent: Wednesday, December 10, 2025 6:10 PM
To: facility@marintransit.org; Nancy Whelan <nwhelan@marintransit.org>
Cc: Aaron Burnett <aaronb@canalalliance.org>
Subject: Public Comment on Marin Transit CEQA Document – Zero Emission Bus Facility

Dear Marin Transit Team,

Canal Alliance strongly supports the proposed Zero Emission Bus Operations and Maintenance Facility in San Rafael as an important step toward sustainable transportation and reducing emissions in Marin County.

B-1.1

We value our ongoing partnership with Marin Transit in engaging Canal residents and ensuring that community voices are part of this process. Together, we can make sure the benefits of this project, such as improved air quality and reduced traffic impacts, are shared equitably.

As part of this collaboration, we encourage continued attention to workforce development opportunities for Canal residents and proactive monitoring of potential construction impacts like noise and traffic in nearby neighborhoods. These measures will help align the project with CEQA's goals of mitigating community impacts while advancing environmental sustainability.

B-1.2

Thank you for your leadership in bringing clean transit solutions to Marin County.

B-1.3

Omar Carrera
CHIEF EXECUTIVE OFFICER

Direct: 415.306.0423
Main: (415) 454-2640
Mobile: 415.548.0455
canalalliance.org | donate

Response to Comment Letter B-1: Omar Carrera, Canal Alliance (December 10, 2025)

B-1.1: The commenter expresses strong support for the proposed project, noting its importance for sustainable transportation and reducing emissions in Marin County. The commenter also values the partnership with Marin Transit to engage Canal residents and ensure equitable distribution of project benefits such as improved air quality and reduced traffic impacts.

The District acknowledges the commenter's support. This comment does not raise any issues with the adequacy of the IS/MND; therefore, no further response is necessary.

B-1.2: The commenter requests continued focus on workforce development for Canal residents and proactive monitoring of construction impacts, such as noise and traffic.

The Draft IS/MND addresses monitoring of construction impacts, including noise and traffic. See, for example, **Section 1.3, Project Components**, page 13, (constructing timing); **Section 2.13, Noise and Vibration**, pages 102 and 103, and **Mitigation Measure NOI-1** (construction noise mitigation). This comment does not raise any issues with the adequacy of the Draft IS/MND; therefore, no revisions to the IS/MND are necessary and no further response is necessary.

B-1.3: The commenter expresses appreciation for the District's leadership in clean transit solutions.

The District acknowledges the comment. This comment does not raise any issues with the adequacy of the IS/MND; therefore, no revisions to the IS/MND are necessary and further response is necessary.

Attachment B

Mitigation Monitoring and Reporting Program

MITIGATION MONITORING AND REPORTING PROGRAM

Zero Emissions Bus Operations and Maintenance Facility Project

State Clearinghouse No. 2025110114

marin transit

December 2025

Impact	Mitigation Measure	Timing	Responsible Party
AIR QUALITY			
Impact AQ-1: Potential to result in 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.	**Mitigation Measure AQ-1**: During any construction period ground disturbance, the construction contractor shall implement measures to control dust and exhaust. Implementation of the measures recommended by BAAD and listed below would reduce the air quality impacts associated with grading and new construction to a less than significant level. The contractor shall implement the following best management practices that are required of all projects: • All mobile off-road equipment (wheeled or tracked) greater than 50 horsepower used during construction activities shall meet the U.S. EPA Tier 4 final standards. Tier 4 certification can be for the original equipment or equipment that is retrofitted to meet the Tier 4 Final standards. • Include construction equipment exhaust controls and measures to control dust and exhaust during construction. • All exposed surfaces (e.g., parking areas, staging areas, soil piles, graded areas, and unpaved access roads) shall be watered two times per day. • All haul trucks transporting soil, sand, or other loose material off-site shall be covered. • All visible mud or dirt track-out onto adjacent public roads shall be removed using wet power vacuum 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 miles per hour. • All roadways, driveways, and sidewalks to be paved shall be completed as soon as possible. Building pads shall be laid as soon as possible after grading unless seeding or soil binders are used. • 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). Clear signage shall be provided for construction workers at all access points. • All construction equipment shall be maintained and properly tuned in accordance with manufacturer's specifications. All equipment shall be checked by a certified mechanic and determined to be running in proper condition prior to operation. • A publicly visible sign shall be posted at the project site with the telephone number and person to contact at the City regarding dust complaints. This person shall respond and take corrective action within 48 hours of receiving a complaint. The Air District's phone number shall also be visible to ensure compliance with applicable regulations.	**During construction**	**Applicant**
CULTURAL RESOURCES			

Impact	Mitigation Measure	Timing	Responsible Party
Impact CUL-1: The project could adversely impact the significance of prehistoric or historic resources.	**Mitigation Measure CUL-1**: Inadvertent discovery of prehistoric or historic resources during construction. If previously unidentified cultural resources are encountered during project implementation, project personnel shall avoid altering the materials and their stratigraphic context. Project personnel shall not collect cultural resources. A qualified professional archaeologist shall be contacted to evaluate the situation. Historic-era resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies. Resources associated with Native peoples include, but are not limited to, chert or obsidian flakes, projectile points, mortars, pestles, and dark friable soil containing shell and bone dietary debris, heat-affected rock, and/or human burials. Historic-era resources include stone or adobe foundations or walls; structures and remains with square nails; and refuse deposits or bottle dumps, often located in old wells or privies. If a Native American resource is discovered, the Federated Indians of Graton Rancheria shall be contacted to evaluate the situation in coordination with the qualified professional archaeologist. If the Federated Indians of Graton Rancheria determine that the resource constitutes a tribal cultural resource, they will provide direction for its treatment.	**During construction**	**Applicant, Qualified Archaeologist**
Impact CUL-2: The project could disturb human remains.	**Mitigation Measure CUL-2:** Protocol for Human Remains Discovery. In the event that human remains are discovered during presence/absence testing or excavation and/or grading of the project site, all activity within a 50-foot radius of the find shall be stopped. The County Coroner shall be notified and shall make a determination as to whether the remains are of Native American origin or whether an investigation into the cause of death is required. If the remains are determined to be Native American, the Coroner shall notify the NAHC immediately. Once NAHC identifies the most likely descendant, the descendant will make recommendations regarding proper burial, which will be implemented in accordance with Section 15064.5(e) of the CEQA Guidelines. All actions taken under this mitigation measure shall comply with Health and Human Safety Code § 7050.5(b).	**During construction**	**Applicant**
GEOLOGY, SOILS, AND SEISMICITY			
Impact GEO-1: The project could adversely impact the significance of an undiscovered paleontological resource.	**Mitigation Measure GEO-1**: **Protocol for Paleontological Discoveries.** In the event that paleontological resources are unearthed during grading, ground disturbance work shall cease until a qualified paleontologist determines whether the resource requires further study. The qualified paleontologist shall temporarily halt and/or divert grading activity to allow recovery of the resources, and prepare a Paleontological Resources Monitoring Program (PRMP). The area of discovery shall be temporarily contained for evaluation by the qualified paleontologist. Upon completion of the paleontological monitoring program, the qualified paleontologist shall prepare a final monitoring report documenting the results of the monitoring program, which shall include a description of the methods used, fossils collected, and significance of recovered fossils.	**Prior to construction; During construction**	**Applicant, Qualified Paleontologist**

Impact	Mitigation Measure	Timing	Responsible Party
NOISE			
Impact NOI-1: The project would generate a substantial increase in ambient noise levels during construction.	**Mitigation Measure NOI-1**: Barriers, such as plywood structures or flexible sound control curtains shall be erected along the southern perimeter of the construction site, and around stationary equipment as feasible (i.e., generators, air compressors, etc.) to minimize the amount of noise during construction on Sensitive Receptor No. 1. Perimeter barriers shall be at least eight (8) feet in height and constructed of materials achieving a Transmission Loss (TL) value of at least 15 dB(A), such as ½ inch plywood.	**During construction**	**Applicant**
Impact NOI-2: The project would generate excessive groundborne vibration or groundborne noise levels.	**Mitigation Measure NOI-2**: The construction contractor shall prohibit the use of heavy construction equipment (such as a large bulldozer or any piece of equipment capable of generating vibration levels of 0.089 PPV and 87 VdB or greater at a distance of 25 feet) to areas at a minimum distance of 140 feet from off-site structure No. 1 (recording studio), or approximately 109 feet from the project site's southern property line. Smaller equipment, such as a small bulldozer, can be used up to the project site's southern property line.	**During construction**	**Applicant**
	Mitigation Measure NOI-3: If heavy construction equipment (such as a large bulldozer or any piece of equipment capable of generating vibration levels of 0.089 PPV and 87 VdB or greater at a distance of 25 feet) is required to be used within 140 feet of off-site structure No. 1 (recording studio), or approximately 109 feet from the project site's southern property line, the construction contractor shall provide written notice to the recording studio 60 days in advance of such activity. The written notice shall identify the dates of activity, the hours of activity, types of equipment to be used, and the vibration levels anticipated at off-site structure No. 1 (recording studio).	**During construction**	**Applicant**
TRIBAL CULTURAL RESOURCES			
Impact TCR-1: The project could adversely impact the significance of tribal cultural resources.	**Mitigation Measure TCR-1:** Tribal Cultural Monitoring during Ground Disturbing Activities. Tribal monitoring shall occur by the Federated Indians of Graton Rancheria during ground-disturbing construction activities. Ground-disturbing activities include blading, grading, and trenching, which have a moderate to high potential to expose or impact tribal cultural resources. The Federated Indians of Graton Rancheria tribal monitor(s) shall observe ground-disturbing activities as described above to look for indications of tribal cultural resources that may be exposed by construction equipment. For safety purposes, the Federated Indians of Graton Rancheria tribal monitor(s) shall generally inspect spoils at a safe distance, in accordance with project health and safety protocols, including the option to enter trenches before they get past five feet deep. The backhoe operator shall shake the spoils from the bucket slowly and spread them out for inspection before adding to the spoils pile. It is the responsibility of the Federated Indians of Graton Rancheria tribal monitor(s) to report tribal cultural resources found within the project boundaries, whether on the surface or subsurface, to the Federated Indians of Graton Rancheria's Tribal Historic Preservation Officer, who will notify Marin Transit to stop	**During construction**	**Applicant, Tribal Cultural Monitoring by Federated Indians of Graton Rancheria**

Impact	Mitigation Measure	Timing	Responsible Party
	work. Once notified, Marin Transit shall issue a stop-work order in the immediate area of the discovery. Tribal monitor(s) shall not direct construction personnel or equipment. Prior to initiation of ground-disturbing construction activities, a Tribal Cultural Resources Treatment Plan shall be prepared in consultation with the Federated Indians of Graton Rancheria and an archaeologist approved by the Federated Indians of Graton Rancheria to direct monitoring and provide guidance for the treatment of any discoveries.		
	See **Mitigation Measure CUL-1** and **Mitigation Measure CUL-2** above.	**During construction**	**Applicant, Qualified Archaeologist**